



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 08/17/17

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.

Superior Court of Calif, County of San Bernardino

Page: 1 ADD ON

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

DATE: 08/17/17 TIME: 8:30 DEPT: S35P

CASE#: PRO DS1000783

CASE NAME: DOROTHY E HARRIS

HEARING:
Hearing re Final Discharge

COUNSEL:

DEBBIE L ARIAS (PET)...BRYAN C HARTNELL
DOROTHY E HARRIS (DEC)...

GENERAL INFORMATION
Continued from 07/20/17.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Debbie Arias approved on 10/14/15.
2. Receipts filed.
3. Ex Parte Petition for Final Discharge and Order forwarded to department on 08/09/17 for review by Judicial Assistant.

RECOMMENDATION
Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1A ADD ON

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

DATE: 08/17/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS0800100

CASE NAME: MARIE ANN LUCIER

HEARING:
Accounting Review

COUNSEL:
DENISE ENGLISH (PET)...ALTHOUSE & MCDONOUGH
MARIE ANN LUCIER (DEC)...

GENERAL INFORMATION

Continued from 07/20/17. No appearance. Petitioner and or Counsel to appear.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Petition to reopen estate granted 05/12/16. Letters of Administration were re-issued to Denise English, nominee, on 05/23/16, full authority, no bond.
2. Need Final Inventory and Appraisal.
3. Need accounting or status report.

RECOMMENDATION

Inquire status of Inventory and Appraisal and 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. No bonding company to notice.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1B

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

DATE: 08/17/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1200522

CASE NAME: RICHARD W PROUTY

HEARING:

OSC re: Sanction FTA Richard Prouty filed by RICHARD PROUTY

COUNSEL:

RICHARD PROUTY III (PET)...GREGORY PAUL BENTON
RICHARD W PROUTY (DEC)...
RICHARD W PROUTY II (PET)...GREGORY PAUL BENTON

GENERAL INFORMATION

OSC set on 06/01/17 when there was no appearance.

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

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

1. Final distribution of Richard Prouty II approved on 10/28/15. Order stated estate to remain open until disposition of the real property in Arizona is completed.
2. Need receipt from Lachael Prouty for personal property.
3. Need proof of transfer of Arizona property to the ancillary probate.
4. Need Ex Parte Petition for Final Discharge and Order.
5. **Due Diligence Declaration filed 08/01/17 re Richard Prouty. Citation not served.**

RECOMMENDATION

Court's discretion re OSC. Clerk to notice bond company. Inquire status of receipts and order.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 08/17/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500461

CASE NAME: Deborha Thompson

SEE ALSO 3

HEARING: Hearing Re: STATUS OF PROOF OF BLOCKED ACCT/FINAL 1&A

COUNSEL:

ANTHONY DURAN	(PET)...	JULIE D. WEINER
DEBORHA THOMPSON	(DEC)...	
MATTHEW E SHEASBY	(PET)...	CKB VIENNA, LLP

XREF: FAMSS1404541

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status on Proof of Blocked Account/Final Inventory and Appraisal/Accounting review

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

1. Letters of Special Administration issued to Anthony Duran on 7/15/15, no bond. General Letters of Administration with Will Annexed also issued to Anthony Duran on 11/30/15, no bond.
2. As special administrator is now also general administrator, court may wish require one accounting, not separate. JTD
3. Partial Inventory and Appraisal filed. Final Inventory and Appraisal filed 03/02/17 indicating \$1,800 in assets. It appears there is over \$100,000 in bank. **Need** new final Inventory and Appraisal.
4. **On 11/14/16** Court ordered proceeds from sale be placed into blocked account. Bank statements filed 03/02/17; however, **Need** actual mandatory form MC-356 Receipt and Acknowledgement of Order.
5. Receipt and acknowledgement of proof of blocked account filed 05/25/17, assets \$103,722.88; however, completed by petitioner, not by bank representative. **Must be signed by bank representative.**

RECOMMENDATION

Need to clear notes 3-5.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 08/17/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500461

CASE NAME: Deborha Thompson

SEE ALSO 2

HEARING:
Accounting Review

COUNSEL:

ANTHONY DURAN	(PET)...	JULIE D. WEINER
DEBORHA THOMPSON	(DEC)...	
MATTHEW E SHEASBY	(PET)...	CKB VIENNA, LLP

XREF: FAMSS1404541

See notes on matter 2

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 08/17/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500752

CASE NAME: AMADO ALAS

SEE ALSO 5

HEARING:

Hearing Re: OSC RE FAILURE TO FILE BY JOHNNY ALAS

COUNSEL:

AMADO ALAS
JOHNNY ALAS

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

GENERAL INFORMATION

**OSC set on 04/13/17 when there was no appearance or accounting filed.
Continued from 05/18/17. OSC re Sanctions/Surcharge for Samuel Wasserson taken
off calendar. Johnny Alas to be present if notes not cleared.**

THIS CASE SET FOR HEARING ON **OSC re Failure to File**/Accounting review/Status.

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

1. Letters of Administration issued to Johnny Alas, son, sole heir, on 09/24/15; full authority, no bond.
2. Need final Inventory and Appraisal
3. Need accounting or status report.
4. Substitution of attorney filed on 03/15/17.

RECOMMENDATION

Court's discretion re OSC. Inquire status of Inventory and Appraisal and accounting. No bonding company to notice.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 08/17/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500752

CASE NAME: AMADO ALAS

SEE ALSO 4

HEARING:
Accounting Review

AMADO ALAS	COUNSEL:
JOHNNY ALAS	(DEC)...
	(PET)...PRO/PER

See notes on matter 4.

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 08/17/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700520

CASE NAME: MTR OF FELIPE NAJERA SANCHEZ

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH LIMITED AUTHORITY TO
ADMINISTER UNDER IAEA

COUNSEL:

ERIKA ALVARADO TORRES (PET)...THE BOUTIQUE LAW GROUP APLC
FELIPE NAJERA SANCHEZ (DEC)...

GENERAL INFORMATION

Erika Alvarado Torres appointed special administrator on **05/30/17**; limited authority
\$150,000 bond.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with **limited**
authority under IAEA by Erika Alvarado Torres, step-daughter.

