



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 07/27/17

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

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

06/27/17-07/21lc

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: MPR MS00902

CASE NAME: ESTATE OF LARRY K. LAYMON

HEARING: SUPPLEMENTAL REGARDING DISTRTIBIUTION & WAIVER Account
and Report of LINDA G. WAUGH and Petition for allowance of fees filed.

COUNSEL:

LARRY K. LAYMON (DEC)...
LINDA G. WAUGH (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by LINDA G.WAUGH is GRANTED

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Supplemental Regarding Distribution and Waiver of Account and Petition for Allowance of Fees by Linda Waugh.

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

1. Letters Testamentary issued **9/11/01** to Linda Waugh, roommate.
2. All heirs previously waived accountings.
3. It appears that petitioner is supplementing the already approved final distribution order with after discovered asbestos litigation funds per Pr.C. § 11642(a). Petitioner still contends that litigation is still likely to come into the estate. On **2/5/08** Court allowed the estate to remain open for new litigation. Some receipts filed in 2009.
4. Order for Waiver of Account and **Final Distribution was granted on 10/2/06, order filed 12/31/16**. The estate consisted solely of a settlement from decedent's asbestos litigation. Apportionment of Settlement from asbestos litigation is divided 60% less attorney fees to the Executory of the Estate and 40% less attorney fees to the Wrongful Death Beneficiaries.
The Final Distribution of the Estate was approved as:
(15%) to Jeffery Scott Laymon,
(15%) to Virgil Brown Jr., Bankruptcy Trustee, re Larry Laymon's share
(30%) to La Viva June Harlen per assignment by Jesse Lee Laymon
(15%) divided between Craig Laymon and Chris Laymon, issue of deceased son Jerry Lee Laymon.
(25%) to Linda G. Waugh
5. Petitioner states bank statements prior to 2007 are unavailable by the banking institution. JTD
6. Period stated is 02/27/16 – 09/07/16; however, period shall begin after order for final distribution approval date 10/02/16. Need corrected period.

7. It is unclear why some heirs were paid excess funds and petitioner is short \$8,522.09. Need verified supplement.
8. Payments of \$1,812.31 made to Jesse Laymon in an attempt to fix what petitioner believed to be an inaccuracy in "the order". Need verified supplement explaining which order and under what authority did petitioner have to distribute differently than the court order.
9. Petitioner was allegedly in an accident and does not recall a payment to Jose Playo in the amount of \$650; however, believes it to be costs of estate through paralegal services.
10. Need notice of hearing and proof of service.

RECOMMENDATION

Need to clear notes 6-7 and notice. ***If estate to remain open***, set next Accounting review for **08/02/18**. ***If estate ready to close***, set hearing re final discharge for **08/02/18**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1301031

CASE NAME: DONALD WILLARD JOY

HEARING:
Accounting Review

COUNSEL:
DONALD WILLARD JOY (DEC)...
GARY GETCHELL (PET)...GRESHAM SAVAGE NOLAN & TILDEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Gary Getchell, cousin on 02/27/14; full authority, no bond.
2. Previous status report approved on 06/09/16.
3. Need accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400711

Vacated

CASE NAME: MTR OF COURTNEY CHEEK SETTLEMENT TRUST

HEARING:

FIRST Account and Report of WELLS FARGO BANK and Petition for allowance of fees filed.

COUNSEL:

COURTNEY CHEEK SETTLEMENT TRUS (TRU)...	PRO/PER
SCOTT GROSSMAN	(PET)...SCOTT GROSSMAN
WALTER T MOORE	(PET)...WALTER T. MOORE
WELLS FARGO BANK	(PET)...JENNIFER M DANIEL

Granted on 07/22/15; order signed same date.

Future Hearing: 08/31/17 **Second** accounting and report for ***Wells Fargo***

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500412

CASE NAME: MTR OF TAB R MAUDLIN

HEARING:

Hearing re Final Discharge

COUNSEL:

STEPHANIE A MAUDLIN (PET)...ROGER K PATTERSON
TAB R MAUDLIN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Stephanie Maudin, spouse, approved on 05/19/16.
2. Receipts filed.
3. Need Ex Parte Petition for Final Discharge and Order resubmitted with corrections.

RECOMMENDATION

Inquire status of order.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500861

CASE NAME: FRANCES MAE TODD

HEARING:
Accounting Review

COUNSEL:

FRANCES MAE TODD	(DEC)...
THE SALVATION ARMY	(TP)...PRO/PER
VANESSA HUNTER	(PET)...CHRISTOPHER A SCHUMATE

GENERAL INFORMATION

Continued from 01/12/17 and 03/23/17.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Vanessa Hunter, neighbor, on 11/23/15; full authority, \$25,000 bond.
2. Final Inventory and Appraisal filed 02/24/16.
3. Need accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501181

CASE NAME: MTR OF ALEJANDRO PADILLA

HEARING:
Accounting Review

COUNSEL:

ALEJANDRO PADILLA	(DEC)...
DANIELLE A PADILLA	(PET)... RICHARD LEPORE
EMILY N PADILLA	(PET)... RICHARD LEPORE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Danielle and Emily Padilla, daughters, on 05/19/16; full authority, no bond.
2. Need final Inventory and Appraisal
3. Need accounting or status report.

RECOMMENDATION

Need to clear note 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600931

CASE NAME: MTR OF ROBERT FRANKLIN BOYER

HEARING:

PTN FOR FINAL DISTRIBUTION ON WAIVER OF Account and Report of
ELAINE LEONE MAYS and Petition for allowance of fees filed.

COUNSEL:

DEPT OF HEALTH CARE SERVICES	(TP)...
ELAINE LEONE MAYS	(PET)...RICHARD SAMUEL PRICE
ROBERT FRANKLIN BOYER	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Elaine Mays, sister.

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

1. Petitioner is sole heir, waives accounting and statutory compensation.
2. Attorney requests statutory fees of \$9,080. Ok.
3. ~Proposed Order: 05/04/17.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **08/02/18**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 7A ADD ON

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601092

CASE NAME: THE BRAYDEN HANSON SPECIAL NEEDS TRUST

HEARING:

Petition for AUTHORIZATION TO PURCHASE RESIDENCE ON SHORTENED
TIME

COUNSEL:

BRAYDEN HANSON	(BEN)...
LAURI HANSON	(PET)...KEVIN URBATSCH
THE BRAYDEN HANSON SPECIAL NEE	(TRU)...

Currently under review by legal research

(LR)

Future Hearing: 08/02/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700153

CASE NAME: HENRY R. HAVINS

HEARING:
Hearing Re: STATUS CONFERENCE

COUNSEL:
HAL R HAVINS (PET)...MY ATTORNEY LA
HENRY R. HAVINS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Conference.

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

1. Matter set at 04/20/17 preliminary injunction.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing: 06/25/18 *Accounting Review*.

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700272

CASE NAME: ALAN M GOLDMAN

HEARING:

Spousal Property Petition hearing.

COUNSEL:

ALAN M GOLDMAN (DEC)...
DEBORAH J GOLDMAN (PET)...PRO/PER

GENERAL INFORMATION

Continued from 06/01/17.

THIS CASE SET FOR HEARING ON Spousal Property Petition by Deborah Goldman, spouse.

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

1. Petitioner, Deborah, seeks determination that community property left by decedent passes to petitioner without administration.
2. Petitioner alleges she and decedent were married 10/18/77. Deborah and Alan sold a home in 2005 and purchased the real property in question with community funds in 08/2005. Petitioner's name was reportedly taken off title in order to obtain a reverse mortgage.
3. Need filed 05/25/17 to children; however, proof of service is not dated at signature line and residence of mailer is incomplete at section 2. Need same.
4. ~Proposed Form Order: 05/25/17.

RECOMMENDATION

Need to clear note 3.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 10

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700323

CASE NAME: DONNA L. MCDOW

HEARING:

Petition for LETTERS OF ADMINISTRATION W/ FULL IAEA

COUNSEL:

DONNA L MCDOW (DEC)...
GLENN L. MCDOW (PET)...GRESHAM SAVAGE NOLAN & TILDEN

GENERAL INFORMATION:

Continued from 06/15/17.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Glenn Sanchez (cousin)

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

1. Requested bond \$724,000. Appears sufficient.
2. ~Proposed form Order: 04/07/17

RECOMMENDATION:

RFA subject to Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **10/04/18**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh/lc)

Superior Court of Calif, County of San Bernardino

Page: 11

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700414

CASE NAME: MTR OF PATRICIA COLE WILLIAMS

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS TESTAMENTARY WITH
FULL AUTHORIZATION TO ADMINISTER UNDER IAEA

COUNSEL:

JAMES BYRON WILLIAMS II (PET)...AMY YORK GARRETT
PATRICIA CAROLYN WILLIAMS (DEC)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA James Byron Williams, II, son

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

1. Will waives bond. Estate consists of 170,000 in real property.
2. Copy of will not attached; however, filed separately on 05/11/17.
3. ~Proposed Form Order: 04/28/17

RECOMMENDATION

RFA. Court's discretion re bond. If approved, set Accounting/Status Review for **10/04/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/lc)

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 07/27/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700433

CASE NAME: MTR OF CAROLINA AGUIRRE

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

CAROLINA AGUIRRE (DEC)...
MICHELLE GALVEZ (PET)...PRO/PER

GENERAL INFORMATION

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

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

1. Need Notice to Petition to Administer Estate and proof of service.
2. All heirs waive bond. Net estate value \$65,000 in real property. Need bond waivers by Michael Aguirre and Yvonne Aguirre-Serafin.
3. Need proof of publication.
4. ~Proposed Form Order: 05/05/17.

