



First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 08/21/17

All corrections/supplements addressing these notes should be filed by **08/14/17**. Later-filed documents might not be reviewed prior to the hearing and could result in a continuance of your case. Updates to these notes *typically* will be posted three court days prior to the hearing.

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.

07/28/17 ww/nb0803

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

DATE: 08/21/17 TIME: 8:30 DEPT: S35P

CASE#: PRO DS1100131

CASE NAME: DONALD EVANS

HEARING:
Probate status report filed.

COUNSEL:
BILL EVANS (PET)...FULLERTON LEMANN SCHAEFER & DO
DONALD EVANS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status report of Administration by Administrator of the Estate, Bill Evans ["Petitioner"].

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

- 1 Petitioner alleges the estate is not in a condition to be closed as the sole asset to the estate is the recovery in the Estate Litigation and the Estate Litigation is still pending and no funds are available for distribution.
- 2 Petitioner requests an additional 12 months to close the estate.
- 3 ~Proposed Order 05/30/17.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing re accounting review for **08/27/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400622

CASE NAME: Robert Joseph Vinson

HEARING:

Hearing Re: PROOF OF PROCEEDS INTO BLOCKED ACCOUNT

COUNSEL:

JANNINA K. MALEK (PET/TP)...FULLERTON LEMANN SCHAEFER & DO
ROBERT JOSEPH VINSON SR (DEC)...
FREDERICK LAFATE VINSON (PET)...PRO/PER
SURETEC INSURANCE COMPANY (WOLKIN CURRAN LLP)
STATE OF CAL IFORNIA FRAN CHIS()...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Proof of Proceeds into Blocked Account

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

1. Matter set at 06/19/17 hearing, wherein, the Court ordered that the proceeds of sale of property to be placed into blocked account.
2. Need Order to Deposit Money into Blocked Account [MC-355].
3. Need Receipt and Acknowledgement of Order for the Deposit of Money into Blocked Account [MC-356].

RECOMMENDATION:

Need to clear notes 2-3.

(nb)

Future Hearing:

11/13/17: Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 08/21/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500121

CASE NAME: RUSSELL JOHN RENZ

VACATED

HEARING:

Accounting Review

COUNSEL:

DICK G. RUSSELL

(PET)...MICHAEL F KANNE

RUSSELL JOHN RENZ

(DEC)...

Second Account filed and set for 10/30/17.

(nb)

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

DATE: 08/21/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501192

CASE NAME: MASTER MUHAMMAD SPECIAL NEEDS TRUST

HEARING:
Accounting Review

COUNSEL:

SEANNA LACKEY (PET)...NEIL J DE LEON
MASTER MUHAMMAD (PET)...THE BOUTIQUELAW GROUP
MASTER MUHAMMAD SPECIAL NEEDS TRUST (TRU)...

THIS CASE SET FOR HEARING ON Accounting review

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

1. Special Needs Trust created on 08/17/16; Seanna Lackey, mother, appointed as Trustee, \$150,000 bond.
2. Need 1st trust accounting beginning with 08/17/16.

RECOMMENDATION

Inquire status of accounting.

(ww)

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

DATE: 08/21/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600173

CASE NAME: MTR OF CHARLES WETZEL

HEARING:
Accounting Review

COUNSEL:

ANNETTE WETZEL (PET)...PRO/PER
CHARLES WETZEL (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Annette Wetzel, spouse, on 06/13/16 full authority, no bond.
2. Need final Inventory and Appraisal
3. Need accounting or status report.

RECOMMENDATION

Need to clear notes 2 & 3.

(ww)

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

DATE: 08/21/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601083

CASE NAME: JERRY HABERLI

HEARING:

Petition for TERMINATION OF PROCEEDINGS OF ESTATE AND DISCHARGE
OF PERSONAL REPRESENTATIVE

COUNSEL:

JEFF HABERLI (PET)...DAVID
JERRY HABERLI (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Termination of Further Proceedings and Discharge of Personal representative Pr. C. § 12251 by Administrator of the Estate, Jerry Haberli ["Petitioner"-son].

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

1. Letters issued 01/06/17, full authority, no bond.
2. Petitioner seeks to terminate this administration per Pr. C. § 12251 on the basis that the sole asset of the Estate, consisting of a policy with Hartford Life and Annuity Insurance Company, was previously distributed to the decedent's spouse pursuant to a properly executed California Small Estate Affidavit.
3. Petitioner requests termination and discharge of further duties and responsibilities as Administrator of the Estate; and any bond to be exonerated.
4. Notice filed on 06/27/17 does not include creditor, Synchrony Bank- Lowes. Need proper service.
5. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear note 4 then Court's discretion.

(nb)

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

DATE: 08/21/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700523

CASE NAME: MTR OF CAROLYN JANET DeVAUGHNS

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL AUTHORIZATION
TO ADMINISTER UNDER IAEA

COUNSEL:

LLOYD LIONELL DEVAUGHNS (PET)...PAUL HORN
CAROLYN JANET DEVAUGHNS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Lloyd DeVaughns, brother

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

1. Bond in the amount of \$165,000 is being requested. Ok.
2. Duties and liabilities filed, however, the address provided is for the attorney of record and not for the personal representative. Court's discretion
3. ~Proposed Form Order: 05/26/17

RECOMMENDATION

RFA subject to court's discretion re note 2. \$165,000 bond. If approved, set Accounting/Status Review for **10/29/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino
Page: 7A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 08/21/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501083

CASE NAME: KENNETH AARON RAINS

HEARING:
Readiness Calendar

COUNSEL:

TERRY ANDERSON	(PET)...TREVOR
KENNETH AARON RAINS	(DEC)...
BARBARA MOORE	(PET)...LINDA ROBERTS ROSS
SHELLIE DINNAUER	(PET)...LINDA ROBERTS ROSS

No notes – Readiness.
(nb)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 08/21/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600162

CASE NAME: JORDAAN MICHAEL CLARKE

HEARING:

Petition for ATTORNEY'S FEES

COUNSEL:

SARI LOPEZ

(CP)...SUSAN A KATZEN

CHERI L. GREEN

(PET)...CHERI GREEN

JORDAAN MICHAEL CLARKE

(CEE)...MITCHELL I ROTH

XREF: PROPS1601031

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by former counsel for Conservator of the Person, Cheri Green ["Petitioner"].

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

- 1 Petitioner, Cheri Green, as former counsel for Sari Lopez, Conservator of the person, alleges that services have been rendered for which counsel has not been compensated.
- 2 Attorney requests fees of \$7,320.00. Billed at \$350-\$375/hour for 21.7 hours' attorney time. Itemized [LF, pgs. 6-13]. JTD.
- 3 Attorney requests reimbursement of costs advanced of \$620.33. Itemized.
- 4 Petitioner requests an order authorizing and directing Richard Huntington, a PPF, as current Successor Trustee of the SNT, to pay requested sums to the Rhyme Law Group.
- 5 Inventory and Appraisal has not been filed and Letters have not issued. Request for fees appears premature per Pr. C. §2640.
- 6 No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion.

(nb)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT PUBLIC GUARDIAN

DATE: 08/21/17 TIME: 10:00 DEPT: S35P

CASE#: CON DS1000337

CASE NAME: FREDERICK D. WOODARD

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

FREDERICK D. WOODARD

(CEP/CEE)...HARTNELL LAW GROUP

6th Waiver of Account forwarded to department for signature on 07/24/17. Clerk's office to set next suggested hearing date of 06/18/18.

(lc)

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

DATE: 08/21/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS0900046

CASE NAME: MANUEL VENTURA

HEARING:

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

COUNSEL:

PUBLIC GUARDIAN
MANUEL VENTURA

(CPE)...COUNTY COUNSEL
(CEP)...

GENERAL INFORMATION:

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

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

1. Accounting period 02/28/14 to 09/30/16.
2. Assets on Hand \$12,840.37 consisting of \$394.82 in cash and remaining in irrevocable burial trusts; pre-need interment; pre-need burial plot; and pre-need casket.
3. Public Guardian requests compensation totaling \$5,459.00. For the period of 02/28/14 to 09/30/16, approving and allowing the sum of \$5,200.00 deferred until such time as the conservatorship estate has sufficient funds for such purpose; approving and confirming the monthly fees of \$259.00 previously collected by petitioner. Generally itemized. JTD.
4. County Counsel request fees totaling \$2,759.00. For the period of 02/28/14 to 06/30/14, approving and allowing the sum of \$2,600.00 deferred until such time as the conservatorship estate has sufficient funds for such purpose; approving and confirming the monthly fees of \$159.00 previously collected by petitioner. Generally itemized. JTD.
5. Petitioner requests the deferring payment of \$450.00 in CI Fees until such time that there are sufficient funds in the conservatee's account to pay said fees.
6. ~Proposed Order 02/02/17.

RECOMMENDATION:

Court's discretion. If approved, Court may wish to set the next hearing re Accounting Review for **11/27/17** or a biennial Accounting Review for **11/26/18** per Pr.C.§2620(a).
(nb)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 08/21/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400352

CASE NAME: JULIANA CEBALLOS

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

JULIANA CEBALLOS

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Letters expired 02/05/17.