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

1. Notice to Petition to Administer Estate and proof of service filed; however, for future hearing; 09/06/17.
2. Petitioner seeks bond of \$150,000. Ok. Temporary bond ordered has not yet posted; therefore, letters have not yet issued. Court to inquire.
3. Date of death stated is 05/15/**20167**. However, amended petition states date of death 05/15/17.
4. It appears amended petition seeks full authority, rather than limited; hearing 09/06/17.
5. Proof of publication filed; however, reflects future hearing date of amended petition not yet heard.
6. ~Proposed Form Order: 05/25/17.

RECOMMENDATION

Inquire status of bond. Court to trail **09/06/17**. If approved, set Accounting/Status Review for **10/25/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Future Hearing: 09/06/17 Hearing re: Amended petition for letters etc.

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 08/17/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700522

CASE NAME: MTR OF MERCEDES R SEPULVEDA

HEARING:

Petition to determine succession to Real Property

COUNSEL:

MERCEDES R SEPULVEDA (DEC)...
SALLY MANZANO (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Sally Manzano.

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

1. Petitioner is seeking 100% interest in decedent's 100% interest in real property per intestate succession. However, it is unknown how petitioner is entitled or related to decedent. Need verified supplement.
2. Section 11 indicates personal property description attached; however, there is no personal property listed on Inventory and Appraisal and caption of petition does not indicate as such. Need verified supplement.
3. Section 14 is not attached listing all relatives. Need same.
4. Inventory and Appraisal is incomplete as to sections 3-5 completed. Need same.
5. ~Proposed Form Order: 05/26/17.

RECOMMENDATION

Need to clear notes 1-4.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRUSTS AND MOTIONS**

DATE: 08/17/17 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1501191

CASE NAME: THE GERALD TURNER LIVING TRUST

SEE ALSO 9

HEARING:

Motion Re: DEMURRER TO ANSWER OF MARIA C. ROSEN (FILED ON 04/14/17) Filed by CROSS COMPLAINANT MYRNA CARDENAS, RAFAEL CARDENAS

COUNSEL:

LOUISE CAMMARATA	()...
MARIA C ROSEN	(PET)...BRYAN C HARTNELL
MYRNA CARDENAS	(PET)...PRO/PER
RAFAEL CARDENAS	(PET)...PRO/PER
RAY CARDENAS	(RES)...
THE GERALD TURNER LIVING TRUST	(TRU)...

No notes – JTD

(LR)

Future Hearing:

09/27/17 Mediation settlement conference

09/27/17 Hearing re: Status of mediation –mediation set today

11/15/17 Readiness calendar

11/15/17 Hearing re: Determine title & to require transfer of property

11/15/17 Petition to cross complaint against Maria C Rosen etc.

12/04/17 *Court Trial*

12/05/17 *Court Trial*

12/06/17 *Court Trial*

12/07/17 *Court Trial*

12/08/17 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 08/17/17 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1501191

CASE NAME: THE GERALD TURNER LIVING TRUST

SEE ALSO 8

HEARING:

Motion Re: STRIKE ANSWER TO CROSS-COMPLAINT Filed by CROSS
COMPLAINANT MYRNA CARDENAS, RAFAEL CARDENAS

COUNSEL:

LOUISE CAMMARATA ()...
MARIA C ROSEN (PET)...BRYAN C HARTNELL
MYRNA CARDENAS (PET)...PRO/PER
RAFAEL CARDENAS (PET)...PRO/PER
RAY CARDENAS (RES)...
THE GERALD TURNER LIVING TRUST (TRU)...

No notes – JTD

(LR)

Future Hearing:

09/27/17 Mediation settlement conference

09/27/17 Hearing re: Status of mediation –mediation set today

11/15/17 Readiness calendar

11/15/17 Hearing re: Determine title & to require transfer of property

11/15/17 Petition to cross complaint against Maria C Rosen etc.

12/04/17 *Court Trial*

12/05/17 *Court Trial*

12/06/17 *Court Trial*

12/07/17 *Court Trial*

12/08/17 *Court Trial*

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 08/17/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700252

CASE NAME: MTR OF NANCY J CONNORS

HEARING: Petition for Appointment of Conservator

COUNSEL:

COLLEEN DAVIS	(CP)...PRO/PER
NANCY J CONNORS	(CTP)...PRO/PER
SHANA O'CONNORS	(CP)...PRO/PER

GENERAL INFORMATION

Shana O'Connors and Colleen Davis appointed temporary Conservators of person only on 07/10/17. Court noted that it held an off the record chambers conference with appointed counsel, Sandy Turner. Court deems today the first appearance of Sandy Turner. Hearing continued to 7/19/17 for Ms. Turner to provide the Court with an oral report.

Continued from 07/19/17.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Shana O'Connors and Colleen Davis, daughters.

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

1. Petition seeks orders granting authority to place proposed conservatee in a nursing facility to meet her medical needs. See allegations against current caretaker/son Patrick O'Connors in attachment 1I [petition, 7/3/17, LFpg11].
2. Petitioner seeks medical powers. Capacity Declaration filed 07/31/17.
3. Citation returned served.
4. Report of Counsel Sandy Turner filed 07/17/17.
5. Certificates of Completion of the Conservatorship Training Class filed 07/13/17.
6. Court Investigator report filed 08/04/17.
7. ~Proposed Form Order: 07/03/17

RECOMMENDATION

Court's discretion. If approved, set hearing for Compliance Review for **03/22/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5 (lh/lc)

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

DATE: 08/17/17 TIME: 9:30 DEPT: S35P

CASE#: SC SS02395

CASE NAME: MATTER OF JOSE BELTRAN

HEARING:
Accounting Review

COUNSEL:

JAMES H BROWN	(SC)...JAMES B CHURCH
JOSE BELTRAN	(CEP)...
RICHARD WYSONG	(CE)...JAMES B CHURCH
RICHARD WYSONG	(CPE)...JAMES B CHURCH
RICHARD WYSONG	(SC)...E. JOAN NELMS
VERA NAREZ	(CPE)...

X REF: SPRSS06187(Jose Beltran SNT; next matter)

GENERAL INFORMATION

Continued from 03/09/17 and 06/22/17 to trail matters.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 6th Account of Richard Wysong, successor Conservator/Trustee, approved on 04/20/16.
2. Need 7th Account beginning with 12/01/15.

