



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 06/26/18

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.

nb0606/0620

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300893

CASE NAME: Francena Marie Johnston

HEARING:

Hearing re Final Discharge

COUNSEL:

FRANCENA MARIE JOHNSTON (DEC)...

JEFFREY PETERSON (PET)...MITCHELLWEILER LAW

KEITH HANSEN (PET)...MITCHELLWEILER LAW

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling First and Final Account entered 06/20/17.
2. No receipts filed. **Need** same.
3. **Need** Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501151

CASE NAME: ROY AND PATRICIA HILL LIVING TRUST

HEARING:

Hearing Re: STATUS

COUNSEL:

EARL BATES

ROY HILL

TAWNYA BATES

THE ROY & PATRICIA HILL

TRACY J HILL

(FULLERTON LEMANN SCHAEFER &

(PET)...MICHAEL L ABERNATHY

(OBJ)...FULLERTON LEMANN SCHAEFER

(TRU)...PRO/PER

(PET)...BENJAMIN HAMPTON

No notes – Status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600010

CASE NAME: MICHAEL SLOAN LOGAN

HEARING:

Probate status report filed.

COUNSEL:

BASELINE FINANCIAL SERVICES, I	(PET)...PAUL R KRAFT
BASELINE FINANCIAL SERVICES, I	(TP)...PAUL R KRAFT
LISA DELATORRE	(PET)...BETTY S CHAIN
MICHAEL SLOAN LOGAN	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report (filed 02/15/18).

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

1. Letters of Administration issued to Lisa Delatorre, daughter, on 05/09/16; limited authority, no bond.
2. Petitioner requests an additional 6 months to close the estate.
3. Estate is not in a condition to close due to the buyer backing out of the purchase of the real property located in Wrightwood. It is the only asset of the estate and is currently listed for sale
4. **Need** Notice of Hearing and proof of service in accord with Pr.C. § 12201(b) advising the recipients of the right to petition for an account in accord with Pr.C. § 10950. **This form of notice is mandatory.**
5. No proposed order.

RECOMMENDATION:

Need to clear note 4. If approved, set next hearing for Accounting Review for **10/29/18**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(ww/nb)

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600983

CASE NAME: MTR OF NORMAN DELTON POOL

HEARING:

Petition for termination of further proceedings & discharge
of personal representative

COUNSEL:

ANTHONY W HART

(PET)...PRO/PER

NORMAN DENTON POOL

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Termination of Further Proceeding
and for Discharge of Personal Representative of Estate with No Assets [Pr. C. 12251].

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

1. Letters of Administration issued to Anthony W. Hart on 02/02/17, full authority, no bond.
2. Petitioner, Anthony W. Hart, seeks to terminate this administration on the basis that the purported sole assets of the Estate, consisting of a CALPERS Retirement and Citibank Account, was discovered to have been distributed to the named beneficiary of the CALPERS Retirement and joint owner of the Citibank Account.
3. Petitioner requests termination of further proceedings and discharge from further duties and responsibilities as Personal Representative of the Estate.
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700162

CASE NAME: MTR OF SHIRLEY JOANNA HEIL

HEARING:

Accounting Review by ***

COUNSEL:

MARY E HEIL

(PET)... MARY M. BADER

SHIRLEY JOANNA HEIL

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters Testamentary issued to Mary E. Heil on 05/23/17, full authority, no bond.
2. No accounting or status report. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 6

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700403

CASE NAME: MTR OF ANN V REGNER

HEARING:

First and Final Account and Report of LINDA CABELKA and Petition
for allowance of fees filed.

COUNSEL:

ANN V REGNER

(DEC)...

LINDA CABELKA

(PET)...JOHN

GENERAL INFORMATION:

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

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

1. Accounting period 12/22/16 to 03/31/18.
2. Assets on Hand \$94,363.91 consisting of cash.
3. Statutory fees of \$6,881.74 requested. Calculated.
4. Disbursements – Schedule "E" [LF, p. 18-19] includes items considered overhead and generally not allowed totaling \$455.16. Does Court wish to reduce statutory fees by this amount? **JTD.**
5. Disbursements – Schedule "E" [LF, p. 19-20] includes reimbursements to petitioner associated with real property, vehicle, utility, funeral and memorial costs (not subtotaled or totaled). Does Court wish to ratify reimbursements? **JTD.**
6. Disbursements – Schedule "E" [LF, p. 20] includes payment for creditor's claim by petitioner, filed on 01/31/18 in the amount of \$334.19. **Need** conformed copy of Allowance or Rejection of Creditor's Claim, DE-74 that includes Court's approval.
 - a. Items include those considered overhead and normally not allowed totaling \$175.60. **JTD.**
7. **Need** proof of service to Notice of Proposed Action re: sale of real property.
8. **Need** bank statement to support closing balance per Local Rule 20-908.

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.**

9. Petitioner requests bond to be exonerated and discharge upon filing of receipts. However, bond is not exonerated and discharge does not occur until entry of a final discharge order.
10. Proposed Order 05/21/18 does not include balance and description of assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614(c); findings re: sole and separate property; findings re: known creditors; findings re: all taxes have been paid, or reserve made for taxes exonerates; bond; and discharges Petitioner upon filing of receipts and Ex Parte Petition.

RECOMMENDATION:

Need to clear notes 6-8 then Court's discretion. If approved, set next hearing for receipts and final discharge for **06/25/19**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 6A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700730

CASE NAME: MARK S OBERLY

SEE ALSO 6B, 6C

HEARING:

Hearing Re: PETITION FOR LETTERS OF SPECIAL ADMINISTRATION

COUNSEL:

DANIEL OBERLY SR

(OBJ)...R. STEVEN DERRYBERRY

DANIEL OBERLY SR

(PET)...R. STEVEN DERRYBERRY

MARK STEVEN OBERLY

(DEC)...

SHANNON KELLY ORTEGA

(PET)...LAW OFFICES OF KRING & CHUNG

GENERAL INFORMATION:

Continued from 03/06/18 and 05/22/18 at request of counsel. Court permits court call for next hearing date.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Special Administration with general powers by purported spouse, Shannon Kelly Ortega ["Petitioner"].

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

1. Petitioner requests a bond to be determined on estate valued at \$1,015,000.00. Suggest bond of \$1,015,000.00. JTD.
2. Petitioner submits this petition for Special Appointment to "protect the Estate"; claims to be the most suited to be the administrator of the Estate; and allege she is the sole beneficiary of the Estate.

RECOMMENDATION:

Court's discretion

(nb)

Future Hearing:

07/02/18 Petition to determine entitlement to estate distribution

11/08/18 Readiness calendar

11/08/18 Petition for letters of administration with full IAEA

12/10/18 Court Trial

12/11/18 Court Trial

12/12/18 Court Trial

12/13/17 Court Trial

12/14/18 Court Trial

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

Superior Court of Calif, County of San Bernardino

Page: 6B

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700730

CASE NAME: MARK S OBERLY

SEE ALSO 6A, 6C

HEARING:

Hearing Re: PETITION FOR LETTERS OF SPECIAL ADMIN W/GEN PWRS

COUNSEL:

DANIEL OBERLY SR

(OBJ)...R. STEVEN DERRYBERRY

DANIEL OBERLY SR

(PET)...R. STEVEN DERRYBERRY

MARK STEVEN OBERLY

(DEC)...

SHANNON KELLY ORTEGA

(PET)...LAW OFFICES OF KRING & CHUNG

GENERAL INFORMATION:

Continued from 03/06/18 and 05/22/18 at request of counsel. Court permits court call for next hearing date.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Special Administration with general powers by brother, Daniel Oberly, Sr. ["Petitioner"].

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

1. Petitioner requests a \$200,000 bond to be fixed on this estate valued at \$700,000. Suggest bond of \$700,000. **JTD.**
2. Petitioner is seeking appointment as Special Administrator to conduct an investigation to determine what assets the decedent owned; to contact and deal with third parties that might have assets belonging to the decedent and to collect and take possession of assets that remain in the decedent's name. Petitioner further seeks appointment to preserve the assets of the decedent that are now known and to prevent waste of the assets. Again, petitioner seeks appointment to protect the Estate from Mrs. Ortega's misconduct and to stop all use of decedent's assets for her own personal enjoyment.
3. Petitioner specifically requests the powers to collect and preserve all the goods, chattels and receivables of the decedent, and all incomes, rents, issues, profits, claims and demands of the estate; take charge, insure and manage the real property and enter upon it to preserve it from damage, waste and injury, including the power to commence and maintain legal proceedings to remove unauthorized occupants from the real property, i.e. occupants without legal right

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.**

to maintain possession of said property; and the power to close accounts and pay debts of the decedent.

4. **Objections and supporting declaration filed 01/17/18 by Shannon Kelly Ortega.**

RECOMMENDATION: Matter is contested.

Court's discretion

(nb)

Future Hearing:

07/02/18 Petition to determine entitlement to estate distribution

11/08/18 Readiness calendar

11/08/18 Petition for letters of administration with full IAEA

12/10/18 Court Trial

12/11/18 Court Trial

12/12/18 Court Trial

12/13/17 Court Trial

12/14/18 Court Trial

Superior Court of Calif, County of San Bernardino
Page: 6C
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700730

CASE NAME: MARK S OBERLY

SEE ALSO 6A, 6B

HEARING:

Petition for LETTERS OF ADMINISTRATION W/ FULL IAEA

COUNSEL:

DANIEL OBERLY SR	(OBJ)...R. STEVEN DERRYBERRY
DANIEL OBERLY SR	(PET)...R. STEVEN DERRYBERRY
MARK STEVEN OBERLY	(DEC)...
SHANNON KELLY ORTEGA	(PET)...LAW OFFICES OF KRING & CHUNG

GENERAL INFORMATION:

Continued from 12/05/17, 03/06/18 and 05/22/18 at request of counsel. Court permits court call for next hearing date.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by purported wife, Shannon Kelly Ortega ["Petitioner"].

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

1. Petitioner requests bond to be determined. Suggest bond of \$1,015,000.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c). JTD.
2. Section 3g(2), 3h(3) or (4) to petition [LF, p.3] are incomplete. **Supp. (03/01/18) alleges petitioner has priority as she was decedent's domestic partner for 20 years, similar to husband and wife per Marvin v. Marvin (1976) 18 Cal. 3d 660.**
3. **Objections filed 12/01/17 by Daniel Oberly, Sr.**
4. ~Proposed Form Order 08/22/17

RECOMMENDATION: Matter is contested.

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

(nb)

Future Hearing:

07/02/18 Petition to determine entitlement to estate distribution

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

11/08/18 Readiness calendar
11/08/18 Petition for letters of administration with full IAEA
12/10/18 Court Trial
12/11/18 Court Trial
12/12/18 Court Trial
12/13/17 Court Trial
12/14/18 Court Trial

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

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701032

CASE NAME: RODRIGUEZ DYNASTY TRUST DATED JULY 7,1989

SEE ALSO 8

HEARING:

Petition for INSTRUCTIONS

COUNSEL:

ISABELLE REINHARDT

(PET)...M DANIEL SAYLOR

RODRIGUEZ DYNASTY TRUST DATED (TRU)...