RECOMMENDATION

Need to clear notes 1-3; Court's discretion re bond. If approved, set Accounting/Status Review for **10/04/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 07/27/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1100093

CASE NAME: TOMAS V BEAS

HEARING:

Accounting Review

COUNSEL:

LETICIA GODOY	(PET)...MICHAEL J ARMENTA
LETICIA M GODOY	(CE)...ANDERSON, ARMENTA & ASSOCIATES
LETICIA M GODOY	(CPE)...ANDERSON & ASSOCIATES
LETICIA M GODOY	(CPE)...ARMENTA LAW
TOMAS V BEAS	(CEP)...CRAIG M PARKER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 2nd Account for Leticia Godoy, daughter, approved on 08/15/16.
2. Need 3rd Account beginning with 05/27/15.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 14

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

DATE: 07/27/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400150

CASE NAME: MTR OF KATHLEEN DURHAM

SEE ALSO 15, 16

HEARING:

Hearing Re: STATUS RE MEDIATION

COUNSEL:

GAIL HAMMER	(OBJ)...GEORGE F DICKERMAN
JAMES S DURHAM	(CPE)...J. DAVID HORSPOOL
JAMES S. DURHAM	(PET)...EDWARD B FISCHER &
KATHLEEN DURHAM	(CEP)...WALTER T. MOORE
KATHLEEN DURHAM	(CPE)...KYLE A PATRICK
KATHLEEN DURHAM TRUST DATED 1/	(TRU)...
KYLE A. PATRICK	(PET)...KYLE A PATRICK
LAWRENCE A DEAN II	(CPE)...SHERRI L KASTILAHN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Status – No notes – JTD

Future Hearing:

12/07/17 Future Hearing:

03/19/18 Readiness calendar

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

DATE: 07/27/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400150

CASE NAME: MTR OF KATHLEEN DURHAM

SEE ALSO 14, 16

HEARING: Petition for TO RECOVER PROPERTY FROM GAIL HAMMER;
PETITION TO DEEM GAIL HAMMERE TO HAVE PREDECEASED ETC

COUNSEL:

GAIL HAMMER	(OBJ)...GEORGE F DICKERMAN
JAMES S DURHAM	(CPE)...J. DAVID HORSPOOL
JAMES S. DURHAM	(PET)...EDWARD B FISCHER &
KATHLEEN DURHAM	(CEP)...WALTER T. MOORE
KATHLEEN DURHAM TRUST DATED 1/	(TRU)...
KYLE A. PATRICK	(PET)...KYLE A PATRICK

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

Continued from 3/17/16, 8/11/16, 09/26/16, 11/10/16 and 04/20/17. Petition is contested.

THIS CASE SET FOR HEARING ON Petition to Recover Property, Deem Gail Hammer as predeceased and restraining order per Pr.C. § § 259(b), 850 & 859 by James Durham.

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

1. Petitioner, James Durham, is successor Trustee of the Kathleen Durham Trust.
2. Petitioner is seeking an order per Pr.C. § 850(a)(3)(B) that Gail Hammer shall pay back the trust the amount of \$182,237.09 allegedly taken from Kathleen Durham. Criminal case **FWV1405337** allegedly found Gail Hammer guilty of felony grand theft of said amount.
3. Petitioner is seeking an order per Pr.C. § 859 that Gail Hammer shall pay the trust the additional amount of \$364,474.18. Petitioner alleges that Gail was found guilty of financial elder abuse under Wel. & Inst. Code § 15610.17 and per Pr.C. § 859, Gail could be subject to pay back the twice the value of property for taking property in bad faith.
4. Petitioner is seeking an order personal representative Pr.C. § 259 that Gail Hammer shall be deemed to have predeceased Kathleen Durham for inheritance purposes. Pr.C. § 259 states if a person is found acting in bad faith and convicted under clear

- and convincing evidence the heir is considered to have predeceased the person and not entitled to inheritance. Penal Code § 236 or any offense under § 368.
5. Petitioner is seeking an order that Gail Hammer be restrained from having any further contact with Kathleen Durham. Gail was allegedly ordered on 07/17/15 to not have any negative contact with Kathleen and not to violate restraining order.
 6. Need copy of criminal proceeding order to determine actual charges Gail was convicted of. **Supp. (9/2/16): supplement does not address this issue.**
 7. **Objections filed by Gail Hammer on 10/31/16 and further objections to supplement on 01/3/17.**

RECOMMENDATION

Need to clear note 6, then set for evidentiary hearing.
(lc/sa/lc)

Future Hearing:

12/07/17 Future Hearing:

03/19/18 Readiness calendar

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

DATE: 07/27/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400150
CASE NAME: MTR OF KATHLEEN DURHAM

SEE ALSO 14, 15

HEARING: SECOND Account and Report of JAMES S DURHAM and Petition for allowance of fees filed.

COUNSEL:

GAIL HAMMER	(OBJ)...GEORGE F DICKERMAN
JAMES S DURHAM	(CPE)...J. DAVID HORSPOOL
KATHLEEN DURHAM	(CEP)...WALTER T. MOORE
KATHLEEN DURHAM TRUST DATED 1/	(TRU)...
KYLE A. PATRICK	(PET)...KYLE A PATRICK

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

Continued from 11/10/16. House not to be sold until further order of the court.

Continued from 02/02/17 and 04/20/17.

THIS CASE SET FOR HEARING ON 2nd Account Current of Trustee, Petition to Reduce Bond, Recover Property from Gail Hammer, Restraining Order and Petition for Allowance of Fees by James Durham.

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

1. Accounting period 07/01/15 – 08/31/16.
2. Assets on hand \$1,326,777.38: \$66,895.87 of which is cash.
3. Trust estate was reduced by approximately \$245,000 this accounting period.
4. Petitioner is not seeking fees.
5. Petitioner is seeking ratification of compensation paid to his spouse Kris Vanderburg of \$1,000 per month for services and visiting beneficiary Kathleen. Receipt filed for services up until her death on 08/04/16 [LFpg25]. Court
6. Attorney is seeking fees of \$24,102.00 for 74.85 hours at \$135/375 per hour for paralegal and attorney services respectively. Itemized [LFpgs26-34].
7. Attorney is seeking reimbursement of costs totaling \$1,572.96.
8. Petitioner seeks an order that the court reserve jurisdiction per Pr.C. § 859 over surcharging Gail Hammer for costs that she incurred to the conservatorship for professionally supervised visits.

9. Petitioner requests that the Court remove the Trust and Petitioner's private Administration from further court supervision.
10. Disbursements indicate \$12,500 to Robert Kester. It is unclear who Robert is or what the amounts are for [LFpg21]. **Supp01/10/17: Petitioner states for extensive remodeling in the 1st account.**
11. Disbursements indicate \$18,360.26 in life insurance [LFpg21]. Question why such amounts? **Supp01/10/17: Petitioner alleges that they are quarterly payments of a longstanding policy.**
12. Current bond is \$82,500 whereas all other investment accounts exceeding \$75,000 are blocked.
13. Pre-move notice filed indicating conservatee moved to Bellflower.
14. **Objections filed by Gail Hammer on 01/25/17.**
15. **Records and sealed documents sent to department on 01/25/17.**
16. ~Proposed Order: 01/12/17.

RECOMMENDATION

Matter is contested and require petitioner to file separate petition re trust issues. If approved, set hearing on the next accounting review for **11/16/17** (if one year) or **11/15/18** (if two years). Accounting to be filed 30 days in advance.
(lc)

Future Hearing:

12/07/17 Future Hearing:

03/19/18 Readiness calendar

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

DATE: 07/27/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500363

CASE NAME: CHARLENE MAYER AKA CHARLENE D. MAYER ETC

HEARING:

FIRST Account and Report of TIMOTHY MAYER, MELODY BRAVO and
Petition for allowance of fees filed.

COUNSEL:

CHARLENE MAYER	(CEP)...WALTER T. MOORE
MELODY BRAVO	(CPE)...ELISABETH KEMPE-OLINGER
TIMOTHY MAYER	(CPE)...ELISABETH KEMPE-OLINGER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for Allowance of Fees by Timothy Mayer and Melody Bravo, son and daughter.

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

1. Accounting period 02/16/16 - 02/28/17.
2. Assets on hand \$444,497.90 of which \$9,997.90 is cash.
3. Petitioners waive compensation.
4. Attorney seeks fees of \$6,827.50 for 26.2 hours at \$100/325 per hour for paralegal and attorney services. JTD
5. Current bond is \$118,000. Ok.
6. ~Proposed Order: 06/01/17.