RECOMMENDATION

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

(lc)

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

DATE: 08/17/17 TIME: 9:30 DEPT: S35P

CASE#: SPR SS06187

CASE NAME: MTR OF JOSE BELTRAN SPECIAL NEEDS TRUST

HEARING:
Accounting Review

COUNSEL:

DONNA LEE STURGILL DIAZ	(PET)...DONNA LEE STURGILL DIAZ
FRUMEH LABOW	(TEE)...HINOJAS & WALLET
JAMES H BROWN	(PET)...JAMES B CHURCH &
JAMES H BROWN	(PRO/PER
JOSE BELTRAN SPECIAL NEEDS TRU	(TRU)...
RICHARD WYSONG	(E. JOAN NELMS
RICHARD WYSONG	(PET)...JAMES B CHURCH
VERA NAREZ	(JAMES B CHURCH

X REF: SC SS02395 (*Jose Beltran; matter 10*)

GENERAL INFORMATION

Continued from 03/09/17 and 06/22/17.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 5th Account of Richard Wysong, Trustee re SNT approved on 08/06/15.
2. Need 6th Account.

RECOMMENDATION

Inquire status of accounting. When the trustee fails to file an accounting as ordered, the court may take action as specified in Pr.C. § 800 and C.C.P. § 128. Clerk to notice bond company.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC.

DATE: 08/17/17 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1600193

Vacated

CASE NAME: MARILYN DOSKOCIL

HEARING:

Hearing Re: COURT TRIAL- ADMISSION OF HOLOGRAPHIC WILL

COUNSEL:

AUCTION-CA FINANCIAL SRVS IN C

(TP)...

MARILYN DOSKOCIL

(DEC)...

NORMAN GIEBELER

(PET)...LAW & STEIN

Future hearing dates: 11/29/17 Trial Setting, Petition for Letters of Administration, Post Mediation Status.

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: J MICHAEL WELCH **PROBATE**

DATE: 08/17/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400336
CASE NAME: William John Wallace Chadwell
HEARING: Final Waiver of Account

COUNSEL:

ANGELINA IBBOTSON (OBJ)...RICHARD A HIGBIE
STEELE ROCKWELL CHADWELL (PET)...ENTERPRISE COUNSEL
WILLIAM JOHN WALLACE CHADWELL (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account and Petition for Distribution by Steele Chadwell, son/sole heir.

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

1. Petitioner is sole heir and waives accounting. Petitioner appears to owe fees of \$375.
2. No statutory fees are being sought.
3. Petitioner alleges the estate does not consist of over \$30,000 in real property and is seeking distribution per Pr.C. § 13100; however, as this is a formal probate proceeding and petitioner is sole heir, the affidavit is not required.
4. Decedent's brother A. Benjamin Chadwell, Jr allegedly misappropriated funds from royalties. Benjamin has since passed away.
5. Final Inventory and Appraisal filed; however, indicates royalty payments from Screen Actors Guild with \$0. There are copies of checks which would be considered wages earned after death and listed on attachment 1. However, amounts are not indicated in section 1. Need corrected Inventory and Appraisal.
6. Need statement regarding notice to Franchise Tax Board or proof of service of the same Pr. C. § 9202(c)(1).
7. Need statement of compliance with Pr.C.§9202(b) re notice to the California Victim Compensation Board.
8. Need statement of compliance with Pr.C.§9202 re notice to Director of Health Services per local rule 20-907(e)
9. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 5-8. If approved, set hearing on the filing of receipts and final discharge for **08/23/18**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 08/17/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600222

CASE NAME: MTR OF RONALD WILLIAM ZECH

HEARING:
Accounting Review

COUNSEL:
BRANDON VINCENT (PET)...JAMES B CHURCH
RONALD WILLIAM ZECH (DEC)...

GENERAL INFORMATION
Continued from 07/06/17.

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 Brandon Vincent, pecuniary son, on 06/08/16; full authority, no bond.
2. Final and Supplemental Inventory and Appraisal filed.
3. Need accounting or status report.

RECOMMENDATION

Inquire status of accounting. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. No bonding company to notice.

(lc)

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

DATE: 08/17/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600560
CASE NAME: MTR OF ROBERT JOHN ANGELICO
HEARING: FIRST RPT OF ADMIN, PET FOR FINAL DISTRIBUTION Account and
Report of CARLA ANGELICO and Petition for allowance of fees.

COUNSEL:

CARLA ANGELICO (PET)... JOSEPH P FOLEY
ROBERT JOHN ANGELICO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Carla Angelico, daughter.

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

1. Petitioner seeks statutory compensation of \$11,850.
2. Attorney seeks statutory fees of \$8,887.50, reduced from \$11,850.
3. Final Inventory and Appraisal filed 08/10/17; however, section 1 & 2 does not match attachment 2; however, amount on attachment 2 matches accounting.
4. Attorney seeks reimbursement of costs totaling \$1,462. Itemized. [Acct.05/09 LFpg3]. JTD
5. Petitioner seeks reimbursement of costs totaling \$3,035.45. Itemized. [Acct.05/09 LFpg10]. JTD
6. Petitioner requests a surcharge against Christine Combs in the amount of \$2,000 for a 2 month delay in sale of real property. Petitioner alleges that heir Christine Combs resided in the estate property without paying rent and was asked to vacate the property. An unlawful detainer action was filed and locks were changed prior to the sale of real property. Petitioner seeks the amount to offset distribution. JTD
7. Petitioner states she inadvertently preliminary distributed the estate without court approval. Petitioner alleges the beneficiaries were threatened with homelessness. A personal representative **may only preliminary distribute personal property per Pr.C. § 10520; if it is pecuniary per terms of a will under \$10,000 and/or personal property under \$50,000.** There is no will. However, the estate does not appear to have suffered harm. **Need actual balance on hand clarified.**
8. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear note 7. If approved, set hearing on the filing of receipts and final discharge for **08/23/18**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 08/17/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700315

CASE NAME: THE PAUL RONALD MITCHELL LIVING TRUST

HEARING:

Petition for ORDER CONFIRMING SUCCESSOR TRUSTEE & TRUST ASSETS

COUNSEL:

CYNTHIA ELIZABETH SOUZA (PET)...ALISON GREINER
YVONNE SILVETT (PET)...ALISON GREINER

Currently under review by legal research

(LR)

NOTICE:

1. Notice filed as to Successor Trustee Eliese Harper. Ok.
2. Court may wish to inquire if any assets are encumbered and whether notice is required to mortgage company.