Currently under review by Legal Research.
(LR)

30 days' notice filed 03/21/18.
(lc/nb)

Future Hearing:
07/19/18 Court Trial

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

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701032

CASE NAME: RODRIGUEZ DYNASTY TRUST DATED JULY 7,1989

SEE ALSO 7

HEARING:

Readiness Calendar

COUNSEL:

ISABELLE REINHARDT

(PET)...M DANIEL SAYLOR

RODRIGUEZ DYNASTY TRUST DATED (TRU)...

No notes – Readiness.

(nb)

Future Hearing:

07/19/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800365

CASE NAME: JANET MARIE HARGETT

HEARING:

Hearing Re: Posting of Bond/Issuance of Letters

COUNSEL:

JANET MARIE HARGETT (DEC)...
LORETTA MEADERS (PET)...CHANDLER LAW FIRM

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Posting of Bond/Issuance of Letters.

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

1. Order Appointing Administrator, Loretta Meaders entered 05/18/18, full authority, \$50,000 bond. Deposits of \$97,000 ordered to be placed in a blocked account.
2. Bond posted and Letters issued.
3. **Need** Acknowledgment and Receipt of Monies in a Blocked Account.

RECOMMENDATION:

Need to clear note 3.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 9A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800382

CASE NAME: PAULA MARIE GONZALEZ

HEARING:

Petition to determine succession to Real Property

COUNSEL:

PAULA MARIE GONZALEZ (DEC)...
SHANTLE SHIPP (PET)...JT LEGAL GROUP, APC

X-REF: SBFSS 29416

GENERAL INFORMATION:

Continued from 05/29/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property (Estates \$150,000 or less) by daughters, Shantle Shipp, Lacey Gonzalez and Paula Gonzalez ["Petitioners"].

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

1. Inventory & Appraisal attached to petition has the following issues:
 - a. Numbers 4 & 5 incomplete.
 - b. No signatures on the I&A by Lacey Gonzalez and Paula Gonzalez. **Need** signatures of verification.
2. Petitioners request a determination that decedent's personal property consisting of decedents 50 % interest of ex-husband's pension proceeds per Court Order entered 12/22/16 in the related case. Copy of court order, letter, plan and terms are not affixed as alleged. **Need** same.
3. A petition requesting an order concerning personal property only is not permitted under Pr. C. §13152. Where only personal property is involved, the affidavit procedure under Pr. C. §13100 is the appropriate summary procedure to use.

RECOMMENDATION:

Deny.
(nb)

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

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800472

CASE NAME: Sheldon E Nevens

HEARING:

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

COUNSEL:

FRANKIE NEVENS

(PET)...SERGIO RODRIGUEZ

SHELDON E NEVENS

(DEC)...

GENERAL INFORMATION:

Ex Parte orders granted, as modified, and Letters of Special Administration issued to Frankie Nevens on 06/13/18, no bond. Funds to be placed into a blocked account.

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

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

1. Petitioner is the purported nominee of a person entitled to Letters. **Need** nominations by decedent's three issues.
2. Petitioner requests a bond of \$300,000 be fixed. Appears sufficient. **JTD**.
3. **Need** proof of publication.
4. **Need** Notice of Petition to Administer Estate with proof of service.
5. ~Proposed Form Order 06/06/18

RECOMMENDATION:

Need to clear notes 1, 3-4 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **08/27/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

F Superior Court of Calif, County of San Bernardino

Page: 11

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800493

CASE NAME: Daisy P Soares

HEARING:

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

COUNSEL:

DAISY P SOARES (DEC)...
TIMOTHY L SOARES (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary w/WA and limited authority under IAEA by grandson, Timothy L. Soares ["Petitioner"].

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

1. Will does not waive bond as to this petitioner and heirs waive bond. However, petitioner is a non-resident and court has discretion to require bond per Pr. C. § 8571. Estimated estate valued at \$217,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). Suggest bond of \$217,000. **JTD.**
2. **Need** complete copy of will.
3. Section 7 indicates Decedent had a predeceased spouse who died not more than 15 years before the decedent and owned an interest in real property that passed to decedent. However, section 7(2) is incomplete. **Need** verified supplement.
4. Section 8 does not include issues, parents or next of kin of decedent's predeceased spouse. **Need** verified supplement.
5. **Need** Notice of Petition to Administer Estate with proof of service to include persons in note 4.
6. ~Proposed Form Order/Letters 05/18/18.

RECOMMENDATION:

Need to clear notes 2-5 then Court's discretion re: bond. If approved, set future hearing for Accounting Review on **08/27/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

Superior Court of Calif, County of San Bernardino
Page: 11A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800511

CASE NAME: DENIS JOHN HERNDON

HEARING:

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

COUNSEL:

DENIS JOHN HERNDON (DEC)...
KENNETH HERNDON (PET)...VARNER & BRANDT

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by father, Kenneth Herndon ["Petitioner"].

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

1. Heirs waive bond. **Need** Mandatory Waiver of Bond by Heir or Beneficiary,
form DE-142/DE-111, by petitioner.
2. Estimated estate valued at \$0.00. The Court may for good cause require that a
bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
3. Proof of publication filed

RECOMMENDATION:

Need to clear note 1. If approved, set future hearing for Accounting Review on
07/02/19. Any account to be filed 30 days in advance of hearing. Note requirements of
Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 06/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400051

CASE NAME: Shawn P Hughes

HEARING:

Accounting Review by ***

COUNSEL:

ARTHUR A CAPPILLA	(CP)...HORSPOOL & HORSPOOL
ARTHUR A CAPPILLA	(CPE)...J. DAVID HORSPOOL
BARBARA E BOWERSOCK	(TP)...BARBARA E BOWERSOCK
EDWARD B. FISCHEL	(PET)...EDWARD B FISCHEL & ASSOCIATES
SHAWN P HUGHES	(CEP)...EDWARD B FISCHEL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Estate, Arthur A. Cappilla.

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

1. Order Settling Twenty-Fourth Account entered 10/17/17; twenty-fifth account now due.
2. No accounting or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

Future Hearing:

07/16/18 Petition for order referring conservatee 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
Page: 13A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400183

CASE NAME: ISABEL LIN WANG

HEARING:
Hearing Re: OUT OF STATE TRANSFER

COUNSEL:
ISABEL LIN WANG (CEE)...
ROSA ISABEL PORTILLO (CP)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Out of State Transfer

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

1. Matter set on courts motion after receipt and review of CI report filed 05/24/18.
2. Notice by Judicial Assistant.
3. **Need** to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).

RECOMMENDATION:

Need to clear note 3 then Court's discretion.
(nb)

Superior Court of Calif, County of San Bernardino

Page: 14

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500071

CASE NAME: CHRISTOPHER JAMES WALKER

HEARING:

Accounting Review by ***

COUNSEL:

CHRISTOPHER JAMES WALKER

(CTP)...

DELISA MERRIDA

(CP)...DENNIS M SANDOVAL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review of SNT by Trustee, Delisa Merrida (mother).

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

1. Order Establishing and Funding a Special Needs Trust entered 04/25/17; first and current account now due.
2. No accounting. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

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

DATE: 06/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500123

CASE NAME: Janet M Hargett

HEARING:

Petition for Reimbursement of conservator's expenses and for attorney compensation

COUNSEL:

DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
JANET MARIE HARGETT	(CEP)...DONNASUE ORTIZ
LORETTA F MEADERS	(CPE)...HARTNELL LAW GROUP
LORETTA MEADERS	(CPE)...CHANDLER LAW FIRM

X-REF: PROPS 1800365

GENERAL INFORMATION:

Conservatee passed away on 12/16/17.

THIS CASE IS SET FOR HEARING ON Petition for Reimbursement and Compensation by Conservator of the person and estate, Loretta Meaders ["Petitioner"-1st cousin].

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

- 1 Petitioner requests reimbursement of costs advanced of \$5,500. Itemized. However, costs of \$1,500 are for travel expenses in 2014, before petitioner was appointed, and considered overhead unless conservator is waiving her fees, per Local Rule 20-1406. **JTD**.
- 2 Attorney requests fees of \$3,059.52 for services from July 2017 to March 30, 2018. Billed at \$275/hour for 19.52 hours' attorney time. Itemized [see declaration filed 05/17/18, [LF, pgs. 6-18].
- 3 No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500213

CASE NAME: JUDY PENA

HEARING:

Accounting Review by ***

COUNSEL:

VINCE PENA

(PET)...M STEPHEN CHO

LINDA NASH

(CE)...LAYNE A BARTHOLOMEW

LINDA NASH

(PET)...LAYNE A BARTHOLOMEW

JUDY PENA

(CEE)...DONNASUE ORTIZ

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Estate, Judy Pena.

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

1. Order on First Account Current entered 03/28/17; second account now due beginning 12/08/16.
2. No accounting or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700201

CASE NAME: JANETTE ILIANA GONZALEZ

SEE ALSO 18, 19

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CLAUDIA MARTINEZ

COUNSEL:

CLAUDIA MARTINEZ (PET)...PRO/PER
JANETTE ILIANA GONZALEZ (CEE)...MELVIN L FRIEDLAND

GENERAL INFORMATION:

Claudia Martinez appointed Limited Conservator of the person on 10/17/17.

Continued from 05/22/18 on courts motion.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

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

RECOMMENDATION:

None

(nb)

Superior Court of Calif, County of San Bernardino

Page: 18

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700201

CASE NAME: JANETTE ILIANA GONZALEZ

SEE ALSO 17, 19

HEARING:

Hearing Re: OSC RE SUSPENSION OF POWERS OF CONSERVATOR

COUNSEL:

CLAUDIA MARTINEZ (PET)...PRO/PER
JANETTE ILIANA GONZALEZ (CEE)...MELVIN L FRIEDLAND

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Suspension of Powers of Conservatee, Claudia Martinez.

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

1. Matter set on Courts motion at 05/22/18 hearing, for failure to appear and failure to file required documents.
2. Court orders Claudia Martinez to be personally present in court this date.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 19
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700201

CASE NAME: JANETTE ILIANA GONZALEZ

SEE ALSO 17, 18

HEARING:

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

COUNSEL:

CLAUDIA MARTINEZ (PET)...PRO/PER
JANETTE ILIANA GONZALEZ (CEE)...MELVIN L FRIEDLAND

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Sanctions on Conservator, Claudia Martinez, of \$1,000.

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

1. Matter set on Courts motion at 05/22/18 hearing, for failure to appear and failure to file required documents.
2. Court orders Claudia Martinez to be personally present in court this date.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 19A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700342

CASE NAME: ENOLA M MUNOZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MARIA DE JESUS MUNOZ

COUNSEL:

ENOLA M MUNOZ (CTP)...PRO/PER
MARIA DE JESUS MUNOZ (CP)...PRO/PER

GENERAL INFORMATION

Maria De Jesus Munoz appointed conservator of the person on 10/24/17.

Continued from 05/29/18 at request of petitioner. Case referred to Legal Aid.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Notification of Conservatee's Rights filed.
2. Appropriate Level of Care filed.
3. Care Plan filed.

RECOMMENDATION:

None.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700420

CASE NAME: MTR OF STEPHANIE ALICIA ORTEGA

HEARING:

Hearing Re: CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

ARLENE M SWEET	(CP)...PRO/PER
EVELYN M JENSEN	(CP)...PRO/PER
ROSANNE DANFORD	(CP)...PRO/PER
STEPHANIE ALICIA ORTEGA	(CTP)...DONNASUE ORTIZ

GENERAL INFORMATION:

Order appointing Rosanne Danford (mother), Arlene M. Sween and Evelyn M. Jensen Limited Co-Conservators of the person entered 06/24/10.

