



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 08/22/17**

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

### **Destruction of Filed Documents:**

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

### **Contacting the Probate Examiners:**

Probate Examiners' email address: [ProbateNotes@sb-court.org](mailto: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.

nb0807/0817

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**PROBATE**

-----  
DATE: 08/22/17      TIME: 8:30      DEPT: S35P  
-----

CASE#: PRO PS1500710

CASE NAME: THE AGNES M DIRE TRUST

**SEE ALSO 2, 8**

HEARING:

Hearing Re: TSC/STATUS CONFERENCE

COUNSEL:

BRUCE DIRE

ROBERT DIRE

THE AGNES M DIRE TRUST

(PET)...JOSEPH A WALKER

(OBJ)...THOMAS W DOMINICK

(TRU)...

**CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN**

No notes – TSC/Status Conference.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 2

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S35P  
-----

CASE#: PRO PS1500710

CASE NAME: THE AGNES M DIRE TRUST

**SEE ALSO 1, 8**

HEARING:

Petition for Under Probate Code 17200 to Determine the Validity  
of the Second Amendment, etc

COUNSEL:

BRUCE DIRE	(PET)...JOSEPH A WALKER
ROBERT DIRE	(OBJ)...THOMAS W DOMINICK
THE AGNES M DIRE TRUST	(TRU)...

**CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN**

Currently under review by Legal Research.  
(LR)

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

Superior Court of Calif, County of San Bernardino

Page: 3

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S35P  
-----

CASE#: PRO PS1600643

CASE NAME: MTR OF BETTE RUIE DAVIS

HEARING:

TRUSTEE'S FIRST Account and Report of RICHARD DUBOISE and  
Petition for allowance of fees filed.

COUNSEL:

BETTE RUIE DAVIS	(DEC)...
RICHARD DUBOISE	(OBJ)...JOAN
RONALD DAVIS	(PET)...MATTHEW E SHEASBY

**XREF: PROPS1501045**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by former Successor Trustee, Richard Duboise ["Petitioner"].

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

1. Accounting period 02/01/16 to 11/30/16.
2. Assets on Hand \$180,739.88 consisting of cash held in Attorney Sheasby's IOLTA account.
3. Petitioner requests compensation in the amount of \$2,500.00. Billed at the rate of \$50/hour for over 50 hours. Generally described [LF, p5]. Need itemization via verified supplement.
4. Petitioner waives fees for personal labor spent for over 50 hours at \$25/hour.
5. Attorney Miller request fees in the sum of \$14,420.00. Billed at \$400/hour for 36.05 attorney hours. Itemized [LF, pgs. 22-27]. The Court reserved its ruling regarding attorney fees per order entered 11/30/16. JTD.
  - a. Petition indicates attorney was paid the sum of \$2,500 as a retainer. Question if requested fees are in addition to retainer already paid? Need verified supplement.
  - b. Fees and costs include travel time [LF, p. 24] and postage [LF, 28] that is normally considered overhead totaling \$308.55. Does Court wish to reduce fee request by this amount? JTD.
6. Attorney requests reimbursement of costs advanced of \$1,152.69. Itemized [LF, p. 28].

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

7. Disbursements – Schedule B [LF, p. 9] is generally itemized and needs further clarification via verified supplement as to the following:
  - a. Distributions totaling \$400,135.12 to Marcella Carter; Jerry Bell; Cecil Duboise; and Richard Duboise;
  - c. Adjust to Balance.
8. Per Order entered on 11/30/16, Petitioner distributed the corpus of the Trust account with Attorney of Record, Matthew E. Sheasby.
9. Need Notice of Hearing with proof of service.
10. Proposed Order 05/25/17 has an incomplete title of proposed order; does not include account period; reflects incorrect hearing date; does not deduct mileage and postage; and includes IT IS FURTHER ORDERED with various black lines.