RECOMMENDATION

Court's discretion re fees. If approved, set hearing on the next accounting review for **06/07/18** (if one year) or **06/06/19** (if two years). Accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 18

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

DATE: 07/27/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600132

CASE NAME: MTR OF NAYELY MARGARITA DIAZ

SEE ALSO 19

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ROSA E HERNANDEZ

COUNSEL:

NAYELY MARGARITA DIAZ (CTP)...JAMES B CHURCH
ROSA E HERNANDEZ (CP)...PRO/PER

See notes on matter 19.

Superior Court of Calif, County of San Bernardino

Page: 19

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

DATE: 07/27/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600132

CASE NAME: MTR OF NAYELY MARGARITA DIAZ

SEE ALSO 18

HEARING:

Hearing Re: OSC RE SANCTIONS ON ROSA E HERNANDEZ

COUNSEL:

NAYELY MARGARITA DIAZ (CTP)...JAMES B CHURCH
ROSA E HERNANDEZ (CP)...PRO/PER

GENERAL INFORMATION

OSC set on 06/08/17. Conservator Rosa Hernandez to personally appear on 7/27/17.

THIS CASE SET FOR HEARING ON OSC re Sanctions on Rosa Hernandez/Compliance Review.

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

1. Rosa Hernandez, mother, appointed limited conservator of the person only on 09/29/16.
2. Need Notification of Conservatee's rights per Pr.C.§1830(c).
3. Need Determination of Conservatee's Appropriate Level of Care form GC-355.
4. Need Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION

Court's discretion re OSC. Need to clear notes 2-4.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 20

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

DATE: 07/27/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600290

CASE NAME: OGIS DEAN

HEARING:

Petition for ORDER AUTHORIZING PAYMENT OF ATTORNEYS FEES AND
COSTS TO COURT APPOINTED ATTORNEY

COUNSEL:

CANDICE A GARCIA-RODRIGO	(PET)...	CANDICE A GARCIA-RODRIGO
OGIS DEAN	(CEP)...	CANDICE A GARCIA-RODRIGO
PUBLIC GUARDIAN	(CPE)...	COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Candice Garcia-Rodrigo.

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

1. Petitioner, Candice Garcia-Rodrigo, was appointed counsel on 10/03/16.
2. Petitioner seeks attorney's fees of \$3,412.50 for 9.75 hours at \$350 per hour. Itemized in separate declaration filed 07/14/17.
3. ~Proposed Order: 06/08/17.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing: 01/22/18 *Accounting Review*.

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

DATE: 07/27/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700211

CASE NAME: MTR OF MILDRED C HALL

HEARING: Petition for Appointment of Conservator

COUNSEL:

JASON PAGE (CPE)...PRO/PER
MILDRED C HALL (CEP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Jason Page, grandson.

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

1. Petitioner seeks no bond. As the Conservatee's only assets are Social Security income no bond would be required. Pr.C. §§ 2323 and 2628.
2. Petitioner seeks Pr.C. § 2590 powers. It appears petitioner is seeking to sell the proposed conservatee's real property located in Riverside. It is unclear if the real property is personal residence. Need verified supplement with specific powers requested per Pr.C. §2591..
3. Petitioner seeks medical powers. Need Capacity Declaration.
4. Need return of citation.
5. Need Certificate of Completion of the Conservatorship Training Class.
6. Need Court Investigator report.
7. Need notice of hearing and proof of service.
8. No proposed order submitted.

RECOMMENDATION

Need to clear notes 2-8. If approved, set hearing for Compliance Review for **03/01/18** for the filing of the required documents and hearing re Accounting Review for **10/04/18**. Any accounting to be filed 30 days in advance.
(lc)

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

DATE: 07/27/17 TIME: 9:30 DEPT: S35P

CASE#: SC SS01451

CASE NAME: IN THE MATTER OF MARSHA ROSE

HEARING:
Accounting Review

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
INLAND COUNTIES REGIONAL CENTE	(PET)...STEVEN K BECKETT
INLAND COUNTIES REGIONAL CENTE	(TEE)...STEVEN K BECKETT
LAURA ROSE PUMFORD	(CPE)...BRUNICK MCELHANEY &
LAURA ROSE PUMFORD	(CPE)...PRO/PER
MARSHA ROSE	(CEP)...

GENERAL INFORMATION

Continued from 05/25/17.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 8th Account of IRC Master Trust approved on 07/30/15.
2. Need 9th Account.
3. Creditor's Claim filed by Department of Health Services SNT unit for \$723,220.67.
Court to inquire if conservatee has passed away.

RECOMMENDATION

Inquire status of accounting.
(lc)

Superior Court of Calif, County of San Bernardino

Page: 23

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PA/PG**

DATE: 07/27/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02656

CASE NAME: MTR RE JOHN MARTI

HEARING:

Accounting Review

COUNSEL:

JOHN MARTI

PUBLIC GUARDIAN

(CEP)...HARTNELL LAW GROUP

(CPE)...COUNTY COUNSEL

GENERAL INFORMATION

Expire 05/29/17.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 10th Waiver of Account for Public Guardian approved on 09/30/15.
2. Need 11th Account beginning with 07/01/15.

RECOMMENDATION

Inquire status of accounting and continue matter to a Monday calendar as this is **Public Guardian** matter.

(lc)

Future Hearing: 08/11/17 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 1 ADD ON

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 8:30 DEPT: S36P

CASE#: CIP DS1700097

CASE NAME: IN RE: LIU ZIJIA

HEARING:
Petition for Compromise of Disputed Claim of Minor

	COUNSEL:
LIU ZIJIA	(M/P)...ALDER LAW PC
YE JINFENG	(PET)...ALDER LAW PC

No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 1A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN **PROBATE**

DATE: 07/27/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400864

Vacated

CASE NAME: ROGER ALLEN CUMMINGS AKA ROGER A. CUMMINGS AKA

HEARING:

Hearing re Final Discharge

COUNSEL:

ROGER ALLEN CUMMINGS (DEC)...

SUSAN M. CUMMINGS (PET)...JAMES B CHURCH

Final Discharge ordered approved and sent to clerk's office for processing.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600485

CASE NAME: MTR OF LOYOLA EDITH LANCE

HEARING:
Petition for LETTERS OF ADMINISTRATION

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (TP)...PRO/PER	
HOWARD JAMES LANCE III	(PET)...JT LEGAL GROUP, APC
HOWARD JAMES LANCE JR	(PET)...JT LEGAL GROUP, APC
LOYOLA EDITH LANCE	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of **Successor** Administration with full authority under IAEA by Howard Lance III, nephew.

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

1. Letters of Administration issued to Howard Lance Jr, brother, on 10/20/16, no bond. Current administrator passed away.
2. All heirs waive bond. **Need** bond waivers by James and Daniel Lance. Net value of estate \$222,000 of which \$2,000 is personal property. However, petitioner is a non-resident and court has discretion to require bond per Pr.C. §8571.
3. **Need** Notice to Petition to Administer Estate and proof of service, including to Department of Health Services and Counsel for prior administrator.
4. ~Proposed Form Order: 05/01/17.

RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond. If approved, set Accounting/Status Review for **08/02/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Future Hearing: 11/30/17 *Accounting Review. Howard Lance Jr., brother*

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700166

CASE NAME: BRAD LANE

SEE ALSO 3A

HEARING:

Petition for RESIGNATION OF SUCCESSOR TRUSTE & FOR NOMINATION OF
NEW SUCCESSOR TRUSTEE

COUNSEL:

ADAM GONZALEZ	(MIN)...
BRAD LANE	(DEC)...
CAROL ROSS	(PET)...WILLIAM M NASSAR & ASSOCIATES

Currently under review by legal research

(LR)

NOTICE

1. All parties given 30 days' notice.

Superior Court of Calif, County of San Bernardino

Page: 3A ADD ON

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700166

CASE NAME: BRAD LANE

SEE ALSO 3

HEARING:

Petition for ORDER TO CONFIRM VALIDITY OF TRUST AND CONFIRM
ASSETS TO REVOCABLE TRUST

COUNSEL:

ADAM GONZALEZ	(MIN)...
BRAD LANE	(DEC)...
CAROL ROSS	(PET)...WILLIAM M NASSAR & ASSOCIATES

Currently under review by legal research

(LR)

NOTICE:

1. All parties given 30 days' notice.

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN **TRUSTS AND MOTIONS**

DATE: 07/27/17 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1400344

CASE NAME: Ruben H Marquez

HEARING:

Motion Re: ENFORCEMENT OF SETTLEMENT Filed by Petitioner AARON
MARQUEZ

COUNSEL:

AARON MARQUEZ	(PET)...RAUL M. MONTES
KEVIN MARQUEZ	(MIN)...
KIMBERLY MARQUEZ	(MIN)...
MARIA Y SAGAL	(OBJ)...HARTNELL LAW GROUP
RUBEN H. MARQUEZ	(DEC)..