Continued from **01/16/18**. No appearance. Court orders conservator (and if they have counsel, the counsel for the conservator) to be personally present at 9:30am on March 20, 2018. Notice by Judicial Assistant.

Continued from **03/20/18**. Attorney DonnaSue Ortiz appointed. Court requests IRC to prepare report to Court for hearing on 05/01/18. Printout given to Attorney Beckett for IRC as he is present in court. Court notes that an updated capacity declaration and court investigator report are not needed at this time.

Continued from 05/01/18 at request of petitioner to clear notes. Notice by Judicial Assistant.

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

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

1. **Need** amended letters.
2. Last Capacity Declaration filed 04/30/10 in LA County.
3. Last CI Report filed 06/28/17 in LA County.
4. Conservatee is developmentally disabled. Report by counsel, Donna Sue Ortiz, filed.
5. **Need** IRC report.
6. Determination of Conservatee's Appropriate Level of Care filed.
7. Declaration by John L. Gordon indicates he is no longer conservatee's attorney; was discharged by LA Court; and will not be appearing at hearing.

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.**

8. ~Proposed Form Letters 05/09/18

RECOMMENDATION:

Need to clear notes 1 & 5 then Court's discretion.

(nb/ww/nb)

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

Superior Court of Calif, County of San Bernardino

Page: 21

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PA**

DATE: 06/26/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1501031

CASE NAME: MTR OF STANLEY GLICK

VACATED

HEARING:

Accounting Review by ***

COUNSEL:

S. B. COUNTY PUBLIC ADMINISTRA
STANLEY GLICK

(PET)...CRAIG M PARKER
(DEC)...

FUTURE HEARING DATES:

07/17/18 First and final Account

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

Superior Court of Calif, County of San Bernardino
Page: 1
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1100294

CASE NAME: MARY ROBERTA BURDICK

HEARING:
Probate status report filed.

COUNSEL:
CRAIG GASTEIGER (PET)...NOREEN T FONTAINE
EARL SPENCER BURDICK (PET)...PRO/PER
MARY ROBERTA BURDICK (DEC)...
ROBERTA ROSE BURDICK (PET)... NOREEN T FONTAINE

X-REF: CIVDS 1518673

GENERAL INFORMATION:

Continued from **03/13/18**. No appearances. Notice by Judicial Assistant.
Continued from 05/01/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Status Report (filed 01/10/18) by Successor Personal Representative, Roberta Rose Burdick ["Petitioner"].

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

1. Petitioner alleges the estate is not in a condition to be closed due to the pending civil action; future listing; and sale of the real property at issue.
2. Petitioner requests an additional 6 months to close the estate. Suggest 12 months.
3. **Need** Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**

RECOMMENDATION:

Need proper notice. If approved, set next hearing for Accounting Review on **05/21/19**. Any account to be filed 30 days' before hearing date. Note requirements of Local Rules.
(nb)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300446

CASE NAME: ESTHER DURAN

HEARING:
Petition for ATTORNEY FEES

COUNSEL:

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

XREF: CONPS1100062 (Lorianne M Duran SNT)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for fees and compensation by Guardian ad Litem, Jennifer M. Daniel ["Petitioner"].

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

- 1 Petitioner was appointed on 05/07/14. Petitioner alleges that services have been rendered for through 05/08/18, for which, counsel has not been compensated.
- 2 Attorney requests reduced fees of \$28,890.00. Billed at the reduced rate of \$300/hour for 96.3 hours attorney time. Itemized [LF, pgs. 7-14].
- 3 Petitioner requests an order from this court instructing Karin Horspool, the Trustee of the Lorianne Duran Special Needs Trust, to issue payment to Jennifer M. Daniel in the requested amount and subject to the availability of funds from available assets on hand in the SNT.
- 4 To the extent that assets on hand cannot satisfy this bill, Petitioner requests authority to amend this billing statement accordingly and to submit a voucher to the court.
- 5 ~Proposed Order 05/15/18

RECOMMENDATION:

Court's discretion.

(nb)

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

Future Hearing:
08/14/18 Hearing re: Status of settlement 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

Page: 3

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700845

CASE NAME: THE JOHN P MCGLONE REVOCABLE TRUST

HEARING:

Petition for (VERIFIED) FOR DETERMINATION OF VALIDITY OF
PURPORTED TRUST DOCUMENTS ETC

COUNSEL:

DANNY NICHOLS

(OBJ)...C. TRACY KAYSER

MARGARET CLUKEY

(PET)...PRICE LAW FIRM APC

NANCY NICHOLS

(C. TRACY KAYSER

ROSEMARY HALEY

(PET)...PRICE LAW FIRM APC

THE JOHN P MGLONE REVOCABLE TR (TRU)...

Currently under review by Legal Research.
(LR)

Notice given.
(nb)

Superior Court of Calif, County of San Bernardino
Page: 4
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800146

CASE NAME: MTR OF DAISY CRUZ
HEARING:
Spousal Property Petition hearing.

COUNSEL:
DAISY CRUZ (DEC)...
LUIS GODINA (PET)...PRO/PER

GENERAL INFORMATION:

Continued from **03/26/18** to allow Mrs. Vargas to probate the Will. Mrs. Vargas represents she is the Executor of Decedent's Will.

Continued from 05/15/18.

THIS CASE IS SET FOR HEARING ON **Amended** (05/11/18) Spousal Property Petition, by spouse, Luis Godina, (Petitioner)

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

1. Petitioner, Luis Godina, requests a determination of personal property passing to the surviving spouse as community property. Specifically, a 2013 Toyota Venza, Samsung note cell phone, purse and wallet, and all personal property of decedent. **Supp. (05/30/18)** indicates property was acquired with community funds.
2. Section 12 to petition alleges a petition for probate for administration is being filed with this petition. However, a Will Contest and Opposition to Probate of Purported Will have been filed by petitioner A receipt for the lodging of decedent's will has been filed, but, a Petition to Administer the Estate has not been filed. **Need** proper petition and summons once probate petition is filed.
3. Attachments 7a & 7b affixed to supplement filed 05/30/18 [LF, p. 4].
4. **Objections filed by Maria Vargas (executrix/sister of decedent) indicates Decedent's Will[LF, p. 8] leaves nothing to petitioner and alleges petitioner has no community property interest.**
5. ~Proposed Form Order: 05/11/18

RECOMMENDATION: Matter is contested.

Court to inquire re: probate of will.

(cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800315

CASE NAME: EULALIA F HERNANDEZ

HEARING:

Petition for Probate Letters of Administration W/No IAEA

COUNSEL:

EULALIA F HERNANDEZ (DEC)...
GREGORIO HERNANDEZ (PET)...RANDAL P HANNAH

GENERAL INFORMATION

Continued from 05/07/18 at request of counsel.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Gregorio Hernandez, son [Petitioner].

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

1. Estate's value consists of \$350,000 in real property. Petitioner requests bond of \$5,000. Suggest bond of \$350,000. 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. Petition is incomplete at caption and at Section 2c. **Need** verified supplement clarifying powers requested.
3. Proof of publication is filed, however, publication does not comply with Pr.C. §§ 8100, 8120. The publication shall contain specific statutory wording re: IAEA. Court could require amended publication, or alternatively, grant petition with no IAEA powers. **JTD**.
4. ~Proposed Form Order:

RECOMMENDATION

Need to clear note 2. Court's discretion re bond and publication. If approved, set Accounting Review for **07/15/19**. Any account to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.
(cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800416

CASE NAME: ERNEST WILLIAMS

HEARING:

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

COUNSEL:

ERNEST WILLIAMS (DEC)...
ORELIIOUS PEEVY (PET)...GARY A. FARWELL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by son, Orelious Peevy ["Petitioner"].

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

1. Petitioner purports to be sole heir and waives bond. Estimated estate valued at \$75,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). JTD.
2. ~Proposed Form Order/Letters 04/30/18.

RECOMMENDATION:

RFA subject to Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **08/27/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800475

CASE NAME: DELIA ESTRELLA PENA

HEARING:

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

COUNSEL:

DELIA ESTRELLA PENA (DEC)...

LOUISE PENA CORNETT (PET)...PRO/PER

GENERAL INFORMATION:

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

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

1. Heirs waive bond. Estimated estate valued at \$75,200. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
2. **Need** proof of publication.
3. **Need** Notice of Petition to Administer Estate with proof of service.
4. ~Proposed Form Order/Letters

RECOMMENDATION:

Need to clear notes 2-3 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **08/27/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800476

CASE NAME: WANDA DOWNEY

HEARING:

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

COUNSEL:

DEBRA S. BARTOSIK (PET)...PRO/PER
WANDA DOWNEY (DEC)...

GENERAL INFORMATION:

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

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

1. Heirs waive bond. Estimated estate valued at \$109,400. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
2. ~Proposed Form Order/Letters 05/15/18.

RECOMMENDATION:

RFA subject to Court's discretion re: bond. If approved, set future hearing for Accounting Review on **08/27/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 06/26/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1601258

CASE NAME: JAKE VELASQUEZ SPECIAL NEEDS TRUST

HEARING:

First Account and Report of ROBERT SCHNIEDERS and Petition for allowance of fees filed.

COUNSEL:

MALIA VELASQUEZ	(MIN)...BRYAN C. HARTNELL
RACHEL VELASQUEZ	(PET)...BALABAN & SPIELBERGER,
ROBERT SCHNIEDERS	(PET)...RODNUSKY & ASSOCIATES
THE JAKE VELASQUEZ SPECIAL NEE	(TRU)...RODNUSKY & ASSOCIATES

XREF: CIVDS1505163 (Velasquez vs General Motors)

GENERAL INFORMATION:

Continued from 05/15/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Trustee of SNT, Robert Schnieders ["Petitioner"-PPF].

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

1. Accounting period 02/21/17 to 02/28/18.
2. Assets on hand \$2,306,594.52 consisting of \$63,943.37 in cash and remaining in real and personal property.
3. Current bond of \$2,510,000.00. Petitioner requests a bond increase by \$225,000 for a new bond of \$2,735,000.00 [includes recovery]. Appears sufficient. **JTD.**
4. Petitioner requests compensation of \$10,328.50. Billed at \$30-\$125/hour for 124.95 hours. Itemized [LF, pgs. 61-73]. **JTD.**
 - a. Question whether case assistant services [LF, pgs. 66-70] were provided by petitioner or another individual? **Supp. (05/09/18) indicates services were provided both by Petitioner himself and his internal office staff. JTD.**
5. Attorney requests fees of \$13,600.00. Billed at \$375/hour for 25.60 hours' attorney time. Itemized [LF, p. 78]. **JTD.**

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

- a. Attorney will reduce his fee request by 3 hours or \$1,125.00, for a reduced balance requested of \$12,475.00 if matter is RFA'd and no appearance is required.
6. Attorney requests reimbursement of costs advanced of \$1,723.69. Itemized [LF, p. 79].
7. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion re: bond and fees. If approved, set next Accounting Review for **04/30/19**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1700026

CASE NAME: MTR OF PECOLIA MCFARLAND

SEE ALSO 10A, 10B, 10C, 10D, 10E, 10F

HEARING:

Motion Re: leave to amend petition to determine title to real property Filed by Petitioner MICHAEL MICHAELS, TONYA MICHAELS

COUNSEL:

MICHAEL MICHAELS	(OBJ)...MANSOUR LAW GROUP,
MICHAEL MICHAELS	(PET)...PRO/PER
PECOLIA MCFARLAND	(DEC)...
PENISHA MCFARLAND	(PET)...MICHAEL C MADDUX
STATE OF CALIFORNIA FRANCHISE	(PRO/PER
TONYA MICHAELS	(PET)...PRO/PER

Currently under review by Legal Research.
(LR)

Need Notice of Hearing with proof of service per Pr. C. §851.