**RECOMMENDATION:**

Need to clear notes 3, 5, 7 & 9 then Court's discretion. If approved set next hearing for receipts and final discharge on **08/28/18**.

(nb)

**Future Hearing:**

07/02/18 Readiness calendar

07/02/18 Petition for removal of the trustee of the etc.

07/30/18 Court Trial

07/31/18 Court Trial

08/01/18 Court Trial

08/02/17 Court Trial

08/03/17 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 4

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S35P  
-----

CASE#: PRO PS1600773

CASE NAME: LARRY L. BRITTON

HEARING:

FIRST AND FINAL Account and Report of NANCY BRITTON and Petition  
for allowance of fees filed.

COUNSEL:

LARRY L BRITTON (DEC)...  
NANCY BRITTON (PET)...EDWARD B FISCHER & ASSOCIATES

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Attorney's  
Fees by Administrator, Nancy Britton ["Petitioner"].

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

1. Accounting period 08/11/16 to 05/04/17.
2. Assets on Hand \$120,081.99 consisting of \$115,581.99 cash held in a blocked account and remaining in personal property.
3. Statutory compensation requested in the sum of \$7,239.56. Calculated.
4. Petitioner requests extraordinary fees of \$6,825.00 for services rendered in connection with the sale of real property. Billed at \$35/hour for a total of 195 hours' time. Itemized [LF, pgs. 18-19]. JTD.
5. Attorney requests extraordinary fees of \$2,349.00 for services rendered in connection with the sale of real property. Billed at \$375/hour for attorney time and \$110/hour for paralegal time totaling 8.50 hours'. Itemized [LF, pgs. 21-23]. JTD.
6. Petitioner requests reimbursement of costs advanced of \$1,992.00. Itemized [LF, p.20].
7. Attorney requests reimbursement of costs advanced of \$1,078.35. Itemized.
8. Petitioner requests the J.P. Morgan Chase Bank, N.A. blocked account XXX7168 held at Redlands, CA be ordered unblocked.
9. Petitioner requests authority to withhold the sum of \$1,000 as a reserve.
10. Proposed Form Order does not include findings re: sole and separate property; re: known creditors; or findings re: all taxes have been paid, or reserve made for taxes.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

**RECOMMENDATION:**

Court's discretion. If approved, set next hearing for receipts and final discharge on **08/28/17**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 5

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S35P  
-----

CASE#: PRO PS1700093

CASE NAME: MTR OF VIRGINIA L ESPINOSA

**SEE ALSO 6**

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

COUNSEL:

CAROL LEE HYDER	(OBJ)...PRO/PER
CARRIE STRADELLA	(PET)...MITCHELL I ROTH
CARRIE STRADELLA	(PET)...RODRIGO LAW FIRM
VIRGINIA L ESPINOSA	(DEC)...

GENERAL INFORMATION:

Continued from **04/04/17**

Continued from **05/09/17** Court notes it will overrule the objections of Carol Hyder if she does not appear at next hearing and sets OSC re overruling objections Carol Hyder.

**Continued from 06/13/17 OSC taken off calendar. Trial estimated one afternoon.**

THIS CASE IS SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Carrie Stradella (executor/granddaughter)

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

1. Will waives bond. Estimated value of estate is \$401,000. However, petitioner is a non-resident and the court may require bond if the proposed personal representative resides outside California per and Pr. C. § 8571. Court also has discretion to require bond per Pr. C. § 8481(b). JTD
2. Proof of Publication filed.
3. **Objections by Carol Lee Hyder (daughter) and Proof of Service filed 04/17/17.**
4. **Declarations of Carrie Estradella, Terea Esparza, and Victoria Chaparro in Opposition to Carol Hyder's Objection filed 06/07/17.**
5. Petitioner, Carrie Stradella's proposed offer to compromise as to objection of Carol Hyder in the amount of \$5,000 and for settlement and general release in favor of petitioner filed 07/14/17. However, 30 days has expired and it does not appear Carol Lee Hyder has accepted. Matter should be deemed withdrawn.
6. ~Proposed form Order: 02/01/17