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: J MICHAEL WELCH

DATE: 08/17/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700316

Vacated

CASE NAME: BRUCE C LEAKE

HEARING:

Hearing Re: Proof of Bond/Issuance of Letters

COUNSEL:

BRUCE C LEAKE

(DEC)...

HILLARY LEAKE

(PET)...JOHN F WEBER

Bond filed and letters issued.

(lc)

Future Hearing: 09/25/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 08/17/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700326

CASE NAME: MTR OF PHILIP SHERIDAN HIGGINS

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS OF ADMIN W/FULL
IAEA

COUNSEL:

PAUL H HIGGINS (PET)...LAVONNA G HAYASHI
PHILIP SHERIDAN HIGGINS (DEC)...

GENERAL INFORMATION

Continued from 07/06/17. Paul Higgins appointed special administrator, no bond. Power to negotiate with mortgage company given.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters of Administration WWA with Full Authority under IAEA by Paul Higgins, brother.

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

1. All heirs waive bond. Petitioner is a non-resident and court has discretion to require bond per Pr.C. §8571. Estate valued at \$200,357.00 of which \$10,000 is personal property. JTD
2. Will is holographic. Proof of holographic instrument filed within supp 07/03/17 along with typed copy of will. Copy of actual will not attached; however, is attached to original petition. JTD
3. ~Proposed Form Order: 04/07/17.

RECOMMENDATION

Court's direction re bond and note 2. If approved, set Accounting/Status Review for **10/25/18**. 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: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: J MICHAEL WELCH

DATE: 08/17/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700340

Vacated

CASE NAME: MARIE ROGERS

HEARING:

Hearing Re: Proof of Bond/Issuance of Letters

COUNSEL:

JASON ROGERS

(PET)...RICHARD

MARIE ROGERS

(DEC)...

Bond posted and letters issued.

(lc)

Future Hearing: 09/24/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 08/17/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700365

Vacated

CASE NAME: MTR OF ESTHER FIRTH

HEARING:

Hearing Re: Proof of Bond/Issuance of Letters

COUNSEL:

ESTHER FIRTH

(DEC)...

RICHARD D WOOD

(PET)...FULLERTON LEMANN SCHAEFER & DO

Bond filed and letters issued.

(lc)

Future Hearing: 09/26/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: J MICHAEL WELCH

DATE: 08/17/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700375

Vacated

CASE NAME: MTR OF LAUREL ALICE GARCIA

HEARING:

Hearing Re: Proof of Bond/Issuance of Letters

COUNSEL:

JEFFREY ALLEN NYE (PET)...JASON L GAUDY

LAUREL ALICE GARCIA (DEC)...

Bond filed and letters issued.

(lc)

Future Hearing: 09/26/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: J MICHAEL WELCH **CONSERVATORSHIP**

DATE: 08/17/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS0800286

CASE NAME: MTR OF PHILIP BARRETT

HEARING:

Accounting Review

COUNSEL:

COURTNEY L BARRETT

(OBJ)...NOREEN T FONTAINE

PHILIP BARRETT

(CEP)...

THOMAS BARRETT

(CE)...JAMES B CHURCH

THOMAS BARRETT

(CPE)...JAMES B CHURCH

GENERAL INFORMATION

Continued from 04/17/17. Public Guardian directed to marshal the IRA and file accounting.

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

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

- 1 Public Guardian appointed Successor Conservator of the estate, only, on 02/11/16, no bond.
- 2 Need 1st accounting beginning with 02/11/16.

RECOMMENDATION:

Inquire status of accounting. Continue to a Monday calendar. Court to set a final discharge hearing set for **prior Conservator Thomas Barrett** for **02/14/18**. When documents are not filed as ordered, court may set a hearing in accord with Pr.C. §2655. (/lc)

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

DATE: 08/17/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200236
CASE NAME: MTR OF RANDOLPH M ZEMBLIDGE
HEARING: FOURTH Account and Report of LARRY E HOOVER and Petition for allowance of fees filed.

COUNSEL:

ACACIA L EIDE	(CE)...PRO/PER
KARIN E HORSPOOL	(PET)...KARIN E HORSPOOL
LARRY E HOOVER	(SC)...SU P CHEAH
LINDA M CALLAWAY	(CP)...M DANIEL SAYLOR
RANDOLPH M. ZEMBLIDGE	(CEP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 4th Account (total filed) 2nd Account Current and Petition for Fees of Successor Conservator Larry Hoover, PPF.

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

1. Larry Hoover, PPF was appointed Successor Conservator, estate only, on 5/14/14.
2. Account period covers 5/20/15 – 5/20/17.
3. Assets on hand \$161,900.43 consisting of \$149,500.43 in cash and the balance in personal property and pre-need burial.
4. Conservatee resides with his daughter Debbie Fisher who receives \$1,900/month for board and care.
5. Petitioner requests authority to continue to provide conservatee with vacation expenses not to exceed \$3,000. JTD
6. Petitioner requests authority to continue to provide conservatee with gifts to family up to \$1,000 per year. JTD
7. Petitioner provided an allowance to conservatee of \$150-500 per month with occasional larger sums and requests to continue to provide the allowance at conservator's discretion. Petitioner seeks monthly allowance be set at \$400 per month. JTD
8. Petitioner requests fees of \$5,200 for 52 hours at \$100 per hour. Itemized [Acct. 07/19/17 LFpg19-21]. JTD A
9. Attorney requests fees of \$2,047 and costs of \$465.00 for a total of \$2,512 for 8.9 hours at \$230 per hour. Itemized [Acct. 07/19/17 LFpg 22]. JTD
10. Bond is currently set at \$192,000. Petitioner requests bond increased \$29,000 to \$221,000. Ok.
11. ~Proposed Order: 07/19/17.

RECOMMENDATION:

Court's discretion re fees. If approved, set hearing re next Accounting Review for **07/26/18** (if one year) or **07/25/19** (if two years). Accounting to be filed 30 days in advance.

(lc)

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

DATE: 08/17/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500276
CASE NAME: MTR OF JUNE N ROBINSON
HEARING: Petition for APPOINTMENT OF SUCESSOR CONSERVATOR PERSON
AND ESTATE

COUNSEL:

ANGELA M PARR	(CEP)...CHRISTOPHER E OVERGAARD
CECILIA E ROBINSON	(CPE)...CHRISTOPHER E OVERGAARD
JUNE N ROBINSON	(PCE)...JAMES B CHURCH
WESLEY A ROBINSON	(CPE)...CHRISTOPHER E OVERGAARD

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of **Successor** Conservator person and estate by Cecilia Robinson and Angela Parr, daughters.