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

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

Future Hearing:

06/13/19 Accounting Review.

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

Superior Court of Calif, County of San Bernardino
Page: 10A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700026

CASE NAME: MTR OF PECOLIA MCFARLAND
SEE ALSO 10, 10B, 10C, 10D, 10E, 10F

HEARING:
Hearing Re: First Amended Petition to Determine Title, etc

COUNSEL:
MICHAEL MICHAELS (OBJ)...MANSOUR LAW GROUP, APLC
MICHAEL MICHAELS (PET)...PRO/PER
PECOLIA MCFARLAND (DEC)...
PENISHA MCFARLAND (PET)...MICHAEL C MADDUX
STATE OF CALIFORNIA FRANCHISE (PRO/PER
TONYA MICHAELS (PET)...PRO/PER

Currently under review by legal research.
(LR)

Need actual notice of hearing as follows, not just proof of service.

Probate Code section 851 was amended [eff. Jan. 1, 2018] and contains a **new subdivision (c)** which requires the Notice of Hearing to include:
(1) a description of the property, and for real property mandates the notice state the street address or, if none, a description of the property's location and assessor's parcel number;
(2) a description of relief sought pursuant to Section 859 if applicable; and
(3) a statement advising any interested person that he or she may file a response.
Petitioner or counsel may request a continuance to correct the Notice deficiency.
(lc/nb)

Future Hearing:
06/13/19 Accounting Review.

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

Superior Court of Calif, County of San Bernardino

Page: 10B ADD ON

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

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700026

CASE NAME: MTR OF PECOLIA MCFARLAND

SEE ALSO 10, 10A, 10C, 10D, 10E, 10F

HEARING:

Motion Re: NOTICE OF EXPARTE MOTION AND EXPARTE MOTION TO
IMPOSE TENT ON TONYA MICHAELS ETC Filed by Petitioner PENISHA
MCFARLAND

COUNSEL:

MICHAEL MICHAELS	(OBJ)...MANSOUR LAW GROUP, APLC
MICHAEL MICHAELS	(PET)...PRO/PER
PECOLIA MCFARLAND	(DEC)...
PENISHA MCFARLAND	(PET)...MICHAEL C MADDUX
STATE OF CALIFORNIA FRANCHISE	(PRO/PER
TONYA MICHAELS	(PET)...PRO/PER

Currently under review by Legal Research.
(LR)

Future Hearing:
06/13/19 Accounting Review.

Superior Court of Calif, County of San Bernardino
Page: 10C ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700026

CASE NAME: MTR OF PECOLIA MCFARLAND
SEE ALSO 10, 10A, 10B, 10D, 10E, 10F

HEARING:

Motion Re: SUMMARY JUDGMENT Filed by Petitioner PENISHA
MCFARLAND

COUNSEL:

MICHAEL MICHAELS	(OBJ)...MANSOUR LAW GROUP, APLC
MICHAEL MICHAELS	(PET)...PRO/PER
PECOLIA MCFARLAND	(DEC)...
PENISHA MCFARLAND	(PET)...MICHAEL C MADDUX
STATE OF CALIFORNIA FRANCHISE	(PRO/PER
TONYA MICHAELS	(PET)...PRO/PER

Currently under review by Legal Research.
(LR)

Future Hearing:
06/13/19 Accounting Review.

Superior Court of Calif, County of San Bernardino

Page: 10D ADD ON

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

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700026

CASE NAME: MTR OF PECOLIA MCFARLAND

SEE ALSO 10, 10A, 10B, 10C, 10E, 10F

HEARING:

Petition for DETERMINE TITLE TO REAL PROPERTY; OR IN THE
ALTERNATIVE FOR UNJUST ENRICHMENT

COUNSEL:

MICHAEL MICHAELS	(OBJ)...MANSOUR LAW GROUP, APLC
MICHAEL MICHAELS	(PET)...PRO/PER
PECOLIA MCFARLAND	(DEC)...
PENISHA MCFARLAND	(PET)...MICHAEL C MADDUX
STATE OF CALIFORNIA FRANCHISE	(PRO/PER
TONYA MICHAELS	(PET)...PRO/PER

Currently under review by Legal Research.
(LR)

Notice:

Need return of served Summons per Pr. C. §851 as to Respondent, Penisha
McFarland
(nb/ww/lh/ww/nb)

Future Hearing:

06/13/19 Accounting Review.

Superior Court of Calif, County of San Bernardino
Page: 10E ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700026

CASE NAME: MTR OF PECOLIA MCFARLAND
SEE ALSO 10, 10A, 10B, 10C, 10D, 10F

HEARING:
Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

MICHAEL MICHAELS	(OBJ)...MANSOUR LAW GROUP, APLC
MICHAEL MICHAELS	(PET)...PRO/PER
PECOLIA MCFARLAND	(DEC)...
PENISHA MCFARLAND	(PET)...MICHAEL C MADDUX
STATE OF CALIFORNIA FRANCHISE	(PRO/PER
TONYA MICHAELS	(PET)...PRO/PER

GENERAL INFORMATION

Letters of Special Administration issued to Penisha McFarland, daughter, on 01/31/17, no bond.

Continued from **03/21/17**. Michael Michaels to retain counsel and file a competing petition. Court amends powers of the Special Administrator and removes the right to evict and removes the power to evict or access bank accounts or sell real property.

Bond required \$50,000. Court notifies the Public Administrator of possible appointment. No bond or competing petition filed as of the review of this matter.

Continued from **06/13/17** to be heard with competing petition.

Continued from **09/18/17** for matter to be heard by Judge Welch. Deadline of 11/03/17 for Counsel Maddux to file/serve supplement.

Continued from **11/27/17**. Matter is contested. Parties to attend mediation.

Continued from **01/24/18** and **03/21/18** at request of Counsel.

On **04/06/18** Letters of administrator with full IAEA issued to the Public Administrator, no bond.

Continued from 04/30/18 on courts motion. Objections to be filed to the amended petition. Court advances the 05/24/18 hearing on the amended petition to today's date and continues it to 06/19/18.

THIS CASE IS SET FOR HEARING ON

- Petition 1 Petition for Letters of Administration with full IAEA by **Penisha McFarland, daughter**

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.

- Petition 2 Petition for Letters of Administration with full IAEA by ***Tonya and Michael Michaels, niece and nephew-in-law***

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

Petitioner 1 Penisha McFarland, daughter

1. Bond waived by Penisha McFarland (sole heir); Court has discretion to require bond per Pr. C. §8481(b). – **JTD**. General petition shows an estimated estate value of \$303,072, whereas Special petition alleges value unknown. Estate assets include real property. Court ordered \$50,000 bond as Special Administrator on 03/21/17; bond filed.
2. Final Inventory and Appraisal filed 10/10/17 showing all assets are real properties valued at a total of \$785,000.00
3. **Objections filed 03/13/17** by Michael Michaels.
4. **Reply to Objection filed 04/03/17** by Penisha McFarland.
5. **Objections filed 06/06/17** by Tonya Michaels.
6. **Objections and opposition to Penisha's objections (Reply) filed 09/11/17**; however, need verification per Pr.C. § 1021. JTD.
7. **Objections to Creditor's Claims and Final Appraisal by Tonya and Michael Michaels filed 11/15/17**; however, need verification and proof of service.
8. ~Proposed form Order: 04/03/17

Petitioner 2 Tonya and Michael Michaels, niece and nephew-in-law

9. Petitioner requests bond of \$50,000. Estate value is currently unknown and will be determined.
10. Section 5a2 is incomplete as to spouse's status. Need verified supplement. **(Supp. 09/15/17)** does not indicate whether no spouse due to divorce, never married or if spouse is deceased. Need amended verified supplement. **(Supp. 11/15/17)** has the same issue as above. **Court may wish to clarify if decedent was ever married or if spouse is deceased. JTD**
11. Notice to Petition to Administer Estate and proof of service filed 06/08/17; however, section 10 is missing the names of the petitioners. Need corrected notice. **(Supp. 11/15/17) indicates that their names should be in section 10. (See note 12). JTD**
12. Notice of Petition to Administer Estate and proof of service filed on 11/15/17; however, section 3 is missing petitioners' names and section 10 indicates that address and telephone of petitioners are "same as above" when the party information in the caption heading does not publish on the proof of publication. **Need** completed notice.
13. **Objection by Penisha McFarland, special administrator, filed on 06/29/17**; however, need verification by Penisha and proper proof of service of objections.
14. ~Proposed Form Order: 06/06/17

RECOMMENDATION

Matter is contested. Need to clear notes 6-7, 12 & 13 then Court's discretion re bond and remaining notes. If approved, set Accounting Review for **08/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

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

Future Hearing:
06/13/19 Accounting Review.

Superior Court of Calif, County of San Bernardino
Page: 10F ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700026

CASE NAME: MTR OF PECOLIA MCFARLAND
SEE ALSO 10, 10A, 10B, 10C, 10D 10E

HEARING:

Petition for Ex Parte Verified and Request for an Order
Establishing Tonya Michaels as Heir etc

COUNSEL:

MICHAEL MICHAELS	(OBJ)...MANSOUR LAW GROUP, APLC
MICHAEL MICHAELS	(PET)...PRO/PER
PECOLIA MCFARLAND	(DEC)...
PENISHA MCFARLAND	(PET)...MICHAEL C MADDUX
STATE OF CALIFORNIA FRANCHISE	(PRO/PER
TONYA MICHAELS	(PET)...PRO/PER

Currently under review by Legal Research.
(LR)

Future Hearing:
06/13/19 Accounting Review.

Superior Court of Calif, County of San Bernardino

Page: 11

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800115

CASE NAME: The Alice Erdeane Thompson 2013 Revocable Trust

HEARING:

Petition for an order to confirm two parcels of real property are assets of the trust

COUNSEL:

JIM F THOMPSON

(PET)...WILSON & WILSON

KIM B THOMPSON

(PET)...WILSON & WILSON

THE ALICE ERDEANE THOMPSON 201 (TRU)...

Currently under review by Legal Research.

(LR)

Notice is not proper.

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

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

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

(nb)

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 06/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300174

CASE NAME: Maria Elena Verdugo

HEARING:

Hearing Re: Home Repairs/Successor Trustee

COUNSEL:

MARIA ELENA VERDUGO (CTE)...MATTHEW E SHEASBY
MARIA ELENA VERDUGO (CTE)...PRO/PER
ROSEANN TRUJILLO (CE)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Home Repairs/Successor Trustee.

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

1. Matter set at 04/24/18 hearing, wherein, the Court did not grant the requests for the home repair and request for successor trustee.