Continued from 06/19/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Appointing PG as Temporary Conservator of the person and estate entered 12/16/14; order on general appointment entered 02/06/15.
2. No accounting or status report of administration. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500357

CASE NAME: MTR OF MADELINE PRATKO

SEE ALSO 13

HEARING:

Hearing Re: OSC RE TRANSFER FROM TRUST TO CONSERVATEE ESTATE

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
MADELINE M. PRATKO TRUST	(TRU)...
MADELINE MARY PRATKO	(CEE)...SANDY L. TURNER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Transfer from Trust to Conservatorship Estate

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

1. Matter set at 06/19/17 hearing, wherein, Court noted that as to the property being requested to be transferred into the estate of conservatee, Madeline Pratko, the court describes the following types of property the court will find sufficient: property profile, deed, or other evidence of ownership.
2. Court orders that any objection to the OSC are to be filed and served by 4pm July 24, 2017- court notes that if the objections are not timely filed, they will be deemed waived permanently. Counsel is to give notice of this order.
3. Notice to be given by counsel for Public Guardian.

RECOMMENDATION:

Court's discretion
(nb)

Future Hearing:

09/18/17: Accounting Review

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

DATE: 08/21/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500357

CASE NAME: MTR OF MADELINE PRATKO

SEE ALSO 12

HEARING:

Petition for Appointment of the Public Guardian as Successor
Trustee of the Trust

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MADELINE M. PRATKO TRUST (TRU)...
MADELINE MARY PRATKO (CEE)...SANDY L. TURNER

GENERAL INFORMATION:

Continued from 06/19/17.

THIS CASE IS SET FOR HEARING ON Petition for Appointment as Successor Trustee of the Madeline M. Pratkan Trust by Conservator of the person and estate, Public Guardian ["Petitioner"].

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

1. Petitioner requests to be appointed Successor Trustee of the Trust pursuant to Pr. C. §§ 15660, 15660.5.
2. Petitioner alleges that based upon their investigation, the PG is not aware of any other qualified person who is willing to act as trustee of the Trust.
3. Petitioner also requests that its official bond serve in lieu of a private bond.
4. Need copy of all trust documentation per Local Rule 20-1502.
5. Need Notice of Hearing with proof of service per Pr. C. § 17203.
6. ~Proposed Order 06/06/17.

RECOMMENDATION:

Need to clear notes 4-5 then Court's discretion.

(nb)

Future Hearing:

9/18/17: Accounting Review

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

DATE: 08/21/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600110

CASE NAME: JEROME A CLAY JR

SEE ALSO 15

HEARING:

Hearing Re: OSC RE POSS APPT OF PUBLIC GDN/DEPT OF DEV SVCS

COUNSEL:

CHRISTA L HOWELL (CP)...PRO/PER
JEROME L HOWARD (CEE)...

Waiver of Court Fees and Costs filed by JEROME L HOWARD is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Possible Appointment of Public Guardian/Dept. of Developmental Services.

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

1. Matter set at 06/12/17 hearing, for the possible appointment of PG or DDS.

RECOMMENDATION:

Court's discretion
(nb)

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

DATE: 08/21/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600110

CASE NAME: JEROME A CLAY JR

SEE ALSO 14

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CHRISTA L HOWELL (CP)...PRO/PER
JEROME L HOWARD (CEE)...

Waiver of Court Fees and Costs filed by JEROME L HOWARD is GRANTED

GENERAL INFORMATION

Temporary orders granted 5/17/16, *person only*. Mark Flory appointed GAL.

Continued from 7/13/16 and 09/28/16 at request of counsel. Notice to be given by Mark Flory.

Continued from 11/28/16 to clear notes. Oral report given by Marl Flory. Written report filed 09/28/16. Court required report from IRC.

Continued from **03/07/17**. Case referred to Public Guardian at request of counsel. Clerk's office to notify Public Guardian of referral and provide copy of file.

Continued from **04/24/17** at request of counsel to get in contact with Christa L. Howell.

Continued from 06/12/17 at request of counsel. Court orders that Christa Howell be personally present at next hearing date of August 21, 2017. Court requests that counsel for both court orders that Christa Howell be personally present at next hearing date of August 21, 2017. Court requests that counsel for both Inland Counties Regional Center and the Department of Developmental Services be present at next hearing date of August 21, 2017. Court requests IRC provide a report to court for date of August 21, 2017.

THIS CASE IS SET FOR HEARING ON Petition for Conservatorship, person and estate, by mother

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

1. Item 1c is blank as to bond and Item 3e is blank as to estimated estate assets. Thus, bond cannot be determined. Court may wish to inquire the necessity of estate powers.

2. Petitioner requests 2590 powers. However, petitioner fails to specify the powers requested under Pr.C.§2951. JTD
3. No medical or other powers requested.
4. Proposed conservatee is developmentally disabled. If court determines proposed conservatee is receiving benefits from IRC, **need IRC report as directed by Court on 06/12/17.**
5. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship. **Report by court-appointed attorney, Mark Flory, filed 09/28/16.**
6. Court Investigator report filed 6/29/16.
7. Proof of completion of conservatorship class filed 8/31/16.
8. Note that the Conservatee's Rights and Care Plan forms are filed prematurely.
9. Need return of Citation.
10. **Notice filed on 07/21/17 does not include IRC. Need proper service.**
11. **Pre-Move Notice of Proposed Change of Personal Residence of Conservatee filed 07/21/17 indicates proposed conservatee will be moved to Placentia, CA in Orange County. However, section one does not include date. Suggest transfer to Orange County. If so, Court to set control date. JTD.**
12. **Nomination of DDS by PG filed 07/11/17.**
13. ~Proposed form order: 5/11/16

RECOMMENDATION:

Need to clear notes. If approved, set hearing for Compliance Review for **03/26/18** 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 and Inventory & Appraisal with notice.

Set hearing re Accounting Review for **10/29/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.
(sa/nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 08/21/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600304

CASE NAME: ROSALIE CHAFFEE

HEARING:

Petition for allowance of compensation to Conservator and to his attorney

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

ROSALIE CHAFFEE

(CEP)...

GENERAL INFORMATION:

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

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

1. Petitioner alleges that petitioner and counsel rendered services prior to the appointment and for a period of 90 days after appointment for which petitioner and counsel have not been compensated. The services included an investigation of appropriateness of conservatorship, preparing and filing of the petition for appointment, locating and marshaling conservatee's assets, and coordinating proper placement for conservatee.
2. Petitioner requests compensation of \$495.00 and County Counsel request fees of \$495.00.
3. ~Proposed Order 06/29/17.

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

02/05/18: Accounting Review

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 08/21/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02429

CASE NAME: MTR OF DONDA FRANK

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

DONDA FRANK

(CPE)...COUNTY COUNSEL

(CEP/CEE)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 11/18/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Settling Sixth Account entered 06/22/15; seventh account now due.
2. No account or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC.

DATE: 08/21/17 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1501072

CASE NAME: WERNER LEE WEINMEISTER

VACATED

HEARING:

Hearing Re: COURT TRIAL (FIRST DAY)

COUNSEL:

REAGENE YOUNG

(PET)...IGNAZIO FICARA

WERNER LEE WEINMEISTER

(DEC)...

DAVID WEINMEISTER

(PET)...LAW OFFICE OF SUSAN E. CLARK

Future Hearings: 10/01/18: Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN **PROBATE**

DATE: 08/21/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300605

CASE NAME: CLELL STAR BUSH

HEARING:

Hearing Re: OSC Re: Sanctions (FTA)/Surcharge (\$66,000.00)

COUNSEL:

GERALD BUSH	(PET)...DONALD A HUNSBERGER
CLELL STAR BUSH	(DEC)...
JERILYN J BUSH	(PET/OBJ)...PRO/PER

Waiver of Court Fees and Costs filed by JERILYN J BUSH is GRANTED

GENERAL INFORMATION:

Continued from **02/27/17**. No appearances. Court orders counsel and administrator to be present at the next hearing Notice by Judicial Assistant. Matter set at **04/10/17** due to non-appearances. Notice by Judicial Assistant.

Continued from 06/19/17. Counsel is working on getting a copy of the negotiated check from the bank.

THIS CASE IS SET FOR HEARING OSC re Sanctions for Failure to Appear and Surcharge in the Amount of \$66,000 ON Final Discharge

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

1. Order Confirming First and Final Account entered 02/22/16.
2. Declaration of Due Diligence as to obtaining receipt by Jerilyn Bush filed. Need copy of front and back of negotiated check.
3. Ex-Parte Petition/Order for Final Discharge returned for corrections on 04/10/17.
4. Declaration re OSC filed 05/01/17.

RECOMMENDATION:

Need to clear notes 2-3 then Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600264

CASE NAME: ANTHONY P GAYTAN

SEE ALSO 3

HEARING:

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

COUNSEL:

ANNA LYNNETTE GAYTAN (PET)...LAW OFFICES OF SALLY ANNE COX
ANTHONY P GAYTAN (DEC)...
DAVID GAYTAN (OBJ)...PRO/PER

GENERAL INFORMATION:

Continued from 06/19/17 for proper publication to be submitted.