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

1. **Conservatee passed away on 07/19/17.**
2. Wesley Robinson, spouse, appointed Conservator of person and estate on 07/02/12 in Los Angeles. Matter transferred to San Bernardino and amended letters issued 03/17/16; current bond \$48,000. Wesley passed away on 06/11/17. Therefore, creating a vacancy in the conservatorship.
3. Petitioners seeks bond of \$48,000. Appears sufficient.
4. Petitioners seek medical powers. Deceased Conservator has medical powers. Does court wish to require an updated Capacity Declaration? JTD
5. Petitioners seek dementia powers. Deceased conservator has dementia powers. Does court wish to require re-appointment of counsel? JTD
6. Counsel's signature is not dated on petition. Need same.
7. Need Certificate of Completion of the Conservatorship Training Class for Angela.
8. Need Court Investigator report.
9. ~Proposed Form Order: 07/07/17

RECOMMENDATION

Matter appears moot as conservatee passed away. Court may wish to advance Accounting review hearing for deceased Conservator Wesley Robinson.

(lc)

Future Hearing: 09/17/18 *Accounting Review for Wesley Robinson.*

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

DATE: 08/17/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600064

CASE NAME: KIANA DENISE WARREN

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of KIANA DENISE WARREN

COUNSEL:

CAZANA TAYLOR	(CP)...PRO/PER
KIANA DENISE WARREN	(CTP)...MELVIN L FRIEDLAND
KYLA TAYLOR	(CP)...PRO/PER

GENERAL INFORMATION

Continued from 05/04/17 and 07/06/17.

THIS CASE SET FOR HEARING ON Compliance Review. /// start

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

1. Kyla & Cazan Taylor, mother & maternal grandmother, appointed conservator of the person only on 01/31/17.
2. Notice of conservatee's rights filed 06/23/17.
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 3-4.

(lc)

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

DATE: 08/17/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600204

CASE NAME: EMMANUEL PONCE

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MARTHA ELENA PONCE

COUNSEL:

EMMANUEL PONCE (CEE)...
MARTHA ELENA PONCE (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Martha Ponce, mother, appointed **limited** conservator of the person only on 01/12/17.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 01/12/17; however, parties in notice do not match list of required contacts.
 - a. Need updated list of contacts.
 - b. Need notice to all 2nd degree relatives.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 01/12/17.

RECOMMENDATION

Need to clear note 2.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 15

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

DATE: 08/17/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600285

CASE NAME: MTR OF BETTY YVONNE SIMONS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LESLIE A FRUGIUELE

COUNSEL:

BETTY YVONNE SIMONS (CEP)...E JOAN NELMS
LESLIE A FRUGIUELE (CPE)...JEFFREY L COTTRELL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Leslie Frugieuele, daughter, appointed conservator of the person and estate on 01/12/17, \$20,000 bond. **Conservatee passed away on 03/29/17. Court to inquire if petitioner marshalled any assets. If so, court may wish to advance the accounting review hearing.**
2. Care plans appear to be moot.
3. Final Inventory and Appraisal filed 07/21/17.
 - a. Need bank statements,
 - b. Appointment date shall be 01/12/17, not 01/19/17.

RECOMMENDATION

Need to clear note 3. Court may wish to advance Accounting review hearing.

(lc)

Future Hearing: **03/22/18** *Accounting Review.*

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

DATE: 08/17/17 TIME: 9:30 DEPT: S36P

CASE#: SC SS01214
CASE NAME: IN THE MATTER OF JULIE FORRESTER
HEARING: EIGHTH CURRENT Account and Report of CHRISTINA ERICKSON-
TAUBE and Petition for allowance of fees filed.

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(CPE)...SHERRI L KASTILAHN
JAMES B CHURCH	(PET)...E JOAN NELMS
JULIE FORRESTER	(CEP)...JAMES B CHURCH
MELODIE Z SCOTT	(CPE)...BRYAN C. HARTNELL
MICHAEL J GILL	(TP)...MICHAEL J. G ILL

GENERAL INFORMATION

Continued from 07/06/17 at request of Sherri Kastilahn.

THIS CASE IS SET FOR HEARING ON 8th Account Current and Petition for Allowance of Fees filed by Christina Erickson-Taube. PPF.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting covers: 12/01/15 – 11/30/16.
2. Assets on hand: \$5,798,021.60 (\$1,273,524.41 in cash; reminder in real property, jewelry, securities and a preneed burial trust.
3. Petitioner requests fees of \$57,980.22 or 1% of estate's net value due to the high volume of time required to manage both conservatee and her assets. Additionally, petitioner has reduced compensation by case management fees paid and requests balance of \$53,264.72. Petitioner does not request additional compensation for services relating to the person duties. Itemized [Acct. 05/17 LFpg46-59].
4. Attorney requests fees and costs of \$7,297.50 for 20.85 hours' at \$325 per hour. Itemized. [LF, p60-62]. JTD.
5. An increase of bond was ordered at last accounting to \$7,100,000; however, bond increase does not appear to be filed. However, petitioner now seeks a bond reduction to \$6,612.228. Appears ok.
6. ~Proposed Order: 05/17/17; however, bond amount to be determined.

RECOMMENDATION:

Court's discretion re fees and bond. If approved, set hearing re proof of current bond on **08/17/17** on the next accounting review for **03/29/18** (if one year) or **03/28/19** (if two years). Accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 08/17/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500057

CASE NAME: John Journey Jackowski, Jr.

HEARING:

Probate status report filed.

COUNSEL:

JACKLINE JOURNEY SEGUERRA (PET)... HOWARD S BORENST

JOHN JOURNEY JACKOWSKI jr (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters testamentary issued to Jackline Seguerria, sister, on 03/04/15, full authority no bond.
2. Petitioner seeks additional time in order to receive judgment from United States Court of Appeals case.
3. ~Proposed Order: 05/12/17.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **03/22/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 08/17/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501070

CASE NAME: Richard I Sampson

HEARING:
Probate status report filed.