RECOMMENDATION:

Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500200

CASE NAME: NAFIZA NOOR

HEARING:

Accounting Review by ***

COUNSEL:

ABUL K. AZAD

(CPE)...HORSPOOL & HORSPOOL

NAFIZA NOOR

(CEP)...MELVIN L FRIEDLAND

XREF: PROPS1000326 (Nafiza Noor special needs trust)

VACATE – set next Accounting Review on 06/25/19.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 14

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500228

CASE NAME: CHARLOTTE K KNIGHT-UTTER

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LINDA K GUYETTE

COUNSEL:

CARY KNIGHT	(FRANK O TETLEY
CHARLOTTE K KNIGHT-UTTER	(CEE)...E JOAN NELMS
DONNASUE ORTIZ	(CP)...DONNASUE ORTIZ
E JOAN NELMS	(PET)...E. JOAN NELMS
LINDA K GUYETTE	(PET)...MICHAEL C. MADDUX
WRETHA KNIGHT	(PET)...FRANK O TETLEY

GENERAL INFORMATION

Linda Guyette appointed conservatorship of the person and Donnasue Ortiz appointed conservatorship of the estate on 12/14/17, no bond.

Continued from 04/03/18 to clear notes. Court and counsel confer on the record. Court will allow Mrs. Linda K. Guyette to take Charlotte K. Knight on vacation; vacation trip can last for four weeks. A reasonable amount of money can be appropriated for conservator and conservatee's vacation; Attorney Michael Maddux will need to provide an itinerary of the planned vacation.

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

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

1. **Need** Order and Letters as to conservator of the person, Linda Guyette.
2. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's Rights per Pr.C. §1830(c).
3. **Need** Statement of Care Plan in accord with Pr.C. §2352.5.
4. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C. §2352.5 (form GC-355).
5. Final Inventory & Appraisal filed.
6. Inventory & Appraisal including Instructions for Objection filed.

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

7. If the conservatorship estate holds interest in real property, **need** proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION:

Inquire status.

(nb)

Future Hearing:

03/06/19 Accounting Review.

Superior Court of Calif, County of San Bernardino

Page: 15

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600134

CASE NAME: MTR OF EVELYN RUTH GEORGE

HEARING:

Accounting Review by ***

COUNSEL:

EVELYN RUTH GEORGE (CEP)... PRO/PER
PATRICIA LYNN RAMSEY (CE)...JACK B. OSBORN
PATRICIA LYNN RAMSEY (CPE)...JACK B. OSBORN

XREF: PROPS1600544 (Evelyn R George revocable living trust)

VACATE – Ex Parte Petition to Dispense with Accounting and Order entered
03/16/18.

Future Hearing:

02/08/19 Accounting Review by Patricia Lynn Ramsey

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 06/26/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800145

CASE NAME: Casey Jones Jr

HEARING:

Petition for Appointment of Conservator

COUNSEL:

AL NAVARRO JONES

(CPE)...PRO/PER

CASEY JONES Jr

(CEP)...

CORLIES JONES

(CPE)...PRO/PER

WALTER MOORE

(PET)...WALTER T. MOORE

VACATE – matters set on 07/02/18.

(nb)

FUTURE HEARING DATES:

07/02/18 Petition for Appointment of Conservator

07/02/18 Petition for Appointment of Conservator of the Person and Estate

07/02/18 Petition for Appointment of Conservator of the Person and Estate

Superior Court of Calif, County of San Bernardino

Page: 17

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

DATE: 06/26/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS01236

CASE NAME: IN THE MATTER OF JEREMY KEN PUGEL

HEARING:

Hearing Re: Status of Jeremy Ken Pugel/Co-conservator

COUNSEL:

ANDREA WILLIS	(PET)...PRO/PER
JEREMY KEN PUGEL	(CEP)...MITCHELL I ROTH
JOSEPH EARLS	(PET)...PRO/PER
VIRGIE LEE EARLS S	(CPE)...PRO/PER

XREF: PROPS1700222 (Joseph Richard Earls)

GENERAL INFORMATION

Matter set on 01/20/17 after review of Court Investigator memo. Mitchell Roth appointed counsel. IRC directed to provide a report. Court Investigator also notified. Continued from 02/09/17. Court noted that the order/letters from 2008 are not correct. Amended order/letters to be submitted. Counsel also to address the conservatee's eligibility to vote.

Continued from **04/06/17, 05/11/17 and 07/13/17** to submit amended order/letters.

Continued from 01/11/18. Challace Earls (sister) to file a petition to become successor conservator. Oral report given by Attorney Mitchell Roth. Notice given by Attorney Mitchell Roth.

Continued from 03/13/18. Petitioner's change of address is noted on the record. Referred to Court Investigator for limited investigation and report as to Jeremy Pugel, only.

THIS CASE SET FOR HEARING ON Status of conservatee/Co-Conservator.

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

1. Co-Conservator Joseph Earls, grandfather, passed away leaving mother Andrea Willis, mother, as sole Conservator of person only. **Need amended order/letters to reflect Andrea only.**
2. Report of Counsel Mitchell Roth filed 06/01/17.
3. Court Investigator reports filed 01/30/17, 04/18/17 and **06/05/18.**
4. IRC report filed 02/07/17.

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

RECOMMENDATION

Need amended order/letters.

(lc/lh/lc/nb)

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

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO DS1100109

CASE NAME: MARIAN SYMENS

HEARING:

Hearing re Final Discharge

COUNSEL:

JAMES P SYMENS

(PET)...BROWN WHITE & OSBORN

MARIAN SYMENS

(DEC)...

GENERAL INFORMATION

Continued from **05/17/17, 07/19/17 and 09/13/17.**

Continued from **11/08/17** for supplement to be filed. Notice to be given by Mr. Flory.
Continued from **01/24/18**. Final Order that was filed was incorrect. Corrected order with declaration explaining order to be filed. Court reviewed file and determined the Court signed the Order submitted at time of hearing on final account on 05/11/16, reviewed by legal research. The order requests distribution of interest of Rebecca Shettle and Diana Ruth to the estates; however, it appears administrator intended to distribute directly to heirs, yet failed to file 13100 affidavits for either estate. Counsel ordered to submit affidavits before Court will sign an order for distribution directly to estates.

Continued from 03/28/18 at request of counsel. Still waiting on receipt of 13100 affidavits.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of James Symens approved on 05/11/16.
2. **Need 13100 affidavits re Rebecca Shettle and Diana Ruth estates.**
3. **Need Ex Parte Petition for Final Discharge and Order resubmitted.**

RECOMMENDATION

Need to clear notes 2-3.

(lc/lh/nb)

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

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0700435

CASE NAME: RICHARD ANTHONY DOMINGUEZ

HEARING:

Accounting Review by ***

COUNSEL:

BENJAMIN DOMINGUEZ	(BRYAN C. HARTNELL
BRYAN C HARTNELL	(TP)...HARTNELL LISTER & MOORE
DORENE DOMINGUEZ	(MITCHELL I ROTH
JONATHAN REED	(STEPHEN M MAGRO
NOREEN DOMINGUEZ	(PET)...MIRAU, EDWARDS,
RICHARD A DOMINGUEZ	(BRYAN C. HARTNELL
RICHARD ANTHONY DOMINGUEZ	(DEC)...
RYAN DOMINGUEZ	(BRYAN C. HARTNELL
STATE OF CALIFORNIA FRANCHISE	(AGN)...
SUSAN M DOMINGUEZ	(PET)...HARTNELL,
VANIR GROUP OF COMPANIES	(MUSICK PEELER & GARRETT
WILFRID C LEMANN	(PET)...THOMAS W DOMINICK

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

Continued from 6/11/14, 07/30/14, 9/9/14, 01/12/15, 2/5/15, 2/11/15, 06/16/15, 12/10/15 and 12/12/16 at request of Mr. Hagenbuch. Corporate meeting set in December

Continued from **03/13/17** Mr. Dominick gives an oral status report and requests a 6-month continuance for corporation to resolve issues. If there is no movement on the corporation's part, a civil action will be filed.

Continued from **09/11/17** at request of counsel due to negotiation underway.

Continued **from 12/18/17** at request of counsel. Working on non-disclosure protective order. Notice to be given by Mr. Roth.

Continued from 03/13/18 at request of counsel. Reason: Counsel working on supplying information for accounting. Counsel reports mediation may be set. Notice given by Mr. McGuire.

THIS CASE IS SET FOR HEARING ON Accounting Review.

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

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

1. Prior Status Report granted 11/06/13 indicating the personal representative, Atty Wilfrid Lemann, needed additional time in obtaining a reappraisal of decedent's stock in Vanir Group of Companies, Inc. for purposes of a sale or redemption to pay estate taxes, expenses of administration and distributive shares.
2. Need accounting or further status report.

RECOMMENDATION:

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

(gls/cbr/kra/vet/gls/cbr/nb/ww/cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500528

CASE NAME: MTR OF DANIEL RAY SHAFFER

SEE ALSO 14

HEARING:

Hearing Re: ACCOUNTING REVIEW (LISA SHAFFER)

COUNSEL:

DANIEL RAY SHAFFER (DEC)...
LISA SHAFFER (PET)...TREVOR

GENERAL INFORMATION

Continued from **09/26/16, 01/12/17, 04/06/17 and 06/15/17**. Inventory and Appraisal and accounting to be filed.

Continued from **08/31/17**. No appearance. Court suspends letters of administration as to Lisa Shaffer. Court appoints Public Administrator.

Continued from **11/07/17**. The Court notes the letters of administration as to LISA SHAFFER were suspended at the last hearing and the Public Administrator appointed in this matter. Orders and letters of administration by the Public Administrator will be filed at next hearing. LISA SHAFFER is cited to appear at next hearing. Should she fail to appear a bench warrant may be issued for her arrest. Citation issued to: LISA SHAFFER who is cited and required to appear. Notice by Judicial Assistant.

Continued from 02/06/18. The Court cites, again, LISA SHAFFER to be present at next hearing. Should she fail to appear a bench warrant may be issued for her arrest. Citation issued to: LISA SHAFFER who is cited and required to appear on 06/26/18 at 8:30 in Department S37P and show cause why FAILED TO APPEAR/FILE ACCOUNTING.

THIS CASE SET FOR HEARING ON Accounting Review (Lisa Shaffer).

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

1. Letters of Administration issued to Lisa Shaffer, spouse, on 07/23/15; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.
4. Proof of Personal Service re: Citation filed.

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

RECOMMENDATION

Need to clear notes 2-3. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. *No bonding company to notice.*

(lc/ww/nb)

Future Hearing:

04/15/19 Hearing re: Accounting Review (PA)

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500738

CASE NAME: MTR OF DORIS ANNE SUNDEEN

VACATED

HEARING:

Hearing Re: Accounting Review for Marjorie Hempstead

COUNSEL:

DONALD HEMPSTEAD

(PET)...KATHRYN A FLANIGAN

DORIS ANNE SUNDEEN

(DEC)...