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by surviving spouse, Anna L. Gaytan ["Petitioner"].

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

1. Petitioner requests bond of \$135,000 be fixed. Appears sufficient.
2. Holographic Will does not nominate executor. However, petitioner is surviving spouse with priority of appointment per Pr. C. § 8461.
3. Need Proof of Holographic Instrument. (DE-135)
4. ~Proposed Form Order 03/23/17

RECOMMENDATION:

Need to clear note 3, \$135,000 bond. If approved, set future hearing for Accounting/Status Review on **10/29/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww)

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

DATE: 08/21/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600264

CASE NAME: ANTHONY P GAYTAN

SEE ALSO 2

HEARING:

Spousal Property Petition hearing.

COUNSEL:

ANNA LYNNETTE GAYTAN (PET)...LAW OFFICES OF SALLY ANNE COX
ANTHONY P GAYTAN (DEC)...
DAVID GAYTAN (OBJ)...PRO/PER

Waiver of Court Fees and Costs filed by DAVID GAYTAN is GRANTED

GENERAL INFORMATION

Continued from 05/09/16, 07/21/16, 09/29/16, 02/09/17 and 03/23/17 for petition for probate to be filed; filed 03/23/17.

Continued from 06/01/17 at request of court.

THIS CASE SET FOR HEARING ON Spousal Property Petition

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

1. Petitioner, Anna Lynnette Gaytan, is seeking confirmation of her half of community property left by decedent to pass to petitioner and determination of decedent's half interest in the community property passing to petitioner.
2. Petitioner alleges that she and decedent were married on 06/27/00 and the property was quitclaimed to both petitioner and decedent on 01/29/03. However, the quitclaim deed dated 01/29/03 was recorded on 11/20/06, titled in decedent's name only. Later a deed of trust was titled in **Jean D.** Gaytan and Anthony Gaytan's name. Another quit claim deed was titled to petitioner only on 07/06/10, signed on 05/20/16 and recorded on 06/26/16; **post death. Note:** decedent died on 07/14/10. The dates and chain of title do not appear to coincide with petition. It is unclear who Jean is if petitioner and decedent were married in 2000, and as Anna is petitioning as spouse. See deeds attached to supplement filed 09/19/16. **Due to time restraints the supplement is not fully referenced. Court to clarify deed information, parties and dates.**
3. Petitioner checked Section 8 to indicate that there is a written agreement between decedent and petitioner providing for a non pro rata division of community property

but then petitioner attaches a Power of Attorney that does not speak to that issue.
Court to inquire.

4. **Amended Objections filed by David Gaytan, son on 07/15/16.**
5. **Petitioner alleges that objector was evicted from the real property several months ago; UDFS1602339.**
6. ~Proposed form Order: 03/23/16

RECOMMENDATION:

Matter is contested.

(dl/lc/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600956

CASE NAME: THE SECOND WIND TRUST

HEARING:

Petition for ATTORNEY FEES FOR COURT APPOINTED GUARDIAN AD LITEM

COUNSEL:

DON MCLEES (PET)...CHRISTOPHER SCARCELLA
THE SECOND WIND TRUST (TRU)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Court-Appointed Guardian ad Litem, J. David Horspool ["Petitioner"].

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

1. Petitioner was appointed GAL on 01/19/17. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 01/19/17 to 05/15/17.
2. Attorney requests fees of \$2,951.00. Billed at \$295-\$395/hour for 7.80 hours' attorney time. Itemized [LF, pgs. 6-7]. JTD.
3. Petitioner requests an order authorizing and directing David McLees, as Trustee of the Second Wind Trust to pay requested sum for services rendered.
4. Petitioner also requests that to the extent said sum remains unpaid, it shall constitute a lien on the assets of the Trust Estate until paid.
5. ~Proposed Order 05/18/17.

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

07/09/18: Accounting Review

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

DATE: 08/21/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601226

CASE NAME: EDNA KITTY ROBINSON

HEARING: Hearing Re: Petition to Determine Succession

COUNSEL:

CHRISTINE A CHALLENGER	(PET)...PRO/PER
ROD LOCKHART	(PET)...PRO/PER
KEVIN LOCKHART	(PET)...PRO/PER
ROY ROBINSON	(PET)...PRO/PER
PAUL ROBINSON	(PET)...PRO/PER
PETER ROBINSON	(PET)...PRO/PER
EDNA KITTY ROBINSON	(DEC)...

GENERAL INFORMATION:

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

Continued from 04/17/17. Non-appearance by petitioner. Notice by Judicial Assistant. OSC re dismissal taken off calendar on 06/21/17 and matter continued to clear notes.

THIS CASE IS SET FOR HEARING on Petition to Determine Succession to Real and Personal Property by Christine Challenge (niece), Rod and Kevin Lockhart (nephews); Roy, Paul and Peter Robinson (nephews).

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

1. Petitioners are requesting 100% interest, 1/6 each, in decedent's 100% interest of real and personal property per intestate succession.
2. Section 10 of petition is incomplete as to whom Decedent is survived by. Need verified supplement.
3. Signature pages [LF, pgs. 11-16] affixed to the petition must be signed under penalty of perjury. Need verified supplement with corrected signatures.
4. Inventory & Appraisal is missing the required copies of bank/financial statements to support date of death balances. Need statements.
5. No proposed order: Submit order after hearing.

RECOMMENDATION:

Need to clear notes 2-4.

(nb/ww)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700284

CASE NAME: MTR OF DAVID JOHN LAY

HEARING:

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

COUNSEL:

RACHAEL BRANDT (PET)...PRO/PER
DAVID JOHN LAY (DEC)...

GENERAL INFORMATION:

Continued from 06/26/17. No appearance.

THIS CASE IS SET FOR HEARING ON Petition for Probate of Will and for Letters of Administration with Full Authority under IAEA by Rachael Brandt (daughter)

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

1. Estimated net value of estate is \$25,000. Court also has discretion to require bond per Pr. C. § 8481(b). JTD Bond is waived by both heirs; however, bond waiver signed by Margo Lee Whitney-Sinander is not dated at signature. [Petition, 3/20/17, LF, pg7]. Need same.
2. Will is not self-proving as there is no statement that the will was not procured under duress etc. Need proof of subscribing witness. (DE-131)
3. Need Notice of Petition to Administer Estate with proof of service (form DE-121).
4. The petition for probate is on an outdated form. Court's discretion.
5. Petition, item #8, is incomplete as to Margo Lee Whitney-Sinander's age and relationship to decedent. However, attached Will and Death Certificate identify her as decedent's wife. [Petition, 3/20/17, LF, pgs 8, 10]. Court's discretion
6. ~Proposed form order: 03/20/17

RECOMMENDATION:

Need to clear notes 1-4. Court's discretion re notes 4 & 5 and bond. If approved, set future hearing for Accounting/Status Review on **10/29/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh/nb/ww)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700384

CASE NAME: MTR OF HAL DEAN PICKETT

HEARING:

Petition for PROBATE OF LOST WILL AND LETTERS OF TESTAMENTARY
W/FULL IAEA

COUNSEL:

MARK P CANTIN (PET)...CARPENTER ROTHANS & DUMONT
HAL DEAN PICKETT (DEC)...

GENERAL INFORMATION

Continued from 07/20/17 to clear notes.

THIS CASE SET FOR HEARING ON Petition for Probate of Lost Will, Letters
Testamentary with Full Authority under IAEA by Mark P. Cantin, step-son

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

1. Will waives bond. Net value of estate consists of \$8,080.00 in personal property.
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.
Declaration re attempts to locate missing will filed on 04/18/17.
3. ~Proposed Form Order: 4/18/17

RECOMMENDATION

RFA. Court's discretion re bond. If approved, set Accounting/Status Review for **09/27/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lc/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700494

CASE NAME: MTR OF MARIA CASTELLANOS

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL AUTHORIZATION
TO ADMINISTER UNDER IAEA

COUNSEL:

DONALD W WALLDREN SR (PET)...TREVOR D. MARTIN
MARIA CASTELLANOS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Donald Walldren, Sr., nominee

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

1. All heirs waive bond. The estate consists of \$249,000 of which \$19,000 is personal property.
2. Petitioner is not listed in section 2b or section 8 of the petition though it is clear that Donald Walldren, Sr. is the petitioner and nominee. Does court wish to clarify on record; or in alternative need verified supplement.
3. ~Proposed Form Order: 05/19/17

RECOMMENDATION

RFA subject to court's discretion re bond and note 2. If approved, set Accounting/Status Review for **10/29/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

DATE: 08/21/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700504

CASE NAME: MTR OF LOUISA R. GILMORE

HEARING:

Petition to determine succession to Real Property

COUNSEL:

JANYCE L LIPSON	(PET)...DAYTON LAW FIRM, P.C.
BARBRA L. BILHARZ	(PET)...PRO/PER
ROBERT W. KEMP	(PET)...PRO/PER
CHARLES A. KEMP	(PET)...PRO/PER
PAMELA JO KEMP	(PET)...PRO/PER
MICHAEL A. KEMP	(PET)...PRO/PER
LOUISA R. GILMORE	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Janyce Lipson (daughter); Barbra Bilharz (daughter); Robert (son), Charles (son), Pamela (surviving spouse of predeceased son Paul Kemp), and Michael Kemp (son of predeceased son Paul Kemp).