COUNSEL:
RICHARD L SAMPSON (DEC)...
WILLIAM SAMPSON (PET)...MATTHEW G PFAU

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON

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

1. Letters of Administration issued William Sampson, brother/sole heir, on 01/12/16, full authority, no bond.
2. Final Inventory and Appraisal filed 03/01/17. However, a boat and trailer was not valued as there was not sufficient information. Court to inquire.
3. Petitioner seeks an additional six months to close the estate in order to sell the real property.
4. ~Proposed Order: 05/31/17. **NOTE:** Petitioner requests date of 11/01/17.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **11/01/17**. 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: 3

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

DATE: 08/17/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600057
CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 4

HEARING: Petition for TO DETERMINE INVALIDITY OF TRUST

COUNSEL:

DARCY CLOUTIER-FERNALD (PET)...FULLERTON LEMANN SCHAEFER
IRIS ROBERTSON (OBJ)...JACK B. OSBORN
THE CASSIE C SHARP TRUST (TRU)...PRO/PER

GENERAL INFORMATION

Continued from 6/8/16, 08/03/16, 10/19/16, 02/02/17 and 05/25/17. Discovery is ongoing.

THIS CASE IS SET FOR HEARING ON Petition to determine validity of trust.

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

1. Petitioner is Darcy Cloutier-Fernald, daughter of trustor.
2. Petitioner states that respondents are Iris and Gary Robertson, trustor's neighbors.
3. Petitioner states that trustor executed the purported trust in 2015 (copy at Exhibit A), that the trust instrument disinherits trustor's family and instead that Iris is designated as sole beneficiary of the trust, that Gary is the alternate beneficiary in case Iris predeceased trustor, that trustor suffered from mental illnesses for many years prior to her death in October 2015 at age 67, and that the trust was procured by undue influence and was executed when trustor lacked mental capacity. Petitioner adds that the trust instrument is invalid pursuant to Pr.C. § 21380 (presumption of fraud or undue influence for certain donative transfers, here based upon the allegation that respondents were caregivers to trustor).
4. Petitioner requests a determination that the purported trust instrument is invalid, that Iris is an involuntary trustee holding the trust assets for the benefit of trustor's heirs, and for cost of suit.
5. **Objection filed 3/8/16 by Iris Robertson.**
6. ~Proposed Order 1/20/16.

RECOMMENDATION

Matter is opposed; set for contested hearing.
(ds/sa/lc)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 08/17/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600057

CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 3

HEARING:
Trial Setting Conference

COUNSEL:

DARCY CLOUTIER-FERNALD	(PET)...FULLERTON LEMANN SCHAEFER
IRIS ROBERTSON	(OBJ)...JACK B. OSBORN
THE CASSIE C SHARP TRUST	(TRU)...PRO/PER

TSC – No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 08/17/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600369

Vacated

CASE NAME: MTR OF KATHLEEN ANN KARHU

HEARING:

Accounting Review

COUNSEL:

BONITA LAWRENCE (PET)...GUAY P WILSON

KATHLEEN ANN KARHU (DEC)...

Final discharge filed 07/12/17. Case closed.

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 08/17/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700518

CASE NAME: JOHN WALLACE CRETHERS

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS TESTAMENTARY

COUNSEL:

GARY M CRETHERS (PET)...FULLERTON, LEMANN, SCHAEFER
JOHN WALLACE CRETHERS JR (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Gary Crethers, executor/son.

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

1. All heirs waive bond. Estate value consists of \$400,000 in personal property.
2. Will is holographic. Proof of holographic instrument filed 05/25/17.
3. ~Proposed Form Order: 05/25/17

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **10/25/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/lc)

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

DATE: 08/17/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700549

CASE NAME: MTR OF KATHLEEN TIEKAMP

HEARING: Petition for LETTER S OF ADMINISTRATION WITH FULL
AUTHORIZATION TO IAEA

COUNSEL:

DANIEL TIEKAMP (PET)...SHAWN P PATTERSON
KATHLEEN TIEKAMP (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Daniel Tiekamp, son.

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

1. All heirs waive bond. Estate consists of \$400,000 in personal property. JTD
 - a. However, need bond waiver by Laura Tiekamp, daughter.
 - b. Court to clarify if income from real property of \$385,000 is actually real property.
2. Petitioner is nominated by 1 of petitioner's two siblings, David Tiekamp.
3. ~Proposed Form Order: 05/30/17.

RECOMMENDATION

RFA subject to note 1, Court's discretion re bond. If approved, set Accounting/Status
Review for **10/25/18**. Any accounting to be filed 30 days in advance local rule 20-901.
Note requirements of local rule 20-908.

(lc)

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

DATE: 08/17/17 TIME: 8:30 DEPT: S37P

CASE#: SC SS02769
CASE NAME: MTR OF JOHN H MIKEASKY

SEE ALSO 9

HEARING:
Petition for ORDER COMPELLING CONSERVATOR TO PAY CHARGES
LAWFULLY DUE FOR NURSING CARE

COUNSEL:

JOHN H MIKEASKY	(CEP)...
JOHNNY MIKEASKY	(CP)...JAMES B CHURCH
JOHNNY MIKEASKY	(CPE)...JAMES B CHURCH
VISTA PACIFICA ENTERPRISES, IN	(PET)...TYLER & WILSON

XREF: SCV120419

GENERAL INFORMATION:

Continued from **11/01/16** at request of counsel. Notice to be given by petitioner.
Continued from **01/17/17** for Mr. Mikeasky to be personally served. The Court orders the bonding company to be notified. Accounting to be filed by 03/21/17. Notice by Judicial Assistant.

Continued from 04/04/17. Parties report charges have not been paid as previously ordered. Ms. Nelms reports conservatee has passed away and therefore charges cannot be paid at this time. The Court orders a supplemental brief be filed within 30 days. Ms. Nelms states that counsel will accept service on issues related to this petition. Objections to be filed and served by Thursday, 4/6/17.

Continued from 06/13/17. Johnny Mikeasky ordered to be present for trial. Court will rule upon evidentiary objections and sent rulings to parties.

THIS CASE IS SET FOR HEARING ON Petition for Order Compelling Conservator to Pay Charges Lawfully Due for Nursing Care by Vista Pacifica Enterprise, Inc., dba Vista Pacifica Center ["Vista Pacifica"].

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

- 1 Petitioner, Vista Pacifica Enterprises, Inc., dba Vista Pacifica Center brings the following petition for an order compelling Conservator, Johnny Mikeasky, to pay charges lawfully due and payable for 24 hour nursing care services provided to Conservatee, John Mikeasky, by Vista Pacifica Center.