MARJORIE SUNDEEN HUMPSTEAD

(PET)...H. BROOKS TRAVIS

Future Hearing:

07/24/18 First and Final Account and Report of Marjorie Hempstead

09/25/18 Accounting Review for Donald Hempstead

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

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

SEE ALSO 6, 6A, 6B, 6C

HEARING:

Petition for REMOVAL OF EXECUTOR WAYNE FAWCETT AND REVOCATION OF LETTERS

COUNSEL:

CARLTON T LARRABEE	(PET)...PRO/PER
DEBBIE DELMAN	(PET)...RODNUSKY & ASSOCIATES
DEBLYN "DEBBIE" DELMAN	(PET)...RODNUSKY & ASSOCIATES
DEBLYN DELMAN	(PET)...RODNUSKY & ASSOCIATES
MARILYN MILLER	(DEC)...
NICHOLAS GOMEZ	(PET)...RODNUSKY & ASSOCIATES
WAYNE FAWCETT	(PET)...J. PETER WAKEMAN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Removal of Executor, Wayne Fawcett and Revocation of Letters of Administration by great-nephew, Nicholas Gomez ["Petitioner"]. Pr. C. §8504(b).

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

1. Letters Testamentary with Full Authority were issued to Wayne Fawcett on 04/05/16 upon court approval on 03/23/16 of petition for probate of lost will dated 08/31/05, lost codicil dated 1/10/11, and lost codicil dated 01/31/11.
2. Petitioner alleges decedent executed a holographic will on 06/13/15 revoking all prior wills, codicils and trust documents executed by decedent, providing for alternate distribution. Said will was held by Deblyn Delman until it was lodged with the Court on 01/26/18.
3. Petitioner seeks a Court order revoking Letters of Administration issued to Wayne Fawcett; that Wayne Fawcett is removed as personal representative of this estate; and that Letters of Administration be issued to named executor, Deblyn (Debbie) Delman.
4. Notice does not include bonding company. **Need** proper service.
5. **Objections filed by Wayne Fawcett on 06/19/18.**

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.

6. No proposed order. Submit Order after Hearing.

RECOMMENDATION: Matter is contested.
Need to clear note 4 then Court's discretion
(nb)

FUTURE HEARING DATES:
07/31/18 Petition for will contest & grounds of opposition

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

SEE ALSO 5, 6A, 6B, 6C

HEARING:

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

COUNSEL:

CARLTON T LARRABEE	(PET)...PRO/PER
DEBBIE DELMAN	(PET)...RODNUSKY & ASSOCIATES
DEBLYN "DEBBIE" DELMAN	(PET)...RODNUSKY & ASSOCIATES
DEBLYN DELMAN	(PET)...RODNUSKY & ASSOCIATES
MARILYN MILLER	(DEC)...
NICHOLAS GOMEZ	(PET)...RODNUSKY & ASSOCIATES
WAYNE FAWCETT	(PET)...J. PETER WAKEMAN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with WA and full authority under IAEA by great-niece, Deblyn "Debbie" Delman as petitioned by great-nephew, Nicholas Gomez ["Petitioner"].

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

1. Will waives bond. Estimated estate valued at \$2,976,670.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
2. Section 8 to petition does not include Trish Belani or Wayne Fawcett as Director of the Fauna Foundation, named in the will. **Need** verified supplement.
3. Mille Evans (sister) post-deceased decedent. Question whether Millie Evans was survived by spouse or issue? **Need** verified supplement.
4. **Need** copy of holographic will.
5. **Need** Proof of Holographic Instrument.
6. Will is not self-proving. **Need** Proof of Subscribing Witness.
7. **Need** Duties and Liabilities of Personal Representative form.
8. **Need** proof of publication.

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.

9. **Need** Notice of Petition to Administer Estate to include all individuals named in decedent's will with proof of service.
10. ~Proposed Form Order/Letters 05/22/18

RECOMMENDATION:

Need to clear notes 2-9 then Court's discretion re: bond. If approved, set future hearing for Accounting Review on **09/05/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

FUTURE HEARING DATES:

07/31/18 Petition for will contest & grounds of opposition

Superior Court of Calif, County of San Bernardino

Page: 6A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

SEE ALSO 5, 6, 6B, 6C,

HEARING:

Petition for Removal of Executor Wayne Fawcett & revocation of Letters of administration

COUNSEL:

WAYNE FAWCETT

(PET)...J. PETER WAKEMAN

MARILYN MILLER

(DEC)...

DEBBIE DELMAN

(PET)...RODNUSKY & ASSOCIATES

CARLTON T LARRABEE

(PET)...PRO/PER

GENERAL INFORMATION

Continued from 06/06/18. The Court is advised a Demurrer will be filed by Attorney Horwitz. The Court is further advised a Declaration Confirming Automatic 30-Day Extension was filed on 05/11/18. The Court orders this matter reset to 06/26/18 as stated below. The Court finds Holographic Will has been filed. Probate note #3, required to be cleared.

THIS CASE IS SET FOR HEARING ON Petition [filed 04/25/18] for Removal of Executor Wayne Fawcett and Revocation of Letters of Administration by **Deblyn Delman** (executor)

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

1. Letters Testamentary with Full Authority were issued to Wayne Fawcett on 04/05/16 upon court approval on 03/23/16 of petition for probate of lost will dated 08/31/05, lost codicil dated 1/10/11, and lost codicil dated 01/31/11.
2. Petitioner, Deblyn Delman, alleges decedent unknowingly executed a holographic will on 06/13/15 revoking all prior wills, codicils and trust documents executed by decedent, providing for alternate distribution. Said will was held by Deblyn Delman until it was lodged with the Court on 01/26/18.
3. Petitioner, Deblyn Delman, seeks Court order revoking Letters of Administration issued to Wayne Fawcett and appointment as executor named in holographic will. However, petition does not cite authority upon which it is based. **Need verified supplement.**
4. Notice was given.

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. No proposed order submitted.

RECOMMENDATION

Need notice then Court's discretion.

(lh/nb)

FUTURE HEARING DATES:

07/31/18 Petition for will contest & grounds of opposition

Superior Court of Calif, County of San Bernardino

Page: 6B

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

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

SEE ALSO 5, 6, 6A, 6C

HEARING:

Hearing re: Petition for Letters of Administration w/WA W/Full
Authority under IAEA.

COUNSEL:

WAYNE FAWCETT	(PET)...J. PETER WAKEMAN
MARILYN MILLER	(DEC)...
DEBBIE DELMAN	(PET)...RODNUSKY & ASSOCIATES
CARLTON T LARRABEE	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 06/06/18 at request of counsel. The Court is advised a Demurrer will be filed by Attorney Horwitz. The Court is further advised a Declaration Confirming Automatic 30-Day Extension was filed on 05/11/18. The Court orders this matter reset to 06/26/18 as stated below. The Court finds Holographic Will has been filed. The Court clears probate note #4. All other probate notes required to be cleared.

THIS CASE SET FOR HEARING ON Petition for Probate of Will and for Letters of Administration with will annexed by Deblyn Delman, executor/grandniece

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

1. Letters Testamentary were previously issued to Wayne Fawcett on 04/05/16. There is currently no vacancy. Petition for Removal filed concurrently. See notes on prior matter #5.
2. Petition seeks probate of holographic will; however, copy of will is not attached; only a typewritten copy was included. **Need** verified supplement.
3. **Need** receipt of lodged will.
4. **Need** Notice of Petitioner to Administer Estate as to Debbie Delman, Nicholas Gomez, Marijam Quershi, Tony Larabee, personal representative of Estate of Millie Evan (post-deceased sister), Rancho Mesa Care Center, Wayne Fawcett, Dustin Nelson, Rick Dunn, Tawny Gomez, Nicholas Delman, Matthew Delman, and Linda Gomez. **Notice of Hearing filed 05/30/18 is an improper form.**
5. **Need** proof of publication.

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.

6. ~Proposed Form Order:

RECOMMENDATION

Need vacancy prior to approval.

Need to clear notes #3-6. If approved, set Accounting/Status Review for **09/05/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh/nb)

FUTURE HEARING DATES:

07/31/18 Petition for will contest & grounds of opposition

Superior Court of Calif, County of San Bernardino

Page: 6C

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

SEE ALSO 5, 6, 6A, 6B

HEARING:

FIRST AND FINAL Account and Report of WAYNE FAWCETT and Petition
for allowance of fees

COUNSEL:

WAYNE FAWCETT

(PET)...J. PETER WAKEMAN

MARILYN MILLER

(DEC)...

DEBBIE DELMAN

(PET)...RODNUSKY & ASSOCIATES

CARLTON T LARRABEE

(PET)...PRO/PER

GENERAL INFORMATION

Continued from 10/18/17. Court called this matter with Mr. Wakeman appearing via court call. After matter had been heard, Ms. Delman appeared stating she objects to the accounting as filed. Due to the objection of Ms. Delman, Court vacates its prior ruling and continues the matter to 12/06/17. Court orders Ms. Delman to file and serve written objections no later than 11/06/17. Notice given by Judicial Assistant.

Continued from 12/06/17. Parties to meet and confer regarding objections. Court encourages Debbie Delman and Carlton Larabee to obtain counsel. Notice waived.

Continued from 03/14/18. Stipulation for continuance filed.

Continued from 06/06/18. The Court is advised a Demurrer will be filed by Attorney Horwitz. The Court is further advised a Declaration Confirming Automatic 30-Day Extension was filed on 05/11/18. The Court orders this matter reset to 06/26/18 as stated below.

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Wayne Fawcett/Trustee.

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

1. Petitioner waives accounting and statutory compensation as trustee.
2. Attorney requests statutory fees of \$36,216.50. Ok.
3. **Objection to Final Accounting by Carlton Larrabee filed 11/06/17. Need proof of service.**

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

4. **Objection to Executor's 1st and Final Accounting by Debbie Delman filed 11/06/17 with proof of service.**
5. **Further Objections to 1st and Final Report by Deblyn "Debbie" Delman filed 02/02/18 with proof of service.**
6. **Response to Objections of Debbie Delman by Wayne Fawcett filed 11/13/17.**
7. **Response to Objections of Carlton Larrabee filed 11/13/17.**
8. **Stipulation and Order received 03/06/18 and forwarded to department for review.**
9. No proposed order. Submit after hearing.

RECOMMENDATION

Matter is contested.

If approved, set hearing on the filing of receipts and final discharge for **07/11/19**.
(lc/lh/nb)

FUTURE HEARING DATES:

07/31/18 Petition for will contest & grounds of opposition

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

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501090

CASE NAME: RICHARD MURRAY JONES

HEARING:

Interim Account and Report of RAYMOND KELLY JONES and Petition
for allowance of fees filed.

COUNSEL:

RAYMOND KELLY JONES (PET)...PRO/PER
RICHARD MURRAY JONES (DEC)...

GENERAL INFORMATION:

**Continued from 03/06/18 on courts motion. The Court orders no further
distribution without further order of the Court.**

THIS CASE IS SET FOR HEARING ON Interim Accounting by Administrator Raymond
K. Jones ["Petitioner"].

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

1. **Need** final inventory and appraisal with supporting statements per Local Rule 20-908.
2. Accounting period 01/2016 to 08/2017.
3. Assets on Hand \$136,412.00 consisting of \$115,413 in cash and remaining in personal property.
4. **Need** balance and description of the assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614(c).
5. **Need** supporting schedules.
6. **Need** final escrow statements for sale of real properties.
7. **Need** proofs of service to Notices of Proposed Action.
8. **Need** proposed distribution.
9. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary per Pr. C. § 1064 (a)(4).
10. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account per Pr.C.§ 1064(a)(5).
11. **Need** statement regarding notice to Director of Health Care Services or notice per Pr. C. § 9202(a).