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

1. Petitioners seek 100% interest in decedent's 100% interest, in real property per the Texas Family Settlement Agreement dated 04/22/16. [LF pg 19-37] 1/5 each to Janyce, Barbra, Robert and Charles. 1/10 each to Pamela and Michael.
2. Proposed Form Order: 05/10/17

RECOMMENDATION

RFA.

(ww)

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

DATE: 08/21/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700664

CASE NAME: MTR OF KEVAN R LARICK

HEARING:

Spousal Property Petition hearing.

COUNSEL:

KYLE LARICK (PET)...PRO/PER
KEVAN R LARICK (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition as filed by Attorney-in-fact/son, Kyle Larick [‘Petitioner’].

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

1. Petitioner, as attorney-in- fact under a Durable Power of Attorney [LF, pgs. 55-67], requests a determination and confirmation of property passing to the surviving spouse as community property. Specifically, real property at Ontario, CA, in San Bernardino County.
2. Section 7a re: determination is not marked. However, sections 1a and 1b are marked.
3. Petition indicates parties were married in 1991; became joint owners of the subject property; and in order to facilitate a reverse mortgage in 2016, spouse was removed from the deed. Petition affixes prior and current deeds [LF, pgs. 14-19, 21-24] along with reverse mortgage documentation [LF, pgs. 25-54]. Question how the property interest was acquired – with community funds, etc? Need verified supplement.
4. Review of the various deeds appears to indicate title may be clouded starting with Grand Deed recorded on 06/01/88 [LF, p21] to Quitclaim Deed recorded on 03/22/16.
5. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need verified supplement then Court’s discretion
(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700665

CASE NAME: MTR OF JOEL LJUNGKULL

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

LINDSAY CLARK (PET)...GAUDY LAW, INC
JOEL LJUNGKULL (DEC)...

GENERAL INFORMATION

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

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

1. All heirs waive bond; however, need bond waivers by Paula and Chris Ljungkull. The estate consists of \$276,000 of which \$56,000 is personal property.
2. Duties and liabilities filed, however, the telephone number for the proposed personal representative is missing. Need same.
3. ~Proposed Form Order: 07/07/17

RECOMMENDATION

Need to clear notes 1 & 2. Court's discretion re bond. If approved, set Accounting/Status Review for **10/29/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

CONSERVATORSHIPS

DATE: 08/21/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500006

CASE NAME: FRANCES BOYD

HEARING:

Hearing Re: Final Account

COUNSEL:

JEANETTE L GORDON

(CPE)...LAWRENCE E CLARK

FRANCES BOYD

(CEP)...

NANCY VAN LEUVEN

(CPE/CEE)...HARTNELL LAW GROUP

XREF: PROPS1501035 PROPS1501091

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Account by Temporary Conservator, Nancy Van Leuven ["Petitioner"].

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

1. Matter set at 06/26/17 hearing, wherein, interim report and account for temporary conservator was granted.
2. No accounting. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

DATE: 08/21/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600136

CASE NAME: STEPHANIE CORTEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JUAN PAEZ CORTEZ (CPE)...PRO/PER

STEPHANIE PAEZ CORTEZ (CEE)...MITCHELL I ROTH

Waiver of Court Fees and Costs filed by STEPHANIE PAEZ CORTEZ is GRANTED

GENERAL INFORMATION

Continued from **08/01/16** at the request of petitioner. Court notes that all grandparents are deceased. Court does not appoint court appointed counsel for proposed conservatee at this time.

Continued from 10/17/16 for proper service. Attorney Mitchell I Roth appointed.

Continued from 12/19/16, 03/06/17, 05/08/17 and 06/12/17. Attorney Roth will give notice..

THIS CASE IS SET FOR HEARING ON Petition for Conservatorship, person only, by father, Juan Paez Cortez ["Petitioner"].

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

1. No bond – person only.
2. Medical powers sought. Medical Capacity Declaration filed in support.
3. Court Investigator report filed 7/12/16.
4. Report by court-appointed counsel, Mitchell I Roth filed 03/06/17.
5. Proof of service to citation filed 05/18/17 is by mailed service and is served by Juan Paez Coetez, proposed Conservator. Need proof of personal service by someone over age 18 and not a party to the action. Need proper service. **Notice and Acknowledgment of Receipt by Mitchell I Roth. Court to determine if sufficient.**
6. **Notice of hearing and proof of service filed 06/21/17 does not include mother, Annette M. Mercado or maternal grandfather, Genaro Mercado. Need proper service or declarations of due diligence.**
7. **List of Required Contact Information for includes only friends or acquaintances. Need form that includes relatives to the second degree.**

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

8. Proof of completion of conservatorship class filed 09/29/16.
9. ~Proposed form order: 6/2/16

RECOMMENDATION:

Need to clear notes 5-7. If approved, set hearing for Compliance Review for **03/28/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); and Level of Care and Care Plan per Pr.C.§2352.5.
(sa/nb/lh/nb)

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

DATE: 08/21/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600345

CASE NAME: LEIF SANCHEZ

SEE ALSO 15

HEARING:

Hearing Re: Conservatorship of the Estate

COUNSEL:

ERIC SANCHEZ

(PET)...WILLIAM M NASSAR & ASSOCIATES

LEIF SANCHEZ

(CEE)...JENNIFER M DANIEL

GENERAL INFORMATION

Continued from **01/09/17** at request of counsel. Attorney Daniel appointed.

Continued from **03/27/17**. Matter continued for petitioner to clear probate notes.

Set on **05/22/17**. Eric Sanchez is appointed Conservator of the person Leif Sanchez.

Court reserves on the issue regarding the estate. Order signed this date.

Continued from 06/12/17 for Attorney Nassar to be present..

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Eric Sanchez, father

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

1. Petitioner seeks bond of \$20,000. However, estate assets appear to consist solely of social security benefits at \$8,160 per year (see petition, LF, p.4). Does court wish to waive bond? Also, question need for estate powers.
2. Petitioner seeks medical powers. **Capacity Declaration filed 05/03/17.**
3. Proposed conservatee is developmentally disabled. **IRC report filed 01/05/17.**
4. **Report by Court-Appointed counsel, Jennifer Daniel, filed 03/06/17. Second report filed 06/05/17.**
5. See Confidential Supplemental form filed 11/22/16 (LF, p.4).
6. **Citation with proof of personal service filed 03/22/17; however, served Citation was not issued by the clerk. JTD**
7. **Certificate of Completion of the Conservatorship Training Class filed 02/02/17.**
8. CI Report filed 11/22/16.
9. ~Proposed Form Order: 11/22/16

RECOMMENDATION

Need to clear note 6. If approved, set hearing for Compliance Review for **03/26/17** for the filing of the required documents and hearing re Accounting Review for **10/29/18**. Any account to be filed 30 days in advance.

(lh/nb/lh/nb)

Future Hearing:

12/18/17: Conservatorship Compliance Review Hearing

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

DATE: 08/21/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600345

CASE NAME: LEIF SANCHEZ

SEE ALSO 14

HEARING:

Petition for SUBSTITUTED JUDGMENT TO CREATE TRUST

	COUNSEL:
ERIC SANCHEZ	(PET)...WILLIAM M NASSAR & ASSOCIATES
LEIF SANCHEZ	(CEE)...JENNIFER M DANIEL

Currently under review by Legal Research.
(LR)

Continued matter – notice not re-reviewed.
(nb)

Future Hearing:
12/18/17: Conservatorship Compliance Review Hearing

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600365

CASE NAME: MTR OF TEODORICO LAWENKO

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ZOLITA LAWENKO

COUNSEL:

ZOLITA LAWENKO (CPE)...PRO/PER
TEODORICO LAWENKO (CEE)...

GENERAL INFORMATION

Continued from 04/10/17 and 06/26/17. Attorney Walter Moore to assist with the filing of the required documents.

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

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

1. Zolita Lawenko appointed conservator of the person and estate on 02/10/17, no bond.
2. Need Notification of Conservatee's rights per Pr.C.§1830(c).
3. Need Statement of Care Plan in accord with Pr.C.§2352.5.
4. Need Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
5. Need final Inventory & Appraisal per Pr.C.§2610.
6. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. **Notice of Change of Address filed on 05/02/17 indicates Conservator/spouse, Zolita Lawenko, has moved to Jurupa Valley in Riverside County.**

RECOMMENDATION:

Need to clear notes 2-7. When documents are not filed as ordered, court may set a hearing in accord with Pr.C.§2655.