- 2 Conservatee was discharged on 04/12/16 with a balance owing of \$77,448.00,
which have not been paid.
- 3 Petition includes calculations for a pre-judgment interest in accordance with this
statute reflecting the balance owing of \$77,448.00 at a rate of 10% would equal
a balance for prejudgment interest of \$714.32 for a total due of \$78,162.12 as of
08/01/16.
- 4 Petitioner requests an order directing the Conservator, Johnny Mikeasky, to pay
Petitioner the sum of \$77,448.000 for nursing care provided to Conservatee;
pre-judgment interest in the amount of \$714.32; attorney fees of \$800 based
upon the open book account; and the sum of \$435 for filing of this action.
- 5 **Conservatee passed away on 03/26/17.**
- 6 **P's & A's filed 05/04/17 & 05/31/17. Referred to Legal Research.**
- 7 **Objections filed 04/06/17 by Conservator of the person and estate, Johnny
Mikeasky.**
- 8 **Supplemental filed 05/14/17 by Controller for petitioner Vista Pacifica
Center, Lorraine Stevens, alleges with the inclusion of additional interest,
the amount of the debt due and owing as of 06/13/17 is \$78,732.92.**
- 9 **Evidentiary Objections of Vista Pacifica to Respondent's Objections to
Petition et seq. filed 06/01/17.**
- 10 **Reply by Vista Pacifica Center to Objections by Respondent to Petition
and Declaration et seq. filed 06/01/17.**
- 11 Proposed Order 01/11/17 reflects a different amount owing.

RECOMMENDATION:

Set for contested hearing. If continued, Court to set matter on a Tuesday as originally set
if possible.

(nb)

Future Hearing: 08/28/17 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 08/17/17 TIME: 8:30 DEPT: S37P

CASE#: SC SS02769

CASE NAME: MTR OF JOHN H MIKEASKY

SEE ALSO 8

HEARING:
Readiness Calendar

COUNSEL:

JOHN H MIKEASKY	(CEP)...
JOHNNY MIKEASKY	(CP)...JAMES B CHURCH
JOHNNY MIKEASKY	(CPE)...JAMES B CHURCH
VISTA PACIFICA ENTERPRISES, IN	(PET)...TYLER & WILSON

XREF: SCV120419

Readiness – No notes – JTD

Future Hearing: 08/28/17 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 08/17/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1300488

CASE NAME: MARY LOU LIRA

HEARING:

Motion Re: TO CONSOLIDATE Filed by Petitioner MICHAEL C MADDUX

COUNSEL:

MARY LOU LIRA	(DEC)...
MICHAEL C MADDUX	(MICHAEL C MADDUX
PATRICIA A LAROH	(PET)...GATEWAY LEGAL GROUP, P.C
PATRICIA A LAROH	(PET)...J BENJAMIN SELTERS III
PRIMO S LIRA	(OBJ)...OLYMPIA LAW, P.C.
PRIMO S LIRA	(STEVEN S GOHARI
TOYOTA MOTOR CREDIT CORP	(SCOTT WELTMAN

XREF: CIVDS1611047 (re Dolphin Street, Fontana)

No notes – JTD

(LR)

Future Hearing: 06/15/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

Page: 11

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

DATE: 08/17/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700280

CASE NAME: FAMILY TRUST OF JOSEPHINE ROBINSON

HEARING:

Petition for REMOVAL OF TRUSTEE, ACCOUNT, AND APPOINTMENT
OF SUCCESSOR

COUNSEL:

FAMILY TRUST OF JOSEPHINE ROBI (TRU)...
MARTIN ROBINSON-TOBEY (PET)...GRIDER LAW OFFICE

Currently under review by legal research

(LR)

NOTICE:

1. Proof of service filed however; need 30 days' notice to respondent Dale Robinson, son/beneficiary/Successor Trustee and the remaining children Thomas Robinson, Samuel Robinson III and Estate of Steven Robinson. Steven Robinson's heirs do not appear to be listed.

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 08/17/17 TIME: 9:30 DEPT: S37P

CASE#: CON DS1000149

CASE NAME: MARIA CONSUELO SOLTERO DIAZ

HEARING: FINAL Account and Report of JUAN SOLTERO DIAZ and Petition for allowance of fees filed.

COUNSEL:

BLANCA BUSTAMANTE

(PET)...PRO/PER

JUAN SOLTERO DIAZ

(CPE)...PRO/PER

MARIA CONSUELO SOLTERO DIAZ

(CEP)...PRO/PER

Request for Waiver of Court Fees and Costs filed by JUAN SOLTERO DIAZ is GRANTED

Fee waiver amount due: \$3700.00 \$355.00 for initial filing on 06/11/10

\$450.00 CI fees on 06/11/10, \$450.00 CI fees on 09/29/11 waived on 01/03/12

\$450.00 CI fees on 03/14/12, \$450.00 CI fees on 11/14/12, \$60.00 for ex-parte ptn to dispense on 05/22/13, \$450.00 CI fees on 12/11/13, \$450.00 CI fees on 10/28/15

\$465.00 for accounting on 11/12/15 \$60.00 for ex-parte ptn to dispense on 02/11/16

\$60.00 for ex-parte ptn to dispense on 08/03/16.

GENERAL INFORMATION

Continued from 03/02/17 and 05/11/17. Asset clause waived.

THIS CASE SET FOR HEARING ON **Amended [06/30/17]** Final Waiver of Account per Pr.C. § 2628 by Juan Diaz.

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

1. Conservatee died on 07/20/16. Petitioner alleges that the estate qualifies for a waiver per Pr.C. § 2628.
2. Accounting period 01/01/16 – 07/21/16.
3. Assets on hand appear to be \$0.
4. There does not appear to be a distribution clause; although the assets appear to be de minimis. Ok.
5. ~Proposed order submitted 06/30/17.

RECOMMENDATION

Court's discretion.. If approved, set hearing on the filing of receipts and final discharge for **08/23/18**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 08/17/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1200157

Vacated

CASE NAME: SPECIAL NEEDS TRUST OF MICHAEL WIRTH

HEARING:

Accounting Review

COUNSEL:

INLAND COUNTIES REGIONAL CENTE (PET)...LAYNE A BARTHOLOMEW

INLAND COUNTIES REGIONAL CENTE (TEE)...LAYNE A BARTHOLOMEW

SPECIAL NEEDS TRUST OF MICHAEL (TRU)...