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



**RECOMMENDATION:**

Matter is contested. If approved, set future hearing for Accounting/Status Review on **11/01/18**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh/nb/lh/cs/nb)

Future Hearing:

09/21/17 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 6

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 08/22/17      TIME: 8:30      DEPT: S35P  
-----

CASE#: PRO PS1700093

CASE NAME: MTR OF VIRGINIA L ESPINOSA

**SEE ALSO 5**

HEARING:

Readiness Calendar

COUNSEL:

CAROL LEE HYDER	(OBJ)...PRO/PER
CARRIE STRADELLA	(PET)...MITCHELL I ROTH
CARRIE STRADELLA	(PET)...RODRIGO LAW FIRM
VIRGINIA L ESPINOSA	(DEC)...

No notes – Readiness. JTD

Future Hearing:

09/21/17 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 08/22/17      TIME: 8:30      DEPT: S35P  
-----

CASE#: PRO PS1700521

CASE NAME: EISENHART FAMILY TRUST

HEARING:

Hearing Re: PETITION TO CONFIRM TRANSFER OF ASSETS

COUNSEL:

EISENHART FAMILY TRUST DATED J      (TRU)...

KENDRA A DOCKHAM      (PET)...ALBREKTSON & SHUMATE,

LINDA K BOYD EISENHART      (DEC)...

Currently under review by Legal Research.

(LR)

Notice given.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

-----  
DATE: 08/22/17      TIME: 8:35      DEPT: S35P  
-----

CASE#: PRO PS1500710

CASE NAME: THE AGNES M DIRE TRUST

**SEE ALSO 1, 2**

HEARING:

Motion Re: LEAVE TO FILE FIRST AMENDED PETITION MEMORANDUM OF  
POINTS AND AUTHORITIES Filed by Petitioner BRUCE DIRE

COUNSEL:

BRUCE DIRE

(PET)...JOSEPH A WALKER

ROBERT DIRE

(OBJ)...THOMAS W DOMINICK

THE AGNES M DIRE TRUST

(TRU)..

**CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN**

Currently under review by Legal Research.

(LR)

Continued matter – notice not re-reviewed.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S35P  
-----

CASE#: CON PS1100156

CASE NAME: BETTY LOU WENDLER

**SEE ALSO 10**

HEARING:

Second Account and Report of NATALIE BLICKENSTAFF and Petition for allowance of fees filed.

COUNSEL:

BETH KELLEY	(CPE)...HARTNELL LAW GROUP
BETTY LOU WENDLER	(CEP)...MARK J ANDREW FLORY
JAMES B CHURCH	(PET)...JAMES B CHURCH & ASSOCIATES
MELODIE Z SCOTT	(CE )...J. DAVID HORSPOOL
MELODIE Z SCOTT	(CPE)...HORSPOOL & HORSPOOL
NATALIE BLICKENSTAFF	(CE )...JENNIFER M DANIEL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
PATSY WENDLER SWEET	(CPE)...JACK B OSBORN

Request for Waiver of Court Fees and Costs filed by BETH KELLEY is GRANTED  
Fee waiver account due \$435.00 for objection on 04/27/17

**XREF: PRODS1000723**

GENERAL INFORMATION

Continued from **05/24/16 and 08/02/16**. Court directs the conservator to file a care plan/budget plan for the conservatee by the next hearing. Notice to be given by Attorney Jennifer Daniel.

Continued from **10/11/16** at request of counsel for supplement to be reviewed prior to next hearing.