(nb/ww)

FUTURE HEARING:

04/02/18: Accounting Review

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

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

DATE: 08/21/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700256

CASE NAME: ANTHONY VICENCIO

HEARING:
Petition for Appointment of Conservator

COUNSEL:
EDUVIGES VICENCIO (CP)...PRO/PER
ANTHONY VINCENCIO (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Eduvigis Vicencio (mother)

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

1. It appears proposed conservatee is not yet an adult as of filing of petition [Petition, 07/07/17, LFPg5]. Court to inquire. JTD
2. Petitioner requests order related to powers under Pr. C. §2351.5 to fix residence, access confidential documents, control right to contract, make and consent to medical decisions. JTD
3. Petitioner seeks civil rights not be limited without court order. JTD
4. Proposed conservatee is developmentally disabled. Report of Counsel Sandy Turner filed 07/31/17.
5. Petitioner seeks medical powers. Amended Capacity Declaration filed 07/26/17 is incomplete at item #4b whether proposed conservatee is a patient under continuing treatment. Need completed form.
6. Proposed conservatee is developmentally disabled. Need IRC report.
7. Need Court Investigator report.
8. List of required contacts form is missing Karla Vicencio and Richard Vicencio (siblings). Need completed form.
9. Proof of Service of Notice of Hearing filed 07/26/17 is incomplete at item #4b, place of mailing. Need amended Proof of Service.
10. Proof of Completion of Conservatorship Training Class filed 08/03/17.
11. Return of Citation filed 07/19/17.

12. ~Proposed Form Order: 07/07/17

RECOMMENDATION

Need to clear notes 5-9. If approved, set hearing for Compliance Review for **03/26/18** 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)

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

DATE: 08/21/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700260
CASE NAME: MTR OF JOSE RICARDO MEDRANO

HEARING:
Petition for Appointment of Conservator

COUNSEL:
MARIA ESPARANZA MEDRANO (CP)...PRO/PER
JOSE RICARDO MEDRANO (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Maria Medrano (mother)

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

1. Petition indicates a conservatorship proceeding has been filed in another jurisdiction [petition, 06/30/17, LFpg5]. However, no case information provided. Court to inquire.
2. Petitioner requests orders related to powers under Pr. C. §2351.5 to fix residence, access confidential records, consent/withhold consent to marriage, control right to contract, give/withhold consent to medical treatment, control sexual contacts, make decisions re education. JTD
3. Petitioner requests estate powers under Pr. C. §1830(b) to take possession and manage property, collect debts/rentals/wages, incur contractual obligations, duty to pay/compromise/defend all claims. However, this is a petition for limited conservatorship of the person only. Question if petitioner is also seeking conservatorship of the estate? If so, need amended petition. JTD
4. Petitioner seeks civil rights not be limited without court order. JTD
5. Petitioner seeks medical powers. Need Capacity Declaration.
6. Proposed conservatee is developmentally disabled. Need appointment of counsel for report.
7. Proposed conservatee is developmentally disabled. Need IRC report.
8. Need Court Investigator report.
9. Need Certificate of Completion of the Conservatorship Training Class.
10. Need return of Citation.

11. Need Notice of Hearing and Proof of Service to include 30 days' notice to Inland Regional Center.

12. ~Proposed Form Order: 06/30/17

RECOMMENDATION

Need to clear notes 5-11. If approved, set hearing for Compliance Review for **03/26/18** 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)

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

DATE: 08/21/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700264

CASE NAME: MTR OF MARGERY DE HELSBY

HEARING:
Petition for Appointment of Conservator

COUNSEL:

JANE WALTERS (CP)...PRO/PER
MARGERY DE HELSBY (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Jane Walters (sister)

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

1. Petitioner seeks orders related to powers under Pr. C. §2351.5 to fix residence, access confidential records, consent/withhold consent to marriage, control right to contract, give/withhold consent to medical treatment, control social/sexual contacts, make decisions re education. JTD.
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Need Capacity Declaration.
4. Proposed conservatee is developmentally disabled. Need appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. Need IRC report.
6. Need Court Investigator report.
7. Need Certificate of Completion of the Conservatorship Training Class.
8. Duties of Conservator form filed 07/12/17 is not dated at signature. Need completed form.
9. Return of Citation filed 07/14/17. However, Citation was served on petitioner by mail. Need proper personal service to proposed conservatee, Margery Helsby.
10. Petition indicates Jane Walters is the only relative within the 2nd degree [Petition, 07/12/17,LFpg8]. Court to inquire.
11. ~Proposed Form Order: 07/14/17

RECOMMENDATION

Need to clear notes 3-9. If approved, set hearing for Compliance Review for **03/26/18** 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)

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

DATE: 08/21/17 TIME: 9:30 DEPT: S36P

CASE#: RC RS00395

CASE NAME: MYLES SCOTT TWEEDY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

KAREN J HANFORD	(PET/CP/CPE)...BUXBAUM & CHAKMAK
KENT T TWEEDY	(PCR/CPE)...BUXBAUM & CHAKMAK
MYLES SCOTT TWEEDY	(PCE/CEP/CTP)...MITHCHELL I ROTH
EMILY BEIN	(CP)...BUXBAUM & CHAKMAK

GENERAL INFORMATION

Court appointed Karen J. Hanford and Kent Tweedy as co-conservators of the person and estate on 07/30/02.

Court terminated conservatorship of the estate on 12/14/10. Court relieved Mitchell I. Roth as counsel.

Kent Tweedy, co-conservator, passed away in 2014.

Continued from 06/26/17. Court notes that another IRC report is not needed. Court re-appoints Mitchell Roth for the conservatee.

THIS CASE IS SET FOR HEARING ON Petition to Appoint Successor Co- Conservator Emily Bein (niece) of the person only, by conservator Karen J. Hanford

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

- 1. Conservatee is disabled; need report of court-appointed counsel Mitchell I. Roth.**
- 2. Suppl. (06/30/17) requests withdrawal of appointment re: Attorney Roth.**
- 3. Petitioner does not request medical powers; however item #9 indicates incapacity to consent to medical treatment was determined by Court on 08/01/02. Supp (06/16/17) requests Pr. C. § 2355(a) powers.**
4. Court Investigator report filed.
5. Certificate of Completion of the Conservatorship Training Class filed 06/15/17.
6. Notice of Hearing and proof of service filed 05/10/17; however, need 30 days' notice to Inland Regional Center per Pr. C. §2683.
7. Return of Citation filed 05/18/17.
8. ~Proposed Form Order: 05/03/17

RECOMMENDATION

Need to clear note 1. If approved, set hearing for Compliance Review for **03/26/18** 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/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0600139

CASE NAME: IN RE ESTATE OF CHESTER RAY BURNETT

HEARING:

Accounting Review

COUNSEL:

ALVILDA BUSH

(PET)...LENA GHIANNI

CHESTER RAY BURNETT

(DEC)...

RUTH L HENRICKS

(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION

**Continued from 01/04/16, 02/22/16, 04/05/16, 06/07/16, 08/16/16, 10/18/16, 12/19/16
03/20/17 and 06/12/17.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to Ruth Henricks on 03/16/17, full authority, no bond.
2. Previous status report approved on 06/01/15.
3. Need accounting or next status report.

RECOMMENDATION

Inquire status of accounting or status report.

(lc/dl/nb/ww)

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

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0801097

CASE NAME: MINERVA DE GUZMAN GESTUVO

HEARING:
Accounting Review

COUNSEL:

MARIA KRISTINA P. GESTUVO	(PET)...CHRISTOPHER A BURY
MINERVA DE GUZMAN GESTUVO	(DEC)...
NORIEL L FLORES	(PET)...NORIEL L FLORES
MARGARET S. MAR	(PET)...FRED D SOLDWEDEL
FRED D SOLDWEDEL	(TP)...
IKE MIGUEL GESTUVO	(DEXTER ROSARIO)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Letters issued to Margaret Mar, administrator, on 09/06/11, limited, \$20,000 bond.
2. 2nd Account approved on 04/28/15. Bond was reduced from \$233,000 to \$92,400 but no surety rider has been filed. **Need bond surety rider.**
3. Need 3rd Account beginning with 01/07/15.

RECOMMENDATION

Need to clear notes 2 & 3.

(ww)

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

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1200239

CASE NAME: MTR OF RALPH E VIETH TRUST

HEARING:

Hearing Re: Status

COUNSEL:

RALPH E VIETH TRUST	(TRU)...
MARTHA L GAGLIARDI	(PET)...PRO/PER
DAVID VIETH	(PET)...MATTHEW E SHEASBY
STACY VIETH	(PET)...MATTHEW E SHEASBY
MATTHEW E SHEASBY	(PET)...MATTHEW E SHEASBY
DONALD VIETH	(OBJ)...HARTNELL LAW GROUP
TERESA MARSH	(PET)...MARK J ANDREW FLORY

XREF: PROPS1700199

GENERAL INFORMATION

Continued from **10/27/16**. Mr. Sheasby to contact the Veteran's Administration to determine if benefits are being paid and to collect any benefits on David Veith's behalf. Court vacates previous order that SNT be created on behalf of Stacy Vieth. Mr. Ordered to contact the title company on the San Jacinto property in question and determine how best to lift the cloud on the property. A separate recordable order clearing title to be filed and property/assets to be put into Stacy Vieth's estate instead of a SNT. SNT needs to be filed as to David Vieth only. Public Guardian requested to be appointed Conservator of David Vieth.