No notes – JTD

(LR)

Future Hearing:

01/08/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

CONSERVATORSHIP

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS0800208

CASE NAME: MTR OF MARIE C SPANGLER

HEARING:

Accounting Review

COUNSEL:

BRYAN C HARTNELL

(PET)...BRYAN C HARTNELL

LINDA SPANGLER

(CPE)...JAMES B CHURCH

MARIE C SPANGLER

(CEP)...HARTNELL LAW GROUP

PATRICIA A SPANGLER, PHD

(OBJ)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 6th Account for Linda Spangler, daughter, approved on 05/04/17. Conservatee **passed away** on 03/26/17.
2. Need 7th and Final Account beginning with 10/16/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 6

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS0900014

Vacate

CASE NAME: ATHANASIOS MIRAGIAS

HEARING:
Accounting Review

COUNSEL:

ATHANASIOS MIRAGIAS	(CEP)...
CYNTHIA MIRAGIAS	(CPE)...BLONSKA & KA UFMAN, LLP
CYNTHIA MIRAGIAS	(CPE)...SMITH SMITH BLONSKA & STRUCK
HARALAMBOS MIRAGIAS	(CPE)...BLONSKA & KA UFMAN, LLP
HARALAMBOS MIRAGIAS	(CPE)...SMITH SMITH BLONSKA & STRUCK L

Exparte Petition to Dispense sent to department for signature on 07/21/17. Clerk's office to set next Accounting review for 08/23/18.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS0900044

CASE NAME: ROGER DURHAM

HEARING:
Accounting Review

COUNSEL:

AVALEE COHEN	(CPE)...BRYAN C HARTNELL
AVALEE COHEN	(CPE)...DENNIS M SANDOVAL
AVALEE COHEN	(TP)...BRYAN C HARTNELL
ROGER DURHAM	(CEP)...
ROGER DURHAM	(PCE)...SHERRI L KASTILAHN
SHERRI L KASTILAHN	(PET)...SHERRI L KASTILAHN

GENERAL INFORMATION

Continued from 06/15/17.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 3rd Account of Avalee Cohen, niece, approved on 12/22/15.
2. Need 4th Account beginning with 04/04/15.

RECOMMENDATION

Inquire status of accounting.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100285

CASE NAME: GILBERT E. MADRID

HEARING:

Hearing Re: Status of Rent

COUNSEL:

GILBERT E MADRID	(CEP)...MITCHELL I ROTH
GILBERT MADRID	(CPE)...DAVID M GROSSMAN
MITCHELL I. ROTH	(CPE)...MITCHELL I ROTH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Rent.

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

1. Matter set on 07/13/17 when Court ordered Gilbert Madrid, son and Conservator, to pay \$72 overdraft fees to the estate and to pay and get his rent up to date. Rent is payable to the trust and id due on the 15th of every month.
2. Need declaration that all is paid, current and source of funds to that paid costs.

RECOMMENDATION

Inquire status of declaration.

(lc)

Future Hearing:

08/31/17 Fourth account and report etc.

08/31/17 OSC re: Suspension/Removal of conservator

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200150

CASE NAME: MTR OF DOLORES DELGADILLO

HEARING:

Hearing Re: OSC re FTA/Failure to file final discharge

COUNSEL:

D. HERSHEL WILSON	(PET)...
DAVID HERMAN	(CPE)...
DOLORES DELGADILLO	(CEP)...HARTNELL LAW GROUP
PEARL WARDLOW	(CPE)...KELLY L PEXTON
PEARL WARDLOW	(OBJ)...KELLY L. PEXTON, ESQ
U.S. SPECIALTY INSURANCE COMP	(LANAK & HANNA

GENERAL INFORMATION

Continued from 10/06/16 and 12/15/16. Court orally amended 2nd account that the vehicle can be distributed to Pearl Wardlow as she is sole heir.

Continued from 02/09/17. Second account approved as amended. Counsel to submit order after hearing.

OSC set on 04/20/17 when there was no appearance. Attorney Kelly Pexton to personally be present.

OSC continued from 05/25/17. Court imposed sanctions of \$500; as Attorney Kelly Pexton failed to appear/comply. Attorney Pexton and Pearl Wardlow to appear.

THIS CASE SET FOR HEARING ON **OSC re FTA/FTF/Final Discharge.**

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

1. Second and Final Account was granted on 10/06/15; Court orally amended 2nd account that the vehicle can be distributed to Pearl Wardlow as she is sole heir.
Need order for second account with distribution.
2. No receipts needed as Pearl Wardlow is sole heir.
3. Need Ex Parte Petition for Final Discharge and Order once the above order is approved.

RECOMMENDATION

Court's discretion re OSC. Need to clear notes 1&3. Court to notice bond company.
(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300006
CASE NAME: SIERRA MARTIN
HEARING: FIRST Account and Report of MARY MARGARET MARTIN and Petition
for allowance of fees filed.

COUNSEL:

MARY MARGARET MARTIN (CP JOSEPH P FOLEY
SIERRA MARTIN (CTP)...

XREF: CIVVS1105356

GENERAL INFORMATION

**Continued from 03/30/17 and 05/25/17 for counsel to file supplement re concerns
read into record regarding accounting.**

THIS CASE SET FOR HEARING ON 1st Account Current of Trust and Petition for
discharge of bond by Mary Margaret Martin, paternal grandmother.

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

1. Mary Margaret Martin, paternal grandmother, was appointed limited Conservator of ***person only*** on 04/03/13. Mary is also Trustee of Special Needs Trust created on 04/15/14 due to an automobile accident.
2. Accounting period 04/15/14 – 03/26/16.
3. Assets on hand \$1,332.97.
4. Petitioner requests exoneration of \$20,000 bond. JTD
5. Disbursements indicate car loan of \$488 and \$2,000 for home equity loan payments [Acct.01/18 LFpg6-7]. Question who owns the vehicle and real property as there are none listed in the property on hand? Need verified supplement. **Supp 03/27/17: Petitioner states that she owns the vehicle. The SNT is not the lienholder. Court to inquire how these payments fit under “special needs” and why SNT is not the lienholder.**
6. No proposed order.

RECOMMENDATION

Court's discretion re note 5. If approved, set Accounting/Status Review for **10/12/17**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400276

CASE NAME: Rita Sue Pesch

HEARING:
Hearing Re: APPEAL OF ATTORNEY FEES

COUNSEL:

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

Currently under review by legal research

(LR)

Future Hearing: 01/17/18 Final Discharge

Superior Court of Calif, County of San Bernardino

Page: 11

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600260

CASE NAME: MTR OF GREGORY SCOTT C WRIGHT

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LEONA D GOEBEL

COUNSEL:

GREGORY SCOTT C WRIGHT (CTP)...CRAIG M PARKER
LEONA D GOEBEL (CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Leona Goebel, mother appointed **limited** conservator of the person only on 12/19/16.
2. Need Notification of Conservatee's rights per Pr.C.§1830(c).
3. Need Determination of Conservatee's Appropriate Level of Care form GC-355.
4. Need Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION

Need to clear notes 2-4.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: SC SS00326

CASE NAME: IN THE MATTER OF DELORES IBARRA

HEARING:

Hearing re Final Discharge

COUNSEL:

DELORES IBARRA	(CTP)...JAMES B CHURCH
DELORES IBARRA	(TRU)...PRO/PER
MARY E SALAS	(TEE)...JENNIFER M DANIEL
MARY E. SALAS	(CP)...JENNIFER M DANIEL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Mary Salas, daughter, approved on 07/21/16. Order has distribution lined out and states "until further order of court". Need further distribution instructions re Department of Health Services etc.
2. Need receipt for Attorney James Church.
3. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipt and orders.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: SC SS01254

CASE NAME: IN THE MATTER OF ALLEN RHAJIVE CARABALLO

SEE ALSO 14, 15

HEARING:

Hearing Re: FIRST CURRENT Account and Report OF EDUARDO Y GONZ

COUNSEL:

ALLEN RAHJIVE CARABALLO	(CEP)...MITCHELL I ROTH
ALLEN RAJHIVE CARABALLO	(CEP)...HORSPOOL & H ORSPOOL
AMERICAN CONTRACTORS INDEMNITY (TP)	...LANAK & HANNA
ANNETTE G DEBELLEFEUILLE	(PET)...ANNETTE G
ARDIS ENRIGHT	(CPE)...PRO/PER
EDUARDO Y GONZALEZ LOPEZ	(CPE)...PRO/PER
RON OLUND	(CE)...J. DAVID HORSPOOL
RON OLUND	(PET)...HORSPOOL & PARKER
VERLENE CAMERON	(CPE)...JOHN D MICKUS
VERLENE CAMERON	(PCR)...VICTOR CLARK COHEN

See notes on matter 15.

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: SC SS01254

CASE NAME: IN THE MATTER OF ALLEN RHAJIVE CARABALLO

SEE ALSO 13, 15

HEARING: Petition for CONSERVATORSHIP FEES

COUNSEL:

ALLEN RAHJIVE CARABALLO	(CEP)...MITCHELL I ROTH
ALLEN RAJHIVE CARABALLO	(CEP)...HORSPOOL & H ORSPOOL
ARDIS ENRIGHT	(CPE)...PRO/PER
EDUARDO Y GONZALEZ LOPEZ	(CPE)...PRO/PER
RON OLUND	(CE)...J. DAVID HORSPOOL
RON OLUND	(PET)...HORSPOOL & PARKER
VERLENE CAMERON	(CPE)...JOHN D MICKUS
VERLENE CAMERON	(PCR)...VICTOR CLARK COHEN

GENERAL INFORMATION

Hearing advanced from 05/01/17.