Continued from **01/17/17**. On the record court clears probate note 3- no bond increase will be ordered. Probate notes 5, 6, 7, and 8 are cleared on the record. Court authorizes the amount of \$3,000.00 to be distributed for the attorney in Utah to establish the conservatorship of the person and the trust. Counsel to prepare order after hearing. Counsel to meet and confer to file budget by April 4, 2017 regarding the following: a) description of the fees: attorney, conservator, trustee. B) estimate of the cash on hand. C) proposed budget for the next 2 years. D) proposal of how the fees will be paid. Court

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

approves of the fees as requested however the payment of them will be reserved pending further order of the court.

**Continued from 04/25/17. Argument presented by counsel.**

THIS CASE IS SET FOR HEARING ON Second and Current Account and Petition for Fees by Natalie Blickenstaff, Conservator of the Estate and Successor Trustee.

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

1. Accounting period 02/01/14 to 01/31/15.
2. Assets on hand \$191,927.27 consisting of \$2,427.27 in cash \$189,500 in real property located in New Mexico.
3. Current bond of \$40,000.
4. Last CI report 11/07/14.
5. Petitioner requests fees of \$11,610.00. Billed at \$100/hour for 78.6 hours and \$75/hour for 50.0 hours. Itemized [LF, pgs. 25-43]. JTD.
6. Attorney requests fees of \$20,485.00 and costs of \$709.00 for a total of \$21,369.00, billed at \$275/hour for 74.5 hours. Itemized [LF, pgs. 45-64]. JTD.
- 7. Budget proposal filed 08/10/17.**
8. Notice given.
9. Proposed Order 07/25/16 reflects incorrect hearing date; judge; account period; and bond amount.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 10

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

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S35P  
-----

CASE#: CON PS1100156

CASE NAME: BETTY LOU WENDLER

**SEE ALSO 9**

HEARING:

THIRD AND FINAL Account and Report of NATALIE BLICKENSTAFF and  
Petition for allowance of fees filed.

COUNSEL:

BETH KELLEY	(CPE)...HARTNELL LAW GROUP
BETTY LOU WENDLER	(CEP)...MARK J ANDREW FLORY
JAMES B CHURCH	(PET)...JAMES B CHURCH & ASSOCIATES
MELODIE Z SCOTT	(CE )...J. DAVID HORSPOOL
MELODIE Z SCOTT	(CPE)...HORSPOOL & HORSPOOL
NATALIE BLICKENSTAFF	(CE )...JENNIFER M DANIEL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
PATSY WENDLER SWEET	(CPE)...JACK B OSBORN

Request for Waiver of Court Fees and Costs filed by BETH KELLEY is GRANTED

**XREF: PRODS1000723**

GENERAL INFORMATION

Continued from **01/11/17** and **01/17/17**. Court clears probate note 12: reimbursement approved- payment reserved pending further order of the court. Matter is continued to April 25, 2017 for review of the budget that is to be filed by April 4, 2017. If there are any objections, they are to be raised at next hearing date by the parties.

**Continued from 04/25/17. Argument presented by counsel. Court orders that if Bryan Hartnell's office intends to file fee petition it is to be filed by 4pm June 27, 2017; if not filed by that date and time, it will be waived.**

THIS CASE SET FOR HEARING ON 3<sup>rd</sup> and Final Account and Petition for Allowance of Fees for **Natalie Blickenstaff**.