Continued from **01/05/17**. Status Report and five orders transferring real property signed. Petition for conservatorship of David Vieth requesting appointment of Public Guardian to be filed. Public Guardian to appear re possible appointment.

Continued from **03/16/17**. Counsel reported that a probate action has been filed as to Stacy Vieth and set for 05/03/17. Counsel were unsure of a conservatorship action re David Vieth; court determined not filed.

Continued from 07/05/17. Court appoints the PG to represent David Vieth. Court orders the PG to appear at the next hearing.

THIS CASE SET FOR HEARING ON Status.

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

1. Melodie Scott was prior trustee; however, filed declaration stating that no assets were ever marshaled.
2. Martha Gagliardi was appointed Trustee of the SNT. All monies to be placed into blocked account with exception of \$7,500.
3. Layne Bartholomew to prepare/create SNT.
4. Petition for Probate filed re Stacy Vieth PROPS1700199.

RECOMMENDATION

Inquire status.

(lc/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400925

CASE NAME: ***MASTER FILE THE KERBY TRUST

SEE ALSO 5

HEARING:

Hearing Re: CLARIFICATION OF TYPE OF MORTGAGE

COUNSEL:

LARRY E HOOVER	(PET)...SU P CHEAH
THE KERBY TRUST	(TRU)...
BRENDA SUE LAWER	(PET)...LAW OFFICES OF EDWARD B. FISCH
ZINA MICHELLE KERBY	(PET)...PRO/PER
CHARLES A KERBY	(OBJ)...JEANNE E KENNEDY
PUBLIC GUARDIAN	(COUNTY COUNSEL)

Waiver of Court Fees and Costs filed by ZINA MICHELLE KERBY is GRANTED

X-REF: PROPS 1700530

GENERAL INFORMATION

Conservatee Charles Kerby passed away on 01/23/16.

**Continued from 06/15/17. Action consolidated physically with PROPS1700530 -
- case # PROPS1400925 deemed master file.**

THIS CASE SET FOR HEARING ON Clarification of Type of Mortgage.

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

1. Matter set on 04/06/17 when court ordered property not be sold pending clarification of mortgage.
2. Declaration filed 05/17/17 by Brenda Lawer, Successor Trustee, attaching copies of conventional loan Deed of Trust with corresponding promissory note; \$108,000.

RECOMMENDATION

Court's discretion.

(lc/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400925

CASE NAME: ***MASTER FILE THE KERBY TRUST

SEE ALSO 4

HEARING:

Spousal Property Petition hearing.

COUNSEL:

LARRY E HOOVER	(PET)...SU P CHEAH
THE KERBY TRUST	(TRU)...
BRENDA SUE LAWER	(PET)...LAW OFFICES OF EDWARD B. FISCH
ZINA MICHELLE KERBY	(PET)...PRO/PER
CHARLES A KERBY	(OBJ)...JEANNE E KENNEDY
PUBLIC GUARDIAN	(COUNTY COUNSEL)

Waiver of Court Fees and Costs filed by ZINA MICHELLE KERBY is GRANTED

X-REF: CONPS 1400207

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Zina Kerby ["Petitioner"].

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

1. Petitioner requests a determination and confirmation of property passing to the surviving spouse as community property. Specifically real property at Victorville, CA, in San Bernardino County. However, petitioner does not set forth facts sufficient to establish a community property interest in the California real property. When were petitioner and decedent married? How was the property interest acquired – with community funds, etc? Need verified supplement.
2. Section 1a re determination is blank but section 1a and 1 b are complete.
3. Section 8 indicates there exists a written agreement between the deceased spouse and the surviving spouse. Need copy of the agreement as Attachment 8.
4. Section 9 to petition does not include ages of Natalie and Mathew Lawer or relationship and age of Nicole Lawer. Need verified supplement.
5. Section 10 indicates petitioner is named as executor in the decedents will. Need copy of will as Attachment 10.

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

6. Section 12 indicates a petition for administration of the decedent's estate was filed on 12/10/14. However, review of documentation indicates Order Granting Petition to Accept Resignation of, and to Succeed San Bernardino County Public Guardian as Trustee; and Petition to Enjoin Foreclosure and Trustee Sale Proceedings was entered on 04/18/17, wherein, the Court appointed Brenda Sue Lawer, as Third Successor Trustee of the Kirby Trust.
7. Need Notice of Hearing with proof of service.
8. **Objection to Spousal Property Petition filed by Third Successor Trustee, Brenda Sue Lawer.**
9. ~Proposed Form Order 06/05/17.

RECOMMENDATION:

Need to clear notes then set for contested hearing.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500809

CASE NAME: CARRIE RAY AND IZILLA LA VERNE CUMMINGS

HEARING:

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

COUNSEL:

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

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

GENERAL INFORMATION:

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

GENERAL INFORMATION:

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

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

1. All heirs purportedly waive accounting. Need waivers by Robert Cummings, William Cummings and Nancy Cummings.
2. Petition is not verified by Petitioner. Need same. Pr. C. §1021.
3. Petition alleges an Inventory and Appraisal was returned and filed showing a value of \$0.00. Review of file does not indicate an inventory was filed. Need conformed copy.
 - a. Estate included real property which requires appraisal by Probate Referee who will assess a date of death value. However, petition affixes a property profile

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

with an Area Sales Analysis reflecting a Median Value of \$355,000 [LF, pgs.22].
JTD.

4. Assets on Hand \$0.00. Petition indicates real property has gone to foreclosure and the Petitioner was unable to obtain a Loan Modification of the reverse mortgage. Need copy of Trustee's Deed upon Sale to determine if excess funds were available.
5. Summary of Account [LF, p. 7], Charges and Credits differ. Need corrected Summary of Account.
6. Statutory compensation/fees not requested.
7. Reimbursement of costs not requested.
8. No supporting schedules. Need same.
9. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4). Need verified supplement.
10. Need Notice of Hearing with proof of service.
11. No proposed order. Submit Order after Hearing.

RECOMMENDATION

Need amended accounting to be placed on first check calendar no sooner than **09/25/17**. This accounting does not appear to be a true and complete accounting and should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting period.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600599

CASE NAME: JAMES S BURN

SEE ALSO 8 9 10

HEARING:

Hearing Re: RECEIPT OF BONDS

COUNSEL:

JAMES MICHAEL BURNS	(PET)...ERIC N CHUNG
JAMES S BURNS	(DEC)...
CRYSTAL BURNS	(PET)...KATHERINE L WEST

GENERAL INFORMATION

Continued from 06/12/17 to trial other hearings.

THIS CASE IS SET FOR HEARING ON Receipt of Bonds

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

1. Matter set at 03/20/17 hearing, wherein, the Court ordered bond in the amount of \$57,200 by James M. Burns and a bond in the amount of \$198,000 by Robin Shea.
2. Need proof of bonds.

RECOMMENDATION:

Need to clear note 2.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600599

CASE NAME: JAMES S BURN

SEE ALSO 7 9 10

HEARING:

Petition for (AMENDED)FOR LETTERS OF ADMIN W/LIMITED IAEA

COUNSEL:

JAMES MICHAEL BURNS

(PET)...ERIC N CHUNG

JAMES S BURNS

(DEC)...

CRYSTAL BURNS

(PET)...KATHERINE L WEST

See notes on matter 9.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600599

CASE NAME: JAMES S BURN

SEE ALSO 7 8 10

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

JAMES MICHAEL BURNS

(PET)...ERIC N CHUNG

JAMES S BURNS

(DEC)...

CRYSTAL BURNS

(PET)...KATHERINE L WEST

GENERAL INFORMATION:

Continued from **09/20/16** by stipulation to trail competing petitions.

Continued from **11/22/16**. Parties indicate settlement negotiations are underway.

Continued from **01/24/17** at request of counsel. Notice given by Attorney Eric N. Chung.

Continued from **03/20/17** Court orders \$57,200 bond for James M Burns and \$198,000 bond to be posted by Robin Shea.

Continued from 06/12/17. Counsel reports that settlement negotiations are underway and requested a continuance for further negotiations.

THIS CASE IS SET FOR HEARING ON

Petition #1: Petition for Letters of Administration with **LIMITED** authority under IAEA by son, James Burn.

Petition #2: Petition for Letters of Administration with Limited authority by PPF, Robin Shea, as nominated by Crystal Burns (daughter).

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

Amended (01/12/17) Petition #1 by son, James M. Burns.

1. Petitioner requests a blocked account in lieu of bond. Estate valued at \$52,000. JTD.
2. Objections filed 09/14/16 by Crystal Burns. **Supplement filed on 06/09/17 with the attached proof of service of objection.**
3. Notice given.
4. ~Proposed Form Order/Letters 06/15/16.