Continued from 05/18/17.

THIS CASE SET FOR HEARING ON Petition for Conservatorship Fees by Eduardo Gonzalez Lopez, cousin.

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

1. Petitioner seeks conservatorship fees of \$75,000 in payments of \$4,000 per month. Itemization appears to be \$119,313 for 954.5 hours at \$125 per hour with additional costs. Itemization is miniscule without zoom feature in LF. Question how petitioner is qualified to receive a PPF rate? Need verified supplement.
2. Petition is not verified per Pr.C. § 1021. Need same.
3. Need notice of hearing and proof of service.
4. Estate does not appear to be able to pay fees.
5. No proposed order.

RECOMMENDATION

Need to clear notes 1-3.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 9:30 DEPT: S36P

CASE#: SC SS01254

CASE NAME: IN THE MATTER OF ALLEN RHAJIVE CARABALLO

SEE ALSO 13, 14

HEARING: AMENDED FIRST AND CURRENT Account and Report of EDUARDO Y GONZALEZ LOPEZ and Petition for allowance of fees filed.

COUNSEL:

ALLEN RAHJIVE CARABALLO	(CEP)...MITCHELL I ROTH
AMERICAN CONTRACTORS INDEMNITY (TP)	...LANAK & HANNA
ARDIS ENRIGHT	(CPE)...PRO/PER
EDUARDO Y GONZALEZ LOPEZ	(CPE)...PRO/PER
RON OLUND	(CE)...J. DAVID HORSPOOL
VERLENE CAMERON	(CPE)...JOHN D MICKUS
VERLENE CAMERON	(PCR)...VICTOR CLARK COHEN

GENERAL INFORMATION:

Continued from 03/15/17, 03/30/17 and 05/18/17. Counsel for conservatee would like time to discuss with his client whether or not he is objecting to accounting.

THIS CASE IS SET FOR HEARING ON **Amended [02/10/17]** First Account Current and Petition for Fees by Successor Conservator of the Estate, Eduardo Gonzalez Lopez.

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

1. Accounting period 08/01/15 to 09/30/16.
2. Assets on Hand \$19,938.77 consisting of \$8,938.77 in cash and remaining in 2005 Chevrolet Impala and household furnishings.
3. Beginning balance on hand does not match distributions from prior Conservator Verlene Cameron, and the ending balance/remaining assets of the 3rd and final account of prior Conservator. **Need amended accounting or reconciliation.**
4. Attorney requests fees of \$3,167.78 for 20.1 hours at \$100/200 per hour for paralegal and attorney services. Itemized [Acct. 02/10 LFPg42-27].
 - a. **Need qualifications that comply with CRC 7.703(e).**
 - b. Billing includes postage that is considered overhead totaling \$11.78. Does Court wish to reduce fee request by this amount? JTD.
5. Petitioner indicates he has not had the opportunity to complete a detailed report of all hours expended on behalf of the conservatee and will submit a detailed report with his itemization and hours for the Second Accounting.

6. Petition indicates the Conservatee has written a bad check; misuses his bank card; frequently incurs overdraft charges; has taken a title loan on his vehicle in efforts to acquire more cash; and Conservatee's incursions have been happening throughout Petitioner's tenure. Petitioner indicates he has had no effective method of eliminating this problem. Petitioner indicates a major problem for the conservatee continues to be money management.
7. Current bond at \$305,000.00. Petitioner requests a reduction of bond to \$134,000. Ok.
8. **Response filed by conservatee through Counsel Roth on 03/01/17.**
9. **Response to conservatee's response filed by Eduardo Gonzalez Lopez on 03/14/17 and 07/13/17.**
10. Proposed Order: 02/10/17; however, 3 lines of content must appear above judge's signature.

RECOMMENDATION:

Need to clear notes 3-4. If approved, set hearing on the next accounting review for **02/01/18** (if one year) or **01/31/19** (if two years). Accounting to be filed 30 days in advance.

(/lc)

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/27/17 TIME: 10:00 DEPT: S36P

CASE#: CON PS1300265

CASE NAME: MTR OF LUCINDA NOLEN

HEARING:
Accounting Review

	COUNSEL:	
KERN COUNTY PUBLIC GUARDIAN	(PET)...KERN COUNTY	
LUCINDA NOLEN	(CEP)...	
PUBLIC GUARDIAN	(CE)...COUNTY COUNSEL	

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 18th Account for Kern County Public Guardian approved on 01/25/16.
2. Need 19th Account beginning with 09/01/15.

RECOMMENDATION

Inquire status of accounting.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

DATE: 07/27/17 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1200518

CASE NAME: GEORGE H WILLIAMS

SEE ALSO 1A

HEARING: FIRST AND FINAL Account and Report of DACREY NORTHRUP and
Petition for allowance of fees filed.

COUNSEL:

ALICE JOHNSON	(PET)...ASHWORTH & ASHWORTH
DACREY NORTHRUP	(PET)...BERTRAND E COTTLE
DACREY NORTHRUP	(PET)...COTTLE KEEN LOPICCOLO &
DARINA WILLIAMS	(ROGERS & HARRIS
GEORGE H WILLIAMS	(DEC)...
MICHAEL HARRIS	(ROGERS & HARRIS
PAMELA ANN WILLIAMS CHUNCHICK	(PET)...PAUL D VELASCO
SKAIDRITE G WILLIAMS	(RES)..COTTLE KEEN LOPICCOLO &

GENERAL INFORMATION

Continued from 12/08/16 and 03/16/17 to trail petition to enforce settlement.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees of DacreY Northrup Trustee.

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

3. **Need** notice of hearing and proof of service.
4. Creditor's Claim re Pamela Churchick for \$3,889,700.00 was rejected on 09/07/16. 90 days did not pass at time of filing of the accounting on 10/05/16. The period has now passed.
5. Petitioner, DacreY, alleges that there are ground leases subject to probate matter in Orange County and the subject of a court-approved settlement [Acct.10/05 LFPg4]. . Question why there are probate matters in both counties? **Supp 01/09/17: George lived in San Bernardino and Skaidrite lived in Huntington Beach around 1993/1994.**
6. Petitioner disputes that the Orange County real property is or was a part of the decedent's estate.
7. There is not a proper balanced accounting with schedules. However, there was only a vehicle and boat valued at \$800. Accounting does not comply with Pr.C.§10900 and Pr.C.§1060 et. seq. JTD

8. There appears to be other pending matters in this case. Question how the estate can close? **Supp 01/09/17: Petitioner alleges as there are no assets, the estate may close.**
9. **Objections filed by Pamela Ann Williams Churchick on 12/01/16.**

RECOMMENDATION

Need proper notice; matter is contested. If approved, set hearing on the filing of receipts and final discharge for **03/22/18**.

(lc)

Future Hearing: 10/12/17 Petition to Enforce Judgment 10/12/17 Readiness calendar

Superior Court of Calif, County of San Bernardino

Page: 1A ADD ON

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1200518

CASE NAME: GEORGE H WILLIAMS

SEE ALSO 1

HEARING:

Hearing Re: PTN FOR ORDER DETERMINING VIABILITY OF CREDITORS..

COUNSEL:

ALICE JOHNSON	(PET)...ASHWORTH & ASHWORTH
DACREY NORTHRUP	(PET)...BERTRAND E COTTLE
DACREY NORTHRUP	(PET)...COTTLE KEEN LOPICCOLO &
DARINA WILLIAMS	(ROGERS & HARRIS
GEORGE H WILLIAMS	(DEC)...
MICHAEL HARRIS	(ROGERS & HARRIS
PAMELA ANN WILLIAMS CHUNCHICK	(PET)...PAUL D VELASCO
SKAIDRITE G WILLIAMS	(RES)..COTTLE KEEN LOPICCOLO &

Currently under review by legal research

(LR)

Future Hearing: 10/12/17 Petition to Enforce Judgment 10/12/17 Readiness calendar

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO DS1000419

CASE NAME: KENYA ELIZABETH DAY SPECIAL NEEDS TRUST (MSTR)

HEARING:
Accounting Review

COUNSEL:

GLINDA L. DAY	(PET)...JUDITH L HUBERT
KENYA DAY SPECIAL NEEDS TRUST	(TRU)...
KENYA ELIZABETH DAY	(MIN)...
LAWRENCE A DEAN II	(PET)...SHERRI L KASTILAHN
LAWRENCE A DEAN II	(TEE)...SHERRI L KASTILAHN
LENITA A SKORETZ	(PET)...LENITA A SKORETZ

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 6th Trust Account for Larry Dean PPF approved on 01/05/17.
2. Need 7th Account beginning with 05/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1100808

CASE NAME: BERNADETTE P. LEGARRETA

HEARING:
Hearing re Final Discharge

COUNSEL:

BERNADETTE P. LEGARRETA	(DEC)...
MARIE LEGARRETA	(PET)...OSUNA & DOTSON LAW FIRM
PHILLIP LEGARRETA	(PET)...COURTNEY MEDINA
PHILLIP LEGARRETA	(TP)...SUZANNE M GRAVES

GENERAL INFORMATION

Continued from 05/25/17. Marie Legarreta or counsel to appear at next hearing.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Marie Legarreta, daughter, approved on 05/23/16.
2. Receipts filed.
3. Need Ex Parte Petition for Final Discharge and Order resubmitted with corrections.