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

1. Accounting period 12/01/15 – **05/01/17. Need account beginning 02/01/15 (end of prior account period).**

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

2. Assets on hand **\$92,172.72**; cash.
3. Petitioner seeks resignation as Conservator. It is not clear if a conservatorship of estate is being established in Utah. Court to inquire.
4. Conservatee resided with her daughter, Nancy Giuliano, in Utah, per agreement between litigants in trust and conservatorship matters.
5. Petitioner requests court to determine reasonable fees for Nancy Giuliano for caregiver services. JTD
6. Petitioner requests fees of \$3,180 for 34.1 hours at \$75/100 per hour. Itemized [Acct.11/04 LFpg24-28].
7. **Attorney requests fees of \$27,717.50 for 95.58 attorney hours at \$275/hour and \$125/hour for 1.6 hour's paralegal time. Itemized [see supp. filed 04/25/17, pgs. 6-30]. JTD.**
8. **Attorney requests reimbursement of costs advanced of \$1,233.00. Itemized.**
9. Need proposed distribution of estate assets. **Supp. (01/06/17) indicates the proposed Successor Conservator has not yet secured counsel in Utah in order to transfer this matter. Supp. indicates the Conservator's resignation will be contingent upon the ability to transfer the case to Utah in the upcoming weeks.**
10. **Supp. (04/25/17) includes Budget Proposal [LF, p. 3] which consists of funds to be transferred to Nancy Giuliano will be what remains to pay.**
11. **Need copy of bank/financial statement reflecting balance at end of account period.**
12. **Petitioner requests authority to withhold the sum of \$1,000 as a reserve.**
13. **Objections to Requests for Fees by the Conservator of the Person-Natalie Blickenstaff; her Counsel-Jennifer Daniel; and Conservatee's Counsel, James B. Church, for their Petitions for Fees filed 04/24/17 by Beth Kelley (daughter of conservator and trust beneficiary).**
14. ~Proposed Order: 11/04/16; however, there is no distribution.

RECOMMENDATION: Matter is contested.

Court's discretion, 2<sup>nd</sup> account (previous matter #9) needs to be approved prior to this account. If approved, set hearing on the filing of receipts and final discharge for **01/17/18**.

(lc/nb)



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

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S35P  
-----

CASE#: CON PS1500316

CASE NAME: MTR OF JEANNE BRALEY AHLFELDT

HEARING:  
Petition for ATTORNEY FEES

COUNSEL:

JEANNE BRALEY AHLFELDT	(CTP)...
JEANNE GAIL SMITH	(BROWN WHITE & OSBORN
JEANNE GAIL SMITH	(CP )...MARK J. ANDREW FLORY
ROBERT AHLFELDT	(OBJ)...E JOAN NELMS
ROBERT AHLFELDT	(PET)...JAMES B CHURCH

**CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN**

**XREF: PROPS1600145**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Attorney's fees

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

1. Jennifer Daniel court appointed attorney for Conservatee, Jeanne Ahlfeldt in minute order of 12/21/15. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period of 12/21/15 to present because the matter was being litigated (PROPS1600145). The estate is not yet settled.
2. The proposed Conservatee is deceased. Petitioner has been relieved as court appointed counsel. It is appropriate for petitioner to file this petition at this time.
3. Attorney requests fees of \$13,195. Time spent 40.6 hours, billed at \$325 /hour for attorney time. [Itemized in LF pgs. 5 – 10 of Petition filed 06/29/17]
4. Petitioner requests a court order directing Successor Trustees Gail Smith and Robert Ahlfeldt to pay \$13,195 to Attorney Jennifer Daniel from the Jeanne Bradley Ahlfeldt's beneficial interest in her trust
5. ~Proposed Order: 06/29/17

RECOMMENDATION:

Court's discretion

(cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 08/22/17      TIME: 9:30      DEPT: S35P  
-----

CASE#: CON PS1600273

CASE NAME: JAYHANE TABARANZA

**SEE ALSO 13**

HEARING:

Hearing Re: OSC RE SURCHARGE ON BERNARDO TABARANZA, JR

COUNSEL:

BERNARDO TABARANZA JR      (CPE)...PRO/PER

JAYHANE TABARANZA      (CEP)...PRO/PER

See notes on next matter #13.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 13

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

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S35P  
-----

CASE#: CON PS1600273

CASE NAME: JAYHANE TABARANZA

**SEE ALSO 12**

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BERNARDO TABARANZA JR (CPE)...PRO/PER

JAYHANE TABARANZA (CEP)...PRO/PER

#### GENERAL INFORMATION

Ex Parte Order granted on 09/13/16 appointing Bernardo Tabaranza Jr (father) as temporary conservator of person and estate. No bond is required. Attorney Sandy L. Turner is appointed for conservatee.