12. **Need** statement regarding notice to California Victim and Compensation and Government Claims Board or notice per Pr. C. § 9202(b).
13. **Need** statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).
14. **Need** findings re: character of property.
15. **Need** findings re: known creditors.
16. **Need** findings re: all taxes have been paid or reserve made for taxes.
17. It appears preliminary distributions totaling \$90,000 have been made without prior court approval.
18. **Need** Notice of Hearing with proof of service.
19. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need amended accounting that complies with Pr. C. §1060 et seq. to be placed on first check calendar no sooner than **08/07/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600427

CASE NAME: MTR OF ROBERT CARL STINDT

HEARING:

Accounting Review by ***

COUNSEL:

ANDREA STINDT (PET)...MARK H MCGUIRE
ROBERT CARL STINDT (DEC)...

GENERAL INFORMATION

Continued from 01/17/18 and 04/03/18 at request of counsel. I & A is currently with the probate referee

THIS CASE IS SET FOR HEARING ON Accounting Review re Andrea Stindt, administrator

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

1. Letters of Administration with Will Annexed issued to Andrea Stindt with full authority and no bond on 11/09/16.
2. **Need** final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. No accounting or status report of administration. **Need** same.

RECOMMENDATION

Inquire status.

(lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600547

CASE NAME: LINDA S EDMONDSON

SEE ALSO 10

HEARING:

Petition for suspension of powers & removal of personal representative

COUNSEL:

BRENDA S GARCIA	(PET)...	J. TERRENCE MOYNIHAN
LINDA S EDMONDSON	(DEC)...	
TERRI A. TURNER	(PET)...	DAVID LIVINGSTONE TAUB, ESQ

GENERAL INFORMATION:

Continued from **12/05/17**. The Court orders that the petition be verified. Mr. Taub reports a petition for successor executor may be filed. Parties scheduled for settlement discussions.

Continued from 04/03/18. Counsel reports that parties stipulate that the house is to be vacated no later than 04/15/18 and that Ms. Turner will not seek the rental value. The stipulation was received by the court on 03/19/18. Notice to be given by Mr. Taub.

THIS CASE IS SET FOR HEARING ON Petition for Suspension of Powers and Removal of Personal Representative by Terri A. Turner ["Petitioner"].

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

- 1 Petitioner is a beneficiary to the estate and the sister of the Executrix, Brenda S. Garcia ["Brenda"]. Petitioner alleges the personal representative has committed acts of waste on the Bloomington residence; has committed acts of mismanagement on the estate; and is incapable of properly executing the duties of the office or is otherwise not qualified for appointment as personal representative. Additionally, petitioner claims Brenda owes the IRS about \$10,000 to \$30,000 in taxes for the inheritance she withdrew.
- 2 Petitioner claims removal of Brenda is necessary for the protection of the estate; beneficiaries; and because Brenda is abusing her status as Executrix by allowing herself and others to live on the residence without paying the estate fair rental value and rent-free for the last 14 months. Petitioner

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.**

- alleges this activity suggests self-dealing and a conflict of interest in the executor's duty to close the estate.
- 3 Petitioner request the Court to issue a citation directed to Brenda S. Garcia requiring her to appear and show cause why she should not be removed and her letters revoked; for Court to remove and revoke the Testamentary Letters; and for the Court to suspend the powers of Brenda S. Garcia, forthwith, pending investigation of the charges made against her.
 - 4 Declaration of Terri A. Turner in support of petition filed, separately.
 - 5 Petition includes a request for the Court to consider the pending Petition of Administration of the Will, filed by Petitioner; however, review of this file does not indicate a Petition for Appointment of a Successor Personal Representative has been filed.
 - 6 Petition is not verified. **Need** same.
 - 7 **Need** Notice of Hearing with proof of service.
 - 8 No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 6-7 then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600547

CASE NAME: LINDA S EDMONDSON

SEE ALSO 9

HEARING:

Accounting Review by ***

COUNSEL:

BRENDA S GARCIA

(PET)...J. TERRENCE MOYNIHAN

LINDA S EDMONDSON

(DEC)...

TERRI A. TURNER

(PET)...DAVID LIVINGSTONE TAUB, ESQ

VACATE – Status Report filed and set for 07/12/18.

(nb)

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

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600748

CASE NAME: MTR OF BRADLEY H HANSSON

HEARING:

Petition for final distribution & First & Final Account and Report of ASHLEY MEYERS, CHERISE HANSSON and Petition for allowance of fees filed.

COUNSEL:

ASHLEY MEYERS	(PET)...ASHLEY MEYERS
BRADLEY H HANSSON	(DEC)...
CHERISE HANSSON	(PET)...ASHLEY MEYERS

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of Account and for Fees by Personal Representatives, Ashley Meyers and Cherise Hansson ["Petitioners"-daughters-sole heirs].

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

1. Heirs waive accounting.
2. Final Inventory and Appraisal filed on 04/06/18, Section 4 indicates no probate referee is required and does not include Attachment 1. **Need** corrected and complete inventory to include bank statements to support date of death and closing balances per Local Rule 20-908.
3. Accounting period 05/11/16 to 05/11/18.
4. Assets on Hand \$0.00.
5. Statutory compensation is not requested.
6. Attorney waives fees.
7. Caption's title is incorrect. **Need** verified supplement.
8. Paragraph 8 of petition re: Inventory and Appraisal, reflects incorrect value of estate. **Need** verified supplement.
9. Total Charges and Total Credits to Summary of Account do not match. **Need** verified supplement.
10. **Need** balance and description of the assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614(c).
11. **Need** detailed schedules of receipts and gains or losses on sale per CRC 7.550 via verified supplement.

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.**

12. **Need** statement regarding notice to California Victim and Compensation and Government Claims Board or notice per Pr. C. § 9202(b).
13. **Need** statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).
14. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary per Pr. C. § 1064 (a)(4). **Need** verified supplement.
15. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 2, 7-14 then Court's discretion. If approved, set next hearing for receipts and final discharge for **06/25/19**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800417

CASE NAME: Frank J Vanella

SEE ALSO 13

HEARING:

Hearing Re: Receipt of Bond

COUNSEL:

FRANK J VANELLA

(DEC)...

KRISTIE M LOPEZ

(PET)...DONNASUE ORTIZ

VACATE – Bond posted.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 13
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800417

CASE NAME: Frank J Vanella

SEE ALSO 12

HEARING:

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

COUNSEL:

FRANK J VANELLA (DEC)...
KRISTIE M LOPEZ (PET)...DONNASUE ORTIZ

GENERAL INFORMATION:

Ex Parte Orders granted on 05/08/18. Temporary Letters issued to Kristie M. Lopez on 05/15/18, \$50,000 bond.

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

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

1. Petitioner purports to be sole heir and waives bond. Estimated estate valued at \$862,400.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
2. ~Proposed Form Order/Letters 05/01/18.

RECOMMENDATION:

RFA subject to Court's discretion re: bond. If approved, set future hearing for Accounting Review on **08/27/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 14

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 06/26/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1500528

CASE NAME: MTR OF DANIEL RAY SHAFFER

SEE ALSO 3

HEARING:

Spousal Property Petition hearing.

COUNSEL:

DANIEL RAY SHAFFER (DEC)...

LISA SHAFFER (PET)...TREVOR

GENERAL INFORMATION:

Continued from 04/30/18. Copy of the current vesting deed is filed in the courtroom. Parties are advised that the Court is not satisfied that the real property is community property. The Court refers matter to Legal Research.

THIS CASE SET FOR HEARING ON Spousal Property Petition hearing.

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

1. Petitioner, Lisa Shaffer was appointed Administrator of decedent's estate on 07/23/15. On 08/31/17 Court suspended letters of Administration as to Lisa Shaffer for failure to file accounting and appointed Public Administrator as successor.
2. Petitioner seeks court to determine and confirm her half of community property and determine that decedent's half transfers to petitioner without administration. Specifically, real property located in San Bernardino, CA.
3. Petitioner alleges decedent purchased property in 1984. Parties were married in 1993, and remained married until the passing of decedent in 2006. From the period of 1993-2006 the mortgage as well as improvement and maintenance were paid with community property earnings. From the period of 2006 until 2015 the mortgage was paid by petitioner with her separate earnings. There is no longer a mortgage on the property. A copy of deed affixed, [LF p. 7].
4. Petitioner alleges the majority of the mortgage was paid off by way community earnings, as well as separate earnings of petitioner, she believes there is a community property interest in the property.

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. Decedent's surviving children have assigned all right, title and interest in the estate of the decedent including the subject real property to petitioner.
6. Notice given and filed 03/16/18.
7. ~Proposed Form Order: 03/14/18

RECOMMENDATION:

Deny. While petitioner may be entitled to a Moore-Marsden credit, the subject property appears to be decedent's separate property. Require proper petition.

(cs/nb)

(LR)

Future Hearings:

4/15/19 Accounting Review (Public Administrator)

Superior Court of Calif, County of San Bernardino

Page: 15

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 06/26/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800019

CASE NAME: GREGORY S. WILSON SPECIAL NEEDS TRUST

HEARING:

Petition for accept resignation of trustee; and petition for appointment of successor trustee

COUNSEL:

GREGORY S WILSON

(CEE)...MATTHEW E SHEASBY

GREGORY S. WILSON SPECIAL NEED

(TRU)...MATTHEW E SHEASBY

MEMBERS TRUST COMPANY

(PET)...JAMES B CHURCH

Currently under review by Legal Research.

(LR)

Notice:

Notice filed. However, does not include proposed Successor Trustee, Kenneth Blickenstaff. Need proper service.

(nb)

Future Hearing:

08/02/18 Petition for instruction to the successor trustee etc.

DATE: 06/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800227

CASE NAME: MTR OF CLIFFORD WALKER

HEARING:

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

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (PRO/PER

CHRISTINA ERICKSON-TAUBE	(CPE)...ALEX R BORDEN
CHRISTINA ERICKSON-TAUBE	(CPE)...KARIN E HORSPPOOL
CLIFFORD WALKER	(CEP)...MARK J. FLORY
CLIFFORD WALKER	(PRO/PER
MARK J. ANDREW FLORY	(PET)...MARK J. ANDREW FLORY
MELODIE Z SCOTT	(TP)...PRO/PER

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Ninth Account Current and Petition for Fees
by Conservator or the Person and Estate, Christina Erickson-Taube ["Petitioner"-PPF].

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

1. Accounting period 03/01/17 to 02/28/18.
2. Assets on Hand \$14,256.32 consisting of cash.
3. Current bond of \$67,000. Petitioner requests bond be reduced by \$13,000 for a bond of \$54,000 (includes recovery). Appears sufficient. **JTD.**
4. Petitioner requests fees of \$6,313.75. Billed at rates not exceeding \$115/hour for 73.27 hours' time. Itemized [LF, pgs. 25-29]. **JTD.**
5. Attorney requests fees of \$3,106.50. Billed at \$390/hour for 7.1 hours' attorney time and \$135/hour for 2.5 hours' paralegal time. Itemized [LF, pgs. 31-32]. **JTD.**
6. Attorney requests reimbursement of costs advanced of \$86.00. Itemized.
7. ~Proposed Order 05/16/18.