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

Petition #2 by PPF, Robin Shea

1. Nomination of PPF by daughter, Crystal Burns, filed 09/14/16 [LF, p. 6].
2. Petitioner requests bond be fixed at \$90,000, which, is less than the maximum required as petitioner is requesting limited authority. The estimated estate value of the property of the estate is \$180,000. JTD.
3. ~Proposed Form Order/Letters 09/14/16 & 09/22/16.

RECOMMENDATION: Matter is contested.

Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **10/29/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh/nb/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600599

CASE NAME: JAMES S BURN

SEE ALSO 7 8 9

HEARING:

Trial Setting Conference

COUNSEL:

JAMES MICHAEL BURNS

(PET)...ERIC N CHUNG

JAMES S BURNS

(DEC)...

CRYSTAL BURNS

(PET)...KATHERINE L WEST

No notes – TSC

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600849

CASE NAME: WASSILCHALK TRUST DATED APRIL 30,1992

SEE ALSO 12

HEARING:

Petition for TO SUSPEND AND REMOVE CO-TRUSTEES AND APPOINTMENT
OF SUCESSOR TRUSTEE FOR OTHER RELIEF FOR BREACH

COUNSEL:

SUSAN WASSILCHALK	(PET)...PRO/PER
THE FAMILY REVOCABLE TRUST	(TRU)...
KAREN WASSILCHALK	(PET/TEE)...VICTORIA P STAPLETON

Waiver of Court Fees and Costs filed by SUSAN WASSILCHALK is GRANTED

Currently under review by Legal Research.
(LR)

Continued matter – notice not re-reviewed.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600849

CASE NAME: WASSILCHALK TRUST DATED APRIL 30,1992

SEE ALSO 11

HEARING:

Petition for (FIRST AMENDED) PETITIN FOR ORDERS REGARDING TRUST
ESTATE ETC

COUNSEL:

SUSAN WASSILCHALK

(PET)...PRO/PER

THE FAMILY REVOCABLE TRUST

(TRU)...

KAREN WASSILCHALK

(PET/TEE)...VICTORIA P STAPLETON

Waiver of Court Fees and Costs filed by SUSAN WASSILCHALK is GRANTED

Currently under review by Legal Research.
(LR)

Continued matter – notice not re-reviewed.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600938

CASE NAME: GLORIA YVONNE ELLIOTT

SEE ALSO 14

HEARING:

Hearing Re: POSSIBLE RECEIPT OF BOND

COUNSEL:

LISA HOEFGEN

(PET)...ROBERT J SPITZ

GLORIA YVONNE ELLIOTT

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Possible Receipt of Bond

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

- 1 Matter set at 06/12/17 hearing, wherein, the Court did not require a bond. As no bond is filed, the executor will need court approval of any proposed action take on the California property.
- 2 Should the executor decide to file a bond of \$250,000, court approval of any proposed action would not be required. Amended order and letters would need to be filed.
- 3 No bond posted as of the review of this matter.

RECOMMENDATION:

None.

(nb)

Future Hearing:

8/20/17: Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600938

CASE NAME: GLORIA YVONNE ELLIOTT

SEE ALSO 13

HEARING:

Hearing Re: APPROVAL OF PROPOSED ACTION RE CAL REAL PROPERTY

COUNSEL:

LISA HOEFGEN

(PET)...ROBERT J SPITZ

GLORIA YVONNE ELLIOTT

(DEC)...

GENERAL INFORMATION:

Ex parte orders denied 07/11/17. Mr. Sheasby reports 850 petition will be filed. The Court orders the tenant to maintain the property and pay home owners insurance.

THIS CASE IS SET FOR HEARING ON Approval of Proposed Action re California Real Property by Administrator, Lisa Hoefgen ["Petitioner"].

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

- 1 Petitioner requests authority to issue all required notices and initiate and prosecute all required court proceedings to evict the current tenant(s) occupying the subject property; and list the subject property for sale for the price of \$159,000..
- 2 Need Notice of Proposed action with proof of service.
- 3 ~Proposed Order 07/05/17 includes Ex Parte language; and does not include real property's legal description or APN number.

RECOMMENDATION:

Require notice then Court's discretion.

(nb)

Future Hearing:

8/20/17: Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700289

CASE NAME: MTR OF LAWRENCE WEINBAUM

HEARING:
OSC re: Dismissal

COUNSEL:
LINDA WEINBAUM (PET)...PICK LAW
LAWRENCE WEINBAUM (DEC)...

XREF: CIVDS1705526

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Dismissal on Petition for Linda Weinbaum to Bring Elder Abuse/Neglect Action in the Name of Lawrence Weinbaum, Deceased.

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

- 1 Matter set at 06/12/17 hearing due to non-appearance by moving party.
- 2 Notice by Judicial Assistant.

RECOMMENDATION:
Court's discretion
(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700517

CASE NAME: JEROME DAVIS

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

DIANE YOUNG DAVIS (PET)...LAW OFFICES OF LUELLA F HAIRST
JEROME DAVIS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Diane Young Davis, spouse

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

1. Bond in the amount of \$350,473 is being requested. Ok.
2. ~Proposed Form Order: 05/24/17

RECOMMENDATION

RFA. \$350,473 bond. If approved, set Accounting/Status Review for **10/29/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700527

CASE NAME: MARIO A LOPEZ

HEARING:

Petition to determine succession to Real Property

COUNSEL:

GABRIELLA LOPEZ

(PET)...PAUL HORN

MARIO A LOPEZ

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Gabriella Lopez,

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

1. Petitioner seeks 100% interest in decedent's 100% interest in real property per the intestate succession.
2. Section 10 is incomplete as to who the decedent is survived by; however, it is clear that there are no other heirs according to attachment 13. [LF p.10] Court's discretion
3. Need Notice of Hearing.
4. Proposed Form Order: 05/30/17

RECOMMENDATION

Need to clear note 3. Court's discretion re note 2.

(ww)

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

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700557

CASE NAME: LUPE KING

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

LOURDES M KING (PET)...PRO/PER
LUPE KING (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration w/Limited Authority under IAEA by Lourdes King, daughter

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

1. Will waives bond and all beneficiaries waive bond. The estate consists of \$150,000 in real property.
2. The petition has areas that need clarification as follows:
 - a. The petition is marked as letters of administration but there is a copy of the will attached and names Lourdes King as an alternate executor. Need amended Petition for Probate of Will and for Letters Testamentary to be filed with the correct boxes marked with new order and letters.
 - b. The petition is unclear as to whether limited or full IAEA is being requested as the first page has the "limited" box marked in the heading and the "full" box marked under section 2c; however the orders and letters indicate full power. Court's discretion
 - c. Section 3g1 is incomplete and should be addressed as she is a named alternate executor. Need verified supplement.
3. Need a clear copy of the will as lines of text in the provided copy are missing or are unreadable.
4. Need receipt for original "lodged" Will.
5. Need declination to act by first named Executor. Faustino King.
6. Need Notice to Petition to Administer Estate and proof of service.

7. Need proof of publication
8. ~Proposed Form Order: 06/06/17

RECOMMENDATION

Need to clear notes 2a, 2c, 3-7. Court's discretion re bond and note 2b. If approved, set Accounting/Status Review for **10/29/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 08/21/17 TIME: 8:30 DEPT: S37P

CASE#: RPR RS02657

CASE NAME: NARINDER SINGH

HEARING:

Hearing re Final Discharge

COUNSEL:

CATHERINE S HICKS (PET)...HARTNELL, LISTER & MOORE

NARINDER SINGH (DEC)...

JASVIR KAUR BHINDER (OBJ)...NEERA K GHUMAN

AMERICAN CONTRACTORS INDEMNITY (PRO/PER)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Judgment Settling Seventh Report entered 01/23/17..
2. Need Ex-parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(nb)

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

DATE: 08/21/17 TIME: 9:23 DEPT: S37P

CASE#: CON PS1600249

CASE NAME: ALMA C ALLUIN

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JESSICA ALLUIN

COUNSEL:

JESSICA ALLUIN (CP)...MATTHEW E SHEASBY
ALMA C ALLUIN (CTP)...JENNIFER M DANIEL

GENERAL INFORMATION

Order Appointing Jessica Alluin Temporary Conservator of the person entered 09/07/16.
Order re general appointment entered 11/07/16.

Continued from 06/12/17. Matter may be transferred to Los Angeles County.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Jessica Alluin, daughter, appointed conservator of the person on 11/07/16, no bond.
- 2 Notification of Conservatee's rights per Pr.C.§1830(c) filed on 11/28/16.
- 3 Need Statement of Care Plan in accord with Pr.C.§2352.5.
- 4 Need a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
- 5 Post-Move Notice of Change of Residence filed 04/20/17 indicates Conservatee resides in Azusa, CA in LA County. Suggest transfer. If so, Court to set control date.

RECOMMENDATION:

Need to clear notes 2-3 then Court's discretion

(nb/ww/nb)

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

DATE: 08/21/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1200180

CASE NAME: SEAN A SMOCK

HEARING:

FIRST Account and Report of D HERSHEL WILSON and Petition for allowance of fees filed.