Continued from **10/18/16**. Court requires a report from Inland Regional Center; petitioner to notify IRC of request by the court for report from Inland Regional Center.

Continued from **02/07/17** to obtain IRC report. The Court orders Bernardo Tabaranza, Jr. to file a declaration regarding sources of income and how the conservatee's money is being spent. The declaration must be filed with the court by 4:00pm on 4-4-17. The Court further orders Bernardo Tabaranza Jr to appear.

**Continued from 05/02/17. Court sets OSC surcharge on petitioner, Bernardo Tabaranza, Jr, for failure to file/failure to appear as court ordered—OSC is set for 08/22/17. Notice is given by judicial assistant.**

THIS CASE SET FOR HEARING ON: OSC Re Surcharge on Bernardo Tabaranza, Jr., re: Petition for Appointment of Limited Conservator of the Person and Estate," by Bernardo Tabaranza Jr (father) in pro per.

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

1. Need notice of hearing and proof of service to second degree relatives and Regional Center.
2. Letter from IRC filed 04/24/17. Does Court wish to deem notice waived?
3. Need return of citation.
4. Petitioner seeks bond of 0.00

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

5. Proposed Conservatee is developmentally disabled. Report of court-appointed counsel, Sandra Turner, filed 10/11/16.
  6. Petitioner seeks medical powers. **Capacity Declaration filed 10/28/16.**
  7. Certificate of Completion of the Conservatorship Training Class filed 09/26/16.
  8. Need report from Regional Center.
  9. Petition requests estate powers; however, proposed conservatee's only income is disability benefits at \$500.00 per month. Question need for estate powers. **Need declaration by Bernardo Tabaranza, Jr. as directed by Court on 02/07/17.**
- 7.-Proposed Form Order: 09/07/16

#### RECOMMENDATION

Court's discretion re OSC.

Need to clear notes. If approved, set hearing for Compliance Review for **03/27/18** for the filing of the required documents. If estate powers approved, set hearing re Accounting Review for **10/30/18**. Any accounting to be filed 30 days in advance.

(lh/nb/lh)

Superior Court of Calif, County of San Bernardino

Page: 14

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

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S35P  
-----

CASE#: CON PS1700061

CASE NAME: GLORIA BARRAZA

HEARING:  
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

GLORIA BARRAZA (CTP)...  
MARY L SHERWOOD (PET)...FRANK A FRYE

GENERAL INFORMATION:

**Continued from 04/25/17. Court orders that conservator, Mary Sherwood, is to be personally present at next hearing. Conservator is to file amended Letters for San Bernardino County prior to next hearing date. Court notes last CI report b San Diego was completed 0105/12; referred to Court Investigator for report. Notice given by Judicial Assistant.**

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

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

1. Order Appointing Temporary Conservator of the person and estate, Mary Sherwood (daughter), entered 05/05/2000, \$10,000 bond; Order Appointing Temporary Conservator of the estate only, Mary L. Sherwood, entered 07/18/2000, \$30,000 bond; Order Appointing Mary Sherwood general conservator of the person and estate entered 01/03/01; \$18,000 bond.
2. Order Approving Third Account and Terminating Conservatorship of the Estate entered 08/06/09 in San Diego County.
3. Need amended letters for person, only.
4. Need to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).
5. **CI report filed 01/27/17 and 08/14/17.**
6. Review of San Diego documentation does not appear to include a Medical Capacity Declaration. Does Court wish to require? JTD.