RECOMMENDATION

Inquire status of order.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300080

CASE NAME: GLENNON ZEHRT LIVING TRUST

SEE ALSO 5

HEARING: Hearing Re: RECEIPT OF SETTLEMENT/TRIAL SETTING CONF

COUNSEL:

CARLA ZEHRT (OBJ)...RALPH K HEKM AN
GERI ZEHRT (PET)...PRO/PER
GLNNON ZEHRT LIVING TRUST (TRU)...

No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300080

CASE NAME: GLENNON ZEHRT LIVING TRUST

SEE ALSO 4

HEARING: Hearing Re: Petition for DETERMINING THE EXISTENCE OF TRUST

COUNSEL:

CARLA ZEHRT (OBJ)...RALPH K HEKM AN
GERI ZEHRT (PET)...PRO/PER
GLNNON ZEHRT LIVING TRUST (TRU)...

GENERAL INFORMATION

On 2/5/13, the court suspended the powers of Carla Zehrt except as to the power to close escrow. The court further ordered the escrow proceeds to be placed in Atty Linda Roberts-Ross' trust account

Continued from **3/27/13, 5/1/13, 8/7/13, 9/25/13, 10/30/13, 12/18/13, 4/21/14, 6/18/14, 8/20/14, 9/24/14, 11/24/14 and 5/18/15** at request of counsel. Court Trial vacated 4/23/15 and hearing re status of mediation also before the court 5/18/15.

Continued from **06/22/15** at request of counsel. Counsel state they believe case is settled. Notice waived.

Continued from **10/13/15 and 11/17/15** at request of counsel.

Continued from **01/07/16** Court notes that on 02/05/13, Carla Zehrt powers were suspended except as to the power to close escrow and ordered the escrow proceeds to be placed in attorney Linda Roberts-Ross' trust account. Court orders today that the funds in Linda Roberts-Ross' trust account be turned over to Ralph Hekman, to be placed in Ralph Hekman's trust account.

Continued from 3/1/16, 5/18/16, 08/01/16, 10/13/16, 12/15/16, 03/09/17 and 05/25/17 to resolve technical issues.

THIS CASE IS SET FOR HEARING ON Petition Determining Existence of Trust to remove Trustee based upon Breach of Fiduciary Duties, to Compel Trustee to Report to Beneficiaries and for Damages Resulting from Trustee's Breach

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

1. Petitioner, Geri Zehrt McCann, is a beneficiary under the Glennon Zehrt Living Trust dated 9/26/12. Petitioner believes that the principal administration of the Trust was Riverside County, California. The trustor died on 10/27/12 and since no Notice of Trust Administration was ever sent to petitioner after trustor's death as required under Pr.C. 16061, this petition is timely.

2. Petitioner alleges no copy of the Trust has been provided as required. Petitioner requests that this court make a determination of the existence of Glennon's Trust.
3. Petitioner asserts that the current Successor Trustee of the Trust, Carla Zehrt, has breached her fiduciary duties to the beneficiaries of the trust by the following acts/omissions:
 - a. Glennon's California Beach Club Timeshare is not being paid and is at a risk of loss.
 - b. Glennon's other California Beach Club Timeshare for October, 2012, was only paid on 1/11/13. Petitioner asserts there were sufficient funds to pay this obligation in a timely manner.
 - c. The Silver Lakes Vacation Club timeshare is likewise at risk if this estate is not properly administered.
 - d. The trustee has failed and refused to do what is necessary, to obtain death benefits owed to the estate from the California State Teacher's Retirement System (estimated value \$6,000).
 - e. The trustee has refused to reimburse petitioner for costs paid related to the memorial service for decedent which petitioner is informed and believes that is directed to be paid per terms of the trust.
 - f. Petitioner believes the trustee has refused to share information regarding the extent, nature and character of the trust estate assets despite requests by petitioner.
 - g. Petitioner alleges that the decedent intended his personal accounts to be included in the corpus of the trust, but instead, the trustee used coercion and/or undue influence on the decedent/trustor to leave those accounts to respondent as a joint tenant.
 - h. Petitioner is informed and believes that the trustee has received a post-death social security check which she has not returned and/or has converted to her own personal use.
 - i. Petitioner alleges the trustee set herself up to be paid \$1,500/month pre-death to provide "help" to the trustor, Glennon, which petitioner believes was not necessary and which was not needed as Glennon could manage himself very well with the exception of transportation.
 - j. Petitioner asserts Respondent was self-dealing from Glennon's accounts
 - k. Petitioner alleges trustee has failed to obtain death benefits owed to the estate from CALSTRS.
 - l. The trustee has refused to reimburse petitioner for costs paid related to the memorial service for decedent, as well as refused to share information regarding the character of the Trust estate assets.
 - m. Petitioner believes that the trustee has received post-death social security checks which she has not returned and/or has converted to her own personal use. In addition, petitioner believes the trustee set herself up to be paid the sum of \$1,500/month from the time she moved in to "help" Glennon during the last few months of his life. Petitioner contends this help was not needed.
4. Petitioner alleges Glennon's mobile home located in Yucaipa, CA has been sold and escrow scheduled to close 2/4/13, with the gross proceeds to be distributed (approx.. \$22,000) to the trustee/respondent. Petitioner requests an injunctive order

to prevent the sale proceeds from being distributed, wasted, and absconded with or being otherwise controlled by the trustee/respondent. Petitioner believes that she will suffer irreparable harm should the court not impose the requested mandatory injunction. Petitioner requests that the escrow company either be ordered to hold the funds or that such funds be held in trust by petitioner's attorney.

5. Petitioner requests that Carla Zehrt be removed as trustee of the Trust and that petitioner be substituted in her place and to provide an accounting.
6. Petitioner seeks damages for any breach of the Trustee's breach of fiduciary duty.
7. **Objections files by Carla Zehrt stating it's unnecessary and wasteful to change control of the estate at this time. Substitution of Attorney filed 4/3/14 making objector in pro per.**
8. Order Directing Linda Roberts to Transfer Sale Proceeds of Mobile Home to Ralph Hekman, to be placed in Ralph Hekman's trust account entered 3/1/16.

RECOMMENDATION:

Find out status of mediation/settlement.

(gls/sa/ds/gls/sa/gls/nb/lc/sa/lc)

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300958
CASE NAME: MTR OF LUCY M ROMO

SEE ALSO 7, 8

HEARING: Hearing Re: FIRST AND FINAL ACCT'G OF IRENE HERNANDEZ

COUNSEL:

IRENE HERNANDEZ (OBJ)...GARY A FOLTZ
LUCY M ROMO (DEC)...
LYDIA LUCILLE ROMO (PET)...RODRIGO LAW FIRM

GENERAL INFORMATION:

Continued from **04/28/15**. Objections to be filed by 05/08/15 or will be deemed waived. Matter had previously been set for trial but on **10/14/15**, court continued matter as non-trial to allow time for discovery.

Continued from 02/29/16, 05/17/16, 11/02/16 and 05/18/16.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Irene Hernandez, daughter.

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

1. Assets on Hand \$310,849.28 consisting of cash.
2. Statutory fees of \$10,128.97 requested. Calculated.
3. Attorney requests extraordinary fees of \$2,525.00 for services rendered in connection with filing a response; conducting discovery; and appearing at multiple hearings due to a Petition for Order Determining Title to Property filed by Lydia L. Romo. Billed at the lower hourly rate of \$250/hour for a total of 10.1 hours' attorney time. Itemized [see declaration filed 03/16/15]. JTD.
 - a. **Supp. (04/17/15) requests an additional \$425 for the 1.7 hours required to travel to and from and attend the hearing for a total of \$2,950.00 in extraordinary fees. However, this court does not normally allow "travel time" per Local Rule 20-909. JTD.**
4. Petitioner requests the Petition of Lydia L. Romo be denied if it has not already been dismissed because this report makes it clear that all assets of the Decedent and her estate have been accounted for by Petitioner. JTD.
5. Petitioner requests to withhold \$1,500 as a reserve for closing costs.
6. Notice appears complete. No objections.
7. **Supp. (04/17/15) alleges no assets have been identified that are subject of the petition set to be tried in September of this year and since no assets have**

been identified by Lydia L. Romo, there is no need for trial in September. Petitioner states the estate should be closed and distributed to the beneficiaries of the estate without further delay. JTD.

8. **Objection filed 5/18/15 by Lydia Romo, beneficiary.**

9. ~Proposed Order 03/16/15.

10. Notice appears complete. No objections as of the review of this matter.

RECOMMENDATION:

Matter is contested.