RECOMMENDATION:

Court's discretion. If approved, set hearing on the next Accounting Review for **04/30/19** (if one year) or **04/28/20** (if two years). Account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

DATE: 06/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900167

CASE NAME: MARK JORDAN ELKINS

HEARING:

Fourth and final; etc Account and Report of KERINE E ELKINS and
Petition for allowance of fees filed.

COUNSEL:

CALIFORNIA DEPARTMENT OF STATE	(PET)...PRO/PER
DENNIS SHOGREN	(CEP)...JAMES B CHURCH
KERINE E ELKINS	(CPE)...NOREEN T FONTAINE
MARK J ANDREW FLORY	(PET)...MARK J. ANDREW FLORY
MARK J ELKINS	(CTE)...JAMES B CHURCH
MARK JORDAN ELKINS	(CEP)...MARK J. ANDREW FLORY
MARK JORDAN ELKINS SPECIAL NEE	(TRU)...

GENERAL INFORMATION:

Continued from 04/03/18 at request of counsel. Counsel will agree to file a stipulation to approve petitioner's request for compensation of \$10,000. Notice to be given by Ms. Fontaine.

THIS CASE IS SET FOR HEARING ON Fourth and Final Account and Petition for Fees by Attorney Noreen Fontaine on behalf of former Trustee of SNT, Kerine E. Elkins ["Petitioner"].

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

1. Third Account approved on 07/19/17 for period ending 07/31/14. **Need** Order after Hearing.
2. Accounting period is not specified. **Need** same.
3. Assets on Hand are not specified. **Need** same.
4. No Summary of Account or supporting schedules. **Need** same.
5. Petitioner seeks compensation of \$10,000 for the period from 2014 to 2017. **Need** itemization via verified supplement.
6. Attorney requests fees of \$43,995.00. Billed at \$350/hour for 125.7 hours' attorney time. Itemized [Acct., LF, pgs. 6-13]. JTD.
7. Attorney requests reimbursement of costs advanced of \$1,786.50. Itemized.
8. **Need** bank/financial statements.

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.

9. Distribution is not addressed. **Need** same.
10. **Need** Notice of Hearing with proof of service.
11. No proposed order.

RECOMMENDATION:

This purported accounting does not appear to be a true and complete accounting of the SNT and should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting period. Need complete, amended account to be set on first check calendar no sooner than **08/14/18**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 18

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

DATE: 06/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400267

CASE NAME: DAVID L HEISS

HEARING:

Second and final Account and Report of KAY M ADAMS and Petition
for allowance of fees filed.

COUNSEL:

DAVID L HEISS	(CTE)...JEANNE E KENNEDY
JENNIFER H HEISS	(PET)...JENNIFER DANIEL
KAY M ADAMS	(CPE)...JENNIFER M DANIEL

GENERAL INFORMATION:

Continued from 03/27/18. Oral report given by Jennifer Daniel. The \$382.88 balance in Arrvest Bank is deemed amount de minimus. The Court approves attorney fees as requested. Counsel is to file a verified supplement regarding Schedule "C."

THIS CASE IS SET FOR HEARING ON Second and Final Account by Former Conservator, Kay Adams ["Petitioner"] and Petition for Fees.

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

1. Accounting period 07/01/16 to 10/17/17.
2. Assets on Hand \$214,325.62 consisting of \$19,725.62 in cash and remaining in real and personal property.
3. Property on Hand at Beginning of Account Period does not reflect amount at End of Prior Account Period as reflected in Judgment on First Account entered on 05/24/17. **Need** amended Summary of Account and affected schedules.
4. Petitioner does not request compensation or reimbursement.
5. Attorney requests fees of \$10,567.50. Billed at the reduced rate of \$275/hour for 20.7 hours' attorney time and \$125/hour for 39 hours' paralegal time and costs. Itemized [LF, pgs. 34-45]. Approved.
6. Report by court-appointed attorney, Jeanne E. Kennedy, filed 06/07/18.
7. Schedule C- Disbursements requires further clarification via verified supplement as to the following:
 - a. \$137.17 personal payment to caregiver Raul.
 - b. Payment to California State Disbursement Unit for

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.

\$219.69.

C. Two payments to US Tax for \$2,180.79 and \$169.00.

d. Cabin rental for \$966.80.

e. Caregiver reimbursement of CPA \$312.50, and was subsequently reimbursed.

Supp. (05/15/18) addresses disbursements. JTD.

8. Petitioner has paid Life Saving Angels Caregiving for caregiver services during this accounting period. **Need** verified declarations to verify dates of service, performance of services and that payment has been received per Local Rule 20-1406(c).
9. Conservatee now resides in Claremont, CA, in Los Angeles County. Suggest transfer to LA County. **JTD**. If so, Court to set control date.
10. Proposed Order 02/20/18 exonerated bond and discharges petitioner upon filing of receipts instead of upon entry of a final discharge order.

RECOMMENDATION:

Need to clear notes 3 & 8 then Court's discretion re: transfer to LA County. If approved, set next hearing for receipts and final discharge for **06/25/19**.

(nb)

Future Hearing:

07/18/18 Petition for appointment of successor etc.

Superior Court of Calif, County of San Bernardino
Page: 19
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600067

CASE NAME: MTR OF ROSARIO BERNAL RADOS
SEE ALSO 20

HEARING:
Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ALEXANDER ORONOS

COUNSEL:
ALEXANDER ORONOS (CPE)...JACK B. OSBORN
ROSARIO BERNAL RADOS (CEP)...DONNASUE ORTIZ

GENERAL INFORMATION

Continued from **12/14/16**.

Continued from **01/17/17**. Matter trailing other hearing set.

Continued from **03/21/17** at request of counsel. Attempting settlement.

Continued from **06/20/17**. Matter continued to trial other hearings set.

Continued from **10/17/17 and 11/21/17** at request of counsel. Counsel indicates parties are waiting for final inventory and appraisal.

Continued from 01/23/18 and 04/03/18 at request of counsel.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Alexander Oronos, son appointed conservator of the person and estate on 05/18/16, \$200,000 bond.
2. Notification of Conservatee's Rights per Pr.C.§1830(c) filed 12/07/16.
3. Determination of Conservatee's Appropriate Level of Care filed 12/7/16.
4. Care Plan in accord with Pr.C. §2352 filed 12/7/16.
5. **Need** final Inventory & Appraisal per Pr.C. §2610.
6. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. Proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313 filed 06/01/16.

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

RECOMMENDATION

Inquire status. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. § 2614.5.

(lc/lh/nb/lh/nb)

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

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 06/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600067

CASE NAME: MTR OF ROSARIO BERNAL RADOS

SEE ALSO 19

HEARING:

Accounting Review by ***

COUNSEL:

ALEXANDER ORONOZ (CPE)...JACK B. OSBORN

ROSARIO BERNAL RADOS (CEP)...DONNASUE ORTIZ

GENERAL INFORMATION

Continued from 01/23/18 and 04/03/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

- 1 Order appointing conservator of the person and estate, Alexander Oronoz, entered 05/18/16, \$200,000 bond.
- 2 **Need** final Inventory & Appraisal per Pr.C.§2610.
- 3 No accounting or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

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

DATE: 06/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700349

CASE NAME: ROBERT IRA LARKIN

SEE ALSO 22

HEARING:

Petition for appointment for conservatorship for person & estate

COUNSEL:

JUANITA LANDRY (PET)...PRO/PER
ROBERT IRA LARKIN (CEE)...EDWARD B FISCHEL

GENERAL INFORMATION

Ex parte orders denied 09/28/17. Court notes proposed conservatee has no objection to conservatorship.

Continued from **10/30/17** Court waived return of citation as Robert Larkin is present in court. Attorney Edward B. Fischel is appointed for Robert Larkin

Continued from **01/22/18** on courts motion. Juanita Landry withdraws her request to withdraw her petition for conservatorship. She will attempt to get a bond.

Continued from 03/27/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by **Juanita Landry**, friend

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

1. Petitioner requests no bond. However, estate assets consisting of \$2,000 in personal property and unknown monthly income received from an unnamed trust account of which proposed conservatee is a beneficiary.
 - a. **Need** verified supplement clarifying trust information, including trustee and income received; also need clarification re Veteran's income.
 - b. Does Court wish to require a copy of trust? **JTD**
2. Petitioner does not request medical powers in item #1g, yet indicates medical treatment in item #9. **Need** verified supplement clarifying requested powers. If medical powers sought, need Capacity Declaration.
3. Petition is incomplete as follows:
 - a. Item #9d as to whether proposed conservatee is an adherent of religion relying on prayer for healing. **Need** verified supplement.

- b. Item #11 indicates no known relatives. However, Attachment 3f(1) alleges petitioner contacted relatives. **Need** verified supplement clarifying known relatives' information.
4. **Need** notice of hearing and proof of service to relatives described in Attachment 3f(1) of petition, public guardian, trustee, and Veteran's Administration.
5. Conservatee present at 10/30/17 hearing. Court waives return of citation.
6. CI report filed 10/13/17.
7. Certificate of Completion of the Conservatorship Training Class filed.
8. Report of court appointed counsel, Edward B Fischel, filed.
9. ~Proposed Form Order: 09/21/17.

RECOMMENDATION

Need to clear notes 1-4. If approved, set hearing for Compliance Review for **01/29/19** for the filing of the required documents and hearing re Accounting Review for **08/27/19**. Any accounting to be filed 30 days in advance.

(lh/cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 22

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 06/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700349

CASE NAME: ROBERT IRA LARKIN

SEE ALSO 21

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JUANITA LANDRY

(PET)...PRO/PER

ROBERT IRA LARKIN

(CEE)...EDWARD B FISCHER

GENERAL INFORMATION

Continued from 01/22/18 and 03/27/18 on courts motion. Juanita Landry informs the Court that she intends to follow through with her petition for conservatorship. Mr. Fischel informs the Court that proposed conservatee does not have income as of yet, but he plans to try to get Veteran's income. Verlene Cameron does not need to take Conservatorship Training class as she is a professional fiduciary. Referred to Court Investigator for supplemental investigation and report.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by proposed conservatee, Robert Larkin, appointing Verlene Cameron, **PPF**.

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

1. Proposed Conservator, Verlene Cameron, is a nominee of Conservatee.
2. Petitioner seeks bond of \$50,000. Estimated estate value consists of \$2,000 personal property and \$33,000 income from mother's trust.
 - a. Does Court wish to require a copy of trust? **JTD**
3. Petition is incomplete as follows:
 - a. Sections 1(d)-1(l) do not request any powers. **Need** clarification re powers requested.
 - b. Section 5(c) as to why conservatorship is required. **Need** verified supplement.
 - c. Item #9d as to whether proposed conservatee is an adherent of religion relying on prayer for healing. **Need** verified supplement.
4. Section 5 of Conservator Screening form is unclear. **Need** verified supplement.

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. **Need** notice of hearing and proof of service.
6. **Need** list of required contacts (Local form SB-12224).
7. Court Investigator report filed 06/14/18.
8. ~Proposed Form Order: 12/22/17

RECOMMENDATION

Need to clear notes 2-6. If approved, set hearing for Compliance Review for **01/29/19** for the filing of the required documents and hearing re Accounting Review for **08/27/19**. Any accounting to be filed 30 days in advance.

(cs/nb)