COUNSEL:

SHIRLEY A SMOCK	(CP)...PRO/PER
D HERSHEL WILSON	(PET)...SHAWN P PATTERSON
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
SEAN A SMOCK	(CEE)...JENNIFER M DANIEL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Account Current and Report of Administration by Trustee of SNT, D. Hershel Wilson ["Petitioner"].

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

- 1 Accounting period 04/18/13 to 05/31/17.
- 2 Assets on Hand \$18,733.74 consisting of cash.
- 3 No current bond. Suggest bond in the amount of \$26,000 (included recovery). JTD.
- 4 Petitioner requests compensation in the amount of \$250.00. Not itemized. JTD.
- 5 Attorney requests fees in the amount of \$750.00 for 7 hours' time. Generally described [LF, p. 7]. JTD.
- 6 Petition does not include beginning or ending assets on hand schedules. Need same via verified supplement.
- 7 Petition does not include conservatee's residence(s) during the account period. Need same via verified supplement. Local Rule – 201406(a).
- 8 Need Notice of Hearing with proof of service.
- 9 No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes then Court's discretion re fees and bond. If approved, set next hearing for Accounting Review on **07/30/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600058

CASE NAME: MTR OF LOLA FAYE KELLY-WOODARD

HEARING:

Petition for APPOINTMENT OF CONSERVATORSHIP PERSON /ESTATE

COUNSEL:

ALICE VINSON	(CP)...PRO/PER
LOLA KELLY-WOODARD	(CTP)...WALTER T. MOORE
IVORY KELLY	(PET/OBJ)...TEDDIE J RANDALL

Waiver of Court Fees and Costs filed by ALICE VINSON is GRANTED

Waiver of Court Fees and Costs filed by IVORY KELLY is GRANTED

GENERAL INFORMATION

Continued from 05/04/16. Court notes that matter was initially filed as a limited conservatorship; as proposed conservatee is not developmentally disabled, **petitioner is to file revised/amended petition for general conservatorship, not limited.** Attorney Walter T. Moore is appointed. Notice by Judicial Assistant.

Continued from **07/19/16**. Objections to be filed by next hearing.

Continued from **09/26/16** for Conservator class to be taken. Mr. Kelly advised should he object, he needs to file written objections and a competing petition for conservatorship.

Continued from **11/16/16**. Competing petition filed. Petitioner requests a continuance in order to file a request for dismissal of this petition.

Continued from **12/12/16** and **01/18/17**. Counsel for Alice Vinson stated they would like to withdraw their petition as long as there is no competing petition. Letter treated as objections. Copy of letter to be mailed to Attorney Teddie Randall. Alice and Conservatee object to Ivory Kelly as Conservator.

The Court notes at a hearing on **3/20/17**, a future date of 6/12/17 was set. This matter is trailed to that date for parties to be present. Notice to be given by Mr. Moore.

Continued from 06/12/17. Ivory Kelly has withdrawn his petition for conservatorship. Matter continued for confirmation Alice Vinson has been notified Ivory Kelly's petition has been withdrawn. On Court's motion, case ordered dismissed without prejudice as to Entire Action. Reason: moving party request.

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by granddaughter Alice Vinson.

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

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

1. No medical powers requested (i.e.: Item 1g not marked re request the find proposed conservatee lacks capacity to give informed consent.)
2. Petitioner requests powers re habilitation, treatment, training, medical etc. JTD
3. Petitioner requests civil rights not be limited without court order. JTD
4. Court Investigator report filed 4/13/16.
5. Certificate of Completion of the Conservatorship Training Class filed 10/06/16.
6. Need Notification to Court of Address of Conservatorship form (Local form SB-14522).
7. Need return of citation.
8. Proof of service to notice filed 05/03/16m sections 4a & 4b are incomplete as to date and place of mailing. Need proper service.
9. ~Proposed form order: 03/16/16.

RECOMMENDATION:

Need to clear notes 6-8, then Court's discretion re: bond. If approved, set hearing for Compliance Review for **03/26/18** for the filing of the required documents and hearing re Accounting Review for **10/29/18**. Any accounting to be filed 30 days in advance.

(sa/nb/lc/nb/lc/lh/lc/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/21/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700147

CASE NAME: ROBERT JOHNSON

HEARING:
Petition for Appointment of Conservator

COUNSEL:

BOBBIE ROBERTSON (PET)...PRO/PER
ROBERT JOHNSON (CEE)...WALTER T. MOORE

Waiver of Court Fees and Costs filed by ROBERT JOHNSON is GRANTED

GENERAL INFORMATION:

Continued from 06/12/17. The Court determines that proposed conservatee is NOT developmentally disabled. IRC is not involved in this matter. Attorney Walter T. Moore appointed. Petitioner to file an amended petition including conservatorship of the estate. The Court recommends petitioner contact APS for assistance. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by daughter, Bobbie Robertson.

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

1. No bond – person only.
2. **Need report by court-appointed counsel, Walter T. Moore.**
3. Need Medical Capacity Declaration
4. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
5. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
6. Citation returned served.

7. Court Investigator Report filed.
8. Need Certificate of Completion re Conservatorship Class.
9. ~Proposed Form Order/Letters 04/24/17.

RECOMMENDATION:

Court to appoint counsel then need to clear notes. If approved, set hearing for Compliance Review for **03/26/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb)

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

DATE: 08/21/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700268

CASE NAME: MTR OF JUAN ANTHONY LOPEZ JR

HEARING:
Petition for Appointment of Conservator

COUNSEL:

CAROLINA CRUZ (CP)...PRO/PER
JUAN A LOPEZ SR (CP)...PRO/PER
JUAN ANTHONY LOPEZ JR (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Carolina Cruz (sister) and Juan Lopez, Sr (father)

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

1. Petitioner does not request medical powers; however, item #9 indicates medical treatment. Question if petitioner is seeking medical powers? If so, need Capacity Declaration.
2. It appears an LPS conservatorship may be appropriate. [See petition, LFpg6, 11-12]. JTD.
3. Petition is incomplete at item #5f as to whether or not proposed conservatee is developmentally disabled. Need verified supplement.
4. Need Court Investigator report.
5. Need Certificate of Completion of the Conservatorship Training Class.
6. Need return of Citation.
7. Need Notice of Hearing and Proof of Service.
8. ~Proposed Form Order: 07/07/17

RECOMMENDATION

Need to clear notes 3-7. If approved, set hearing for Compliance Review for **03/26/18** 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)

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

DATE: 08/21/17 TIME: 9:30 DEPT: S37P

CASE#: SC SS02999

CASE NAME: MTR OF GARY K. BROWN

HEARING:

FOURTH & FINAL Account and Report of INLAND COUNTIES REGIONAL CENTER and Petition for allowance of fees filed.

COUNSEL:

INLAND COUNTIES REGIONAL CENTER (CE)...BRUNICK, MCELHANEY, BECK
GARY K. BROWN (CTE)...

GENERAL INFORMATION:

Beneficiary passed away on 01/16/16.

Continued from 06/12/17. Counsel reports Conservatee has passed away.

THIS CASE IS SET FOR HEARING ON **Amended [06/06/17]** Fourth and Final Account and Petition for Fees by Trustee of SNT, Inland Counties Regional Center, Inc. ["Petitioner"].

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

1. Accounting covers 04/01/11 to 03/31/17 (pre & post-death periods)
2. Assets on hand: **\$36,903.16** consisting of cash held in an investment pool.
3. Petitioner requests approval of payment of trustee's fees already taken by Master Trust of California per prior court order. The trustee's fees taken are in the sum of **\$4,687.50** through 12/31/16. **Petitioner requests approval of payment in the amount of \$1,000 during the post-death accounting period.** Petitioner requests that said fees be paid from Gary Brown's funds held by Master Trust of California. JTD
4. Attorney requests fees of **\$1,850.00**. Billed at \$250/hour for **3.20** hours' attorney time and \$100/hour for **10.50** hours' paralegal time. Itemized [see decl. filed **06/06/17, LF, p. 4**]. Petitioner requests that said fees be paid from Gary Brown's funds held by Master Trust of California. JTD.
5. Petitioner requests the authority to allow Master Trust of California to take a trust termination fee in the amount of \$200 from the beneficiary's funds held by Master Trust pursuant to the fee schedule in effect during this accounting period.

6. During the accounting period, petitioner paid for companion services. Need verified declaration for acknowledgment of receipt of fees per Local Rule 20-1406(c).
7. Petitioner requests authorization to withhold the sum of \$600 as a reserve.
8. Petitioner requests authorization to deliver the unused portion of the estate to DHCS towards the balance of its claim amount, without further court order, after all tax liabilities and costs have been determined.
9. Petitioner requests discharge as trustee upon the delivery of property and filing of documents instead of upon entry of final discharge order.
10. **Need Notice of Hearing and proof of service as to supplement (amendment) filed 06/06/17.**
11. Proposed Form Order 06/06/17 reflects incorrect balance on hand; and discharges trustee upon the delivery of property and filing of documents instead of upon entry of final discharge order.

RECOMMENDATION:

Need to clear notes 6 & 10 then Court's discretion. If approved, set next hearing for receipts and final discharge for **06/18/18**.

(nb)