(vet/abs/dl/nb/lc)

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300958
CASE NAME: MTR OF LUCY M ROMO

SEE ALSO 6, 8

HEARING: Hearing Re: DETERMINE TITLE ON PROPERTY

COUNSEL:

IRENE HERNANDEZ (OBJ)...GARY A FOLTZ
LUCY M ROMO (DEC)...
LYDIA LUCILLE ROMO (PET)...RODRIGO LAW FIRM

GENERAL INFORMATION:

Continued from various dates, last being 02/29/16. Matter had previously been set for trial but on 10/14/15, court continued matter as non-trial to allow time for discovery. Notice waived.

Continued from 05/17/16, 11/02/16 and 05/18/17.

THIS CASE IS SET FOR HEARING ON Petition for Order Determining Title to Property (Pr. C. § 850)

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

1. Petitioner, Lydia Lucille Romo, is the granddaughter of Lucy M. Romo (deceased). Respondent, Irene Hernandez, is the daughter of Lucy M. Romo and court-appointed executor of her estate. Petitioner alleges Lucy Romo died on 9/15/13 naming petitioner as beneficiary in her Will. The Will was lodged with the Court on 10/28/13. Petitioner states she is not aware of any other judicial proceeding to determine the ownership of the property.
2. Petitioner alleges that it is her belief that decedent died holding right, title and interest to certain personal property, and that respondent, Irene Hernandez, holds or claims title and possession to such personal property individually, specifically: (1) all bank accounts in the name of decedent including but not limited to unidentified bank accounts at US Bank; (2) proceeds from rents collected.
3. Petitioner requests the court determine that the title to the subject property is an asset of the probate estate and direct respondent, Irene Hernandez, to convey and transfer the subject property to the estate immediately, including the rents belonging to the estate. Petitioner further requests respondent inventory and account all personal property of the decedent and turn over to the estate all such personal property.

4. This case shows that respondent, Irene Hernandez, was appointed executor of the estate on 1/14/14. An Inventory and Appraisal was filed on 6/17/14 showing funds on deposit at US Bank as well as the value of the real property in Chino and household furnishing. The appraised value of the estate is \$324,295.66.

Decedent's will dated 12/18/79 admitted to probate on 1/14/14 leaves the estate $\frac{1}{2}$ to be divided among decedent's grandchildren, Regina Romo, Lydia Romo, Thomas Romo and Anthony Romo. The remaining $\frac{1}{2}$ is to go to respondent/daughter, Irene Hernandez.

5. **Objection filed 11/24/14 by Irene Hernandez.**

RECOMMENDATION

Matter is contested.

(gls/kra/cbr/dl/nb/lc)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300958

CASE NAME: MTR OF LUCY M ROMO

SEE ALSO 6, 7

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT

COUNSEL:

IRENE HERNANDEZ (OBJ)...GARY A FOLTZ
LUCY M ROMO (DEC)...
LYDIA LUCILLE ROMO (PET)...RODRIGO LAW FIRM

Receipt of Settlement – No notes – JTD

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400769

CASE NAME: Ralph Wilson

SEE ALSO 10

HEARING: PETITION FOR SETTLEMENT OF THE 2ND AND FINAL Account and Report of DAISY WILSON, EDWARD WARREN and Petition for allowance of fees filed.

COUNSEL:

DAISY WILSON (PET)...JILL BROUSARD
EDWARD WARREN (PET)...JILL BROUSARD
RALPH WILSON (DEC)...
THE RALPH T WILSON FAMILY TRUS (TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2nd and Final **Trust Account** by Daisy Wilson & Edward Warren, **co-trustees**.

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

1. Accounting period 04/01/16 – 04/20/17.
2. Assets on hand \$317,207.65.
3. Trustees seek compensation of \$2,777.10 for Edward and \$4,083.94 for Daisy which is approximately 1% of the gross trust. Amounts agreed upon trustees.
4. Attorney seeks fees of \$2,304.14, reduced from \$3,910, for 13 hours at \$300 per hour, \$609 in expenses is included. Itemized [Trust Acct. 05/04/17 LFpg28-29 & supp 07/13].
5. No proposed order. Submit after hearing.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **08/02/18** as the trust appears to be court supervised.

(lc)

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400769

CASE NAME: Ralph Wilson

SEE ALSO 9

HEARING:

FIRST AND FINAL Account and Report of DAISY WILSON, EDWARD WARREN and Petition for allowance of fees filed.

COUNSEL:

DAISY WILSON	(PET)...JILL BROUSARD
EDWARD WARREN	(PET)...JILL BROUSARD
KEMP & ASSOCIATES INC	(PET)...LAURA WOODWARD
RALPH WILSON	(DEC)...
SILVIA P CURNE	(PET)...PRO/PER
THE RALPH T WILSON FAMILY TRUS	(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Daisy Wilson & Edward Warren, **co-administrators**.

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

1. Petitioners and counsel seek statutory fees of \$9,484 each (administrator split Daisy 75% \$7,113 and Edward 25% \$2,371).
2. No proposed order. Submit after hearing.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **08/02/18**.

(lc)

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500519

CASE NAME: JOHN RAY ALTOMARE

HEARING:

Hearing re Final Discharge

COUNSEL:

GINA N ALTOMARE (PET)...MARC PAUL JACOBS
JOHN RAY ALTOMARE (DEC)...

GENERAL INFORMATION

Continued from 05/25/17. No appearance. Gina Altomare and/or counsel to appear at next hearing if final discharge is not filed.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Gina Altomare, daughter, approved on 05/26/16.
2. No receipt required, petitioner is sole heir.
3. Need Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b).

RECOMMENDATION

Inquire status of discharge order.

(lc)

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500799

CASE NAME: NONA JUNE KELLY

HEARING: Accounting Review

COUNSEL:

NONA JUNE KELLY (DEC)...
RONALD E KELLY (PET)...PRO/PER

GENERAL INFORMATION

Continued from 01/05/17. No appearance. Ronald Kelly ordered to be present at next hearing if accounting is not filed.

Continued from 03/16/17 and 06/01/17 to retain counsel/file accounting. Petitioner informed that the declaration filed is not a waiver of accounting.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Ronald Kelly, son, on 11/09/15; full authority, \$20,000 bond.
2. Final Inventory and Appraisal filed 05/09/16.
3. Waivers of account filed.
 - a. However, petitioner must file a final report of administration per CRC 7.550, Pr. C. §1064 and Pr. C. §10954(c)(1).
 - b. Will need waiver by Kimberly Krockner when filed.
4. Creditor's Claim rejections filed 07/10/17, 90 days' (10/09/17) claim response period must pass prior to actual accounting being filed.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600080

CASE NAME: MTR OF BARBARA ANN BLACKMUR

HEARING:
Accounting Review

COUNSEL:
BARBARA ANN BLACKMUR (DEC)...
STEVEN L BLACKMUR (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Steven Blackmur, son, on 06/03/16; full authority, no bond.
2. Need final Inventory and Appraisal
3. Need accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600309
CASE NAME: MTR OF DEBORAH ANN MAESTAS
HEARING: Hearing Re: PETITION FOR LETTERS OF ADMINISTRATION

COUNSEL:

DEBORAH ANN MAESTAS	(DEC)...
DENNIS TORRES	(PET)...PRO/PER
GARRISON T MAESTAS	(PET)...HARTNELL LAW GROUP
MICHAEL G CANELARIA	(OBJ)...ERIC J RECHSTEINER

XREF: PROPS1400482

GENERAL INFORMATION:

Ex Parte hearing held 04/13/16.

Continued from 05/31/16. **Garrison Maestas appointed special administrator on 09/12/16; \$20,000 bond; letters issued.**

Continued from 12/08/16, 03/16/17 and 06/01/17. Petition to withdraw request for special Administration filed.

THIS CASE IS SET FOR HEARING ON:

- Petition - 1: Petition for Letters of Administration with full authority under IAEA by brother, ***Dennis Torres***.
- Petition - 2: Petition for Letters of Administration with full authority under IAEA by son, ***Garrison Maestas***.

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

Petitioner 1 - Dennis Torres, brother,

1. Petition does not include an estimated value of the property of the estate and indicates *Litigation purposes only.* Does Court wish to require a minimum bond of \$20,000 until such time an estimated value of the estate is ascertained? JTD.
2. ~Proposed Form Order/Letters 04/01/16.

Petitioner 2 - Garrison Maestas, son.

3. Need proof of publication.
4. All heirs waive bond. Petition does not include an estimated value of the property of the estate and indicates value as "Unknown" due to ongoing litigation in the related case re: Decedents 1/5th interest in a Trust that held real property prior to the passing of the Decedent. Does Court wish to require a minimum bond of \$20,000 until such time an estimated value of the estate is ascertained? JTD.

5. **Objections filed 04/27/16 by Dennis Torres alleges Garrison T. Maestas is not competent to serve as personal representative his addictions and extensive history of egregious criminal misconduct.**
6. **Response filed by Garrison Maestas on 05/31/16.**
7. **Objections by Successor Trustee and interested party, Michael G. Candelaria (decedent's brother), filed 05/02/16.**
8. ~Proposed Form Order/Letters 04/11/16.