Future hearing dates:09/11/17 4th IRC Accounting

(lc)

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

DATE: 08/17/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400077

CASE NAME: EDWARD FRANK SANTILLI

HEARING:
Hearing re Final Discharge

COUNSEL:

ANITA SANTILLI	(CPE)...HORSPPOOL & H ORSPOOL
CHRISTINA ERICKSON-TAUBE	(PET)...SHERRI L KASTILAHN
EDWARD FRANK SANTILLI	(CEE)...MITCHELL I ROTH
EDWARD FRANK SANTILLI	(DEC)...
J DAVID HORSPPOOL	(HORSPPOOL & HORSPPOOL
LILIANA SANTILLA	(PET)...HORSPPOOL & HORSPPOOL
NATALIE ANN BLICKENSTAFF	(CPE)...
ROSEMARY HERNANDEZ-ENNIS	(SC)...HORSPPOOL & HORSPPOOL

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 Christina Erickson Taube approved on 08/11/16; order 11/28/16.
2. Need receipt for Anita Santilli, successor Conservator.
3. Ex Parte Petition for Final Discharge and Order returned for receipt. ~Proposed Form Order: 06/20/17.

RECOMMENDATION

Inquire status of receipt.

(lc)

Future Hearing: 09/06/17 *Accounting Review*.

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

DATE: 08/17/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600237
CASE NAME: CALI LENETTE CHAVEZ
HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LEONARD M CHAVEZ

COUNSEL:

CALI LENETTE CHAVEZ	(CTP)...JAMES B CHURCH
CHRISTINE ELIZABETH ALANIZ	(CP)... GISSELLE M AMINI
ELIZABETH E CHAVEZ	(CP)... GISSELLE M AMINI
LEONARD MICHAEL CHAVEZ II	(CP) GISSELLE M AMINI

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Leonard, Elizabeth, Leonard II and Christine Chavez, parents and siblings, appointed **limited** conservator of the person only on 01/12/17.
2. Need Notification of Conservatee's rights per Pr.C.§1830(c).
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 01/25/17.

RECOMMENDATION

Need to clear note 2.

(lc)

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

DATE: 08/17/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700149

CASE NAME: MTR OF DOROTHY BARBA

HEARING: Petition for Appointment of Conservator

COUNSEL:

DOROTHY BARBA (CTP)...E JOAN NELMS
MARLENA BARBA (CP)...MCCLELLAN & WILSON

GENERAL INFORMATION

Continued from 06/08/17. Joan Nelms appointed counsel.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Marlena Barba, mother.

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

1. Petitioner seeks medical powers. Capacity Declaration filed 04/24/17.
2. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship report ordered for proposed conservatee per Pr.C. §1470. Report of Counsel Nelms filed 08/03/17.
3. Notice of Hearing and proof of service filed 05/04/17; however, the Proof of Service does not indicate a copy of petition was not served with notice. **Need** same.
4. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, an IRC report is optional per Pr.C. 1827.5(b). IRC report filed 06/07/17.
5. Court Investigator report filed 05/24/17.
6. Certificate of Completion of the Conservatorship Training Class filed 05/24/17.
7. ~Proposed Form Order: 04/24/17

RECOMMENDATION

Need to clear notes 3, then Court's discretion re reports. If approved, set hearing for Compliance Review for **03/22/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. §1830(c); Level of Care and Care Plan per Pr.C. §2352.5
(lh/lc)

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

DATE: 08/17/17 TIME: 9:30 DEPT: S37P

CASE#: RC RS00270
CASE NAME: JOSE A CARMONA GARCIA
HEARING: Petition for SUCCESSOR CONSERVATOSHIP OF THE PERSON

COUNSEL:

DIANE D HARKISON	(CE)...M DANIEL SAYLOR
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
JOSE A CARMONA GARCIA	(CEP)...DONNASUE ORTIZ
KIRK HOFFMAN	(PET)...M DANIEL SAYLOR
LOURDES SANCHEZ	(PET)...PRO/PER
VIRGINIA VASQUEZ PEREZ	(PCR)... KAMOLA L. GRAY

CCP170.6 filed as to CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

Continued from 06/08/17. Court clarifies petition is for estate only and that the petition was filed by Diane Harkison, not Virginia Perez. Diane is current Conservator of the estate and Virginia of person only. Mr. Perez to file written objections.

THIS CASE IS SET FOR HEARING ON Petition for Successor Conservator, **Estate only**, by Kirk Hoffman, PPF.

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

1. Virginia Vasquez Perez appointed Conservator of the person and **estate only** on 08/11/00. Diane Harkison, PPF, was appointed successor conservator of the **estate only** on 09/12/06. Virginia remains Conservator of the **person**.
2. Nomination by Diane Harkison filed 04/19/17 and resignation filed 05/05/17.
3. Nomination by Virginia Vasquez Perez (conservator of person/spouse) attached to petition [petition, 04/19/17, LFpg12].
4. Petitioner requests bond of \$300,000. Appears sufficient.
5. Court Investigator report filed 06/07/17.
6. ~Proposed form Order: 04/19/17

RECOMMENDATION

Court's discretion. If approved, court may wish to advance final accounting review hearing date for **Diane Harkison** from **08/29/18 to 09/07/17**. Set future hearing for Accounting/Status Review on **08/16/18** as to **Kirk Hoffman**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908. (lh/lc) Future Hearing: 08/29/18 Accounting Review **Diane Harkison**.

Superior Court of Calif, County of San Bernardino

Page: 18

San Bernardino Superior Court

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 08/17/17 TIME: 9:30 DEPT: S37P

CASE#: SG SS3997

CASE NAME: IN THE MATTER OF PATSY JANE RYAN

HEARING:

Accounting Review

COUNSEL:

LAWRENCE A DEAN II

(CPE)...HORSPOOL & H ORSPOOL

MELODIE Z SCOTT

(PRO/PER

PATSY JANE RYAN

(CEP)...

PATSY JANE RYAN

(INC)...

GENERAL INFORMATION:

Continued from 6/8/16, 07/27/16 and 03/27/17 at request of counsel to file accounting.

Petition for instructions regarding VA benefits and federal payee versus conservator may be filed.

Continued from 06/08/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 14th Account Current of Lawrence Dean approved 6/3/15.
2. Need 15th Account beginning with 01/01/15.

RECOMMENDATION:

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

(sa/lc/lh/lc)