RECOMMENDATION:

Matters appear to be moot. Alternatively, **Trail to 09/07/17**. Need to clear note 3; court's discretion re: bond; matter is contested. . Petitioner 2 appears to have higher priority Pr.C. § 8461 If approved, set future hearing for Accounting/Status Review on **10/04/18**. Any account to be filed 30 days' in advance. Note requirements of Local Rules.
(nb/lc)

Future hearing dates: ***09/07/17 Petition for Termination of Proceedings of special administrator.***

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

SEE ALSO 15

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

COUNSEL:

DEBORAH WILKINSON (PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON (DEC)...
JANET WILKINSON (OBJ)...PRO/PER

GENERAL INFORMATION

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

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

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

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

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

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

1. Petitioner, Deborah Wilkinson, is named executor in codicil. However, codicil does not waive bond as to petitioner. Petitioner waives bond; however, no other beneficiaries waived bond. **Supp 07/29/16:** Petitioner alleges that decedent intended the will terms did not change. However, petitioner is not named as executor in the will. Supplement does not cure deficiency. **Supp11/07/16:** Petitioner requests bond of \$200,000 as bulk of the personal property is to go to petitioner. **Estate value \$2,150,000. JTD**
2. The original will is apparently lost. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to

revoke it. Pr.C. 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. **Supp 07/29/16: Petitioner alleges that decedent's wife has confirmed having original will.** Declarations filed **11/23/16** indicating that Janet Wilkinson **does not** have the original will.

3. Petitioner alleges she has the original codicil.
4. Decedent and spouse were legally separated at time of death. See declaration filed 05/27/16.
5. **Objections filed by Janet Wilkinson, surviving spouse, on 09/22/16.**
6. **Response filed by Deborah Wilkinson on 11/07/16.**
7. ~Proposed Form Order: 05/27/16.

RECOMMENDATION

Court's discretion re bond; matter is contested. If approved, set Accounting/Status Review for **10/04/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/lh/lc)

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

SEE ALSO 14

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

COUNSEL:

DEBORAH WILKINSON (PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON (DEC)...
JANET WILKINSON (OBJ)...PRO/PER

GENERAL INFORMATION

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

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

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

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

1. Petitioner is **special administrator**; letters issued 01/30/17, \$2,150,000.00 bond.
2. Petitioner is seeking an order for the return of personal property allegedly taken by respondent Janet Wilkinson, surviving spouse. Petitioner believes that Janet is in possession of the following:
 - a. 2000 Ford Dully Truck
 - b. Glock G27 .40 Caliber handgun
 - c. CHP Limited Edition Ruger .38 rifle
 - d. Flat Screen TV
 - e. Computer

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

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

RECOMMENDATION

Court's discretion.

(lc/jm/lc)

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601049

CASE NAME: MTR OF VICKIE IRENE ATIYEH

SEE ALSO 17

HEARING: OSC re: Dismissal

COUNSEL:

AWANA IRENE RING (PET)...PRO/PER
VICKIE IRENE ATIYEH (DEC)...

GENERAL INFORMATION

Continued from 01/05/17 and 03/16/17.

OSC set on 06/01/17 when Awana Ring was not present. Marybeth Fry advised she may file a competing petition.

THIS CASE SET FOR HEARING ON **OSC re Dismissal on** Petition for Probate, Letters Testamentary with Full Authority under IAEA by Awana Ring, mother.

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

1. Petitioner states all beneficiaries waive bond. However, need bond waivers for all beneficiaries named in will per Pr.C. §8481(a)(2).
2. The following persons are named in the will, but not in petition: Joe Cihak, Mary Beth, Fry, Judy Nowlen, Lorene Loader, Rhonda Homes, Bonnie Peterson and Chuck Hershey. Need verified supplement.
3. Will is holographic. Need proof of holographic instrument with typed copy of will Pr.C. §§ 8002,8222.
4. Need proof of publication
5. ~Proposed Form Order: 10/19/16.

RECOMMENDATION

Court's discretion re OSC. Need to clear notes 1-4. If approved, set Accounting/Status Review for **10/04/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601049

CASE NAME: MTR OF VICKIE IRENE ATIYEH

SEE ALSO 16

HEARING:

Petition for PROBATE OF WILL & FOR LTRS TESTAMENTARY W/ FULL IAEA

COUNSEL:

AWANA IRENE RING (PET)...PRO/PER

VICKIE IRENE ATIYEH (DEC)...

See notes on matter 16.

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601279

CASE NAME: Leebertha Alisa Rogers

HEARING:

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

COUNSEL:

EVANS LOUIS ROGERS Jr (PET)...PRO/PER
LEEERTHA ALISA ROGERS (DEC)...

GENERAL INFORMATION:

Continued from 03/09/17 and 05/25/17.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Evans Rogers, Jr, brother.

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

1. Quentin Rogers, son/sole heir, waives bond. Estimated net value of estate is \$103,799.
2. Need Notice of Petition to Administer Estate.
3. Need Proof of Publication.
4. ~Proposed form Order: 12/27/16

RECOMMENDATION:

Need to clear notes 2-3. Court's discretion re bond. If approved, set Accounting/Status Review for **10/04/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh/lc)

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

DATE: 07/27/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700447

CASE NAME: LENA SMITH

HEARING:
Petition for LETTERS OF ADMINISTRATION

COUNSEL:

DYANNA L SMITH	(PET)...PRO/PER
JAMES SMITH JR	(PET)...PRO/PER
LENA SMITH	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by James Jr and Dyanna Smith, son and daughter.

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

1. Petitioners are sole heirs and waive bond. Estate consists of \$320,000 in real property.
2. Caption does not indicate IAEA powers sought; however, section 2c states petitioner seeks full authority. Does court wish to require a verified supplement?
JTD
3. Need proof of publication.
4. Section 5 indicates there is issue of predeceased child; however, neither predeceased children nor grandchildren (issue) are listed. Need verified supplement.
5. ~Proposed Form Order: 05/10/17.

RECOMMENDATION

Need to clear notes 3-4, Court's discretion re bond. If approved, set Accounting/Status Review for **10/04/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 19A ADD ON

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

DATE: 07/27/17 TIME: 9:30 DEPT: S37P

CASE#: CIF DS1700068

CASE NAME: PATTERSON -VS- LAWRENCE

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

DITRA DARLENE LAWRENCE (RP)...

LELAR ANN JONES PATTERSON (PP)...PRO/PER

No notes – JTD

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 07/27/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500187

CASE NAME: Helen Louise Lewis

HEARING: FIRST Account and Report of RENEE ARROYO and Petition for allowance of fees filed.

COUNSEL:

HELEN LOUISE LEWIS (PCE)...MITCHELL I ROTH
RENEE ARROYO (PET)...CRAIG E WILSON

GENERAL INFORMATION

Continued from 06/01/17. Court advised counsel that future accts to be on judicial council forms. Attorney's fees reduced to \$8,245.50. Need detailed receipts regarding roofing etc.

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for Allowance of Fees by Renee Arroyo, daughter.

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

1. Accounting period 07/24/15 – 12/31/16.
2. Assets on hand \$421,766.62 of which \$281,766.62 is cash or securities.
3. Current bond is \$495,000. Petitioner appears to state bond should be increased to \$611,775.98 [Sup. 07/07 LFpg3]. However, calculation states a different value than the accounting balance. Court to inquire.
4. Disbursements indicate approximately \$35,132.30 related to Roofing. Court may wish to require receipts as this appears to be an excess expense. **Supp 07/07:** [LFpg26-29].
5. Disbursements indicate \$8,794.70 paid to Don Snook for repairs etc. **Supp 07/07:** [LFpg31 et seq].
6. Petitioner reserves the right for compensation for a later date.
7. Attorney Wilson seeks fees of \$9,145.50 for 64.10 hours at \$95/275 per hour for paralegal and attorney services. Itemized [Acct. 04/17 LFpg32-37]. Fees reduced to \$8,245.50.
8. Attorney seeks reimbursement of costs totaling \$833. Itemized [Acct. 04/17 LFpg37-38].
9. Petitioner alleges that after the conservatee's father passed away the house was left in disrepair [Acct. 04/17 LFpg4].
10. Proposed Order: 04/17/17; however, assets on hand are not listed. Submit order after hearing.

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **03/15/18** (if one year) or **03/14/19** (if two years). Accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 21

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

MISC.

DATE: 07/27/17 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600345

CASE NAME: MTR OF SANG IN LEE

SEE ALSO 22

HEARING:

Mandatory Settlement Conference

COUNSEL:

ROY HOWELL

SANG IN LEE

WAN JUNG LEE GARCIA

(PET)...BRIAN W. SMETHURST

(DEC)...

(OBJ)...RUSSAKOW & TAN, LLP

M.S.C. – No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 22

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 07/27/17 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600345

CASE NAME: MTR OF SANG IN LEE

SEE ALSO 21

HEARING:

Readiness Calendar

COUNSEL:

ROY HOWELL

SANG IN LEE

WAN JUNG LEE GARCIA

(PET)...BRIAN W. SMETHURST

(DEC)...

(OBJ)...RUSSAKOW & TAN, LLP

Readiness – No notes – JTD