RECOMMENDATION:

Need to clear notes 3-4 then Court's discretion re note 6.  
(nb/lh/nb)

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

Superior Court of Calif, County of San Bernardino

Page: 15

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**MISC.**

-----  
DATE: 08/22/17      TIME: 1:30      DEPT: S35P  
-----

CASE#: PRO PS1501072

CASE NAME: WERNER LEE WEINMEISTER

**VACATED**

HEARING:

Hearing Re: COURT TRIAL (SECOND DAY)

COUNSEL:

DAVID WEINMEISTER

(PET)... SUSAN E. CLARK

REAGENE YOUNG

(PET)...IGNAZIO FICARA

WERNER LEE WEINMEISTER

(DEC)...

Future Hearing:

08/23/17 Court Trial

08/24/17 Court Trial

08/25/17 Court Trial

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

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**PROBATE**

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1100566

CASE NAME: FERNANDO MELGOZA

HEARING:

FINAL Account and Report of MARIA DELOURDES MEJIA and Petition for allowance of fees filed.

COUNSEL:

FERNANDO MELGOZA (DEC)...

MARIA DELOURDES MEJIA (PET)...MARJORIE BARRIOS

Request for Waiver of Court Fees and Costs filed by MARIA DELOURDES MEJIA is GRANTED

Fee waiver amount due \$1,505.00

\$395.00 for petition fee on 08/04/11

\$465.00 for accounting fees on 06/21/13

\$90.00 for status report on 09/25/14

\$90.00 for report on status on 06/17/16

\$465.00 for accounting fee on 02/14/17

GENERAL INFORMATION:

**Continued from 04/18/17 and 06/13/17 to clear notes.**

THIS CASE IS SET FOR HEARING ON **Amended** (05/09/17) First and Final Account and Petition for Final Distribution by Maria Mejia (sister-“Petitioner”].

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

1. All heirs waive accounting.
2. Accounting period 05/18/10 to 05/08/17.
3. Assets on Hand \$8,000 in cash.
4. Petitioner and Attorney waive statutory compensation.
5. Petitioner and Attorney do not request extraordinary fees.
6. Petitioner and Attorney do not request reimbursement of costs.
7. Proposed Order 06/08/17 includes 3 blank lines before signature line.
8. **Fees previously waived. Does Court wish to revisit order? JTD.**

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for

**08/28/18.**

(nb)

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

Superior Court of Calif, County of San Bernardino

Page: 2

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1300285

CASE NAME: ROBERT LYLE MEE

HEARING:

Hearing Re: PTNRS AMENDED FIRST & FINAL

COUNSEL:

DIANE C OSTRANDER	(PET)...H. R. TOPALIAN
DIANE OSTRANDER	(PET)...DAVIT TOPALIAN
GINGER JACOBSON	(PET)...PRO/PER
GINGER JACOBSON	(TP )...PRO/PER
JULIE STEWART	(PET)... ROSE SPELLMAN, I
ROBERT LYLE MEE	(DEC)...
RYAN R MEE	(MIN)...

**XREF: PROPS1400042**

Request for Waiver of Court Fees and Costs filed by GINGER JACOBSON is GRANTED  
Fee waiver amount due \$1,160.00  
\$695.00 for petitions on 01/21/14  
W\$465.00 for petition on 06/12/15

**XREF: PROPS1400042**

GENERAL INFORMATION:

**Continued from 06/13/17 to clear probate notes.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees **by Successor Administrator, Julie Stewart** ["Petitioner"- maternal aunt-GAL-guardian of the person and estate in Oklahoma].

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

1. Accounting period 05/12/12 to 02/28/17.
2. Assets on Hand \$297,492.00 consisting of \$257,925 in cash and remaining in personal and real property.
3. Register of actions and laser fiche do not include Inventory and Appraisal filed on 08/04/15 reflecting estate value of \$450,000. Please provide conformed copy.
4. Petitioner waives statutory compensation of \$8,225.93.
5. Petitioner requests reimbursement of costs advanced (amount not specified) Need itemization via verified supplement.

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



6. Former Administrator, Diane C. Ostrander and her counsel, H.R. Topalian have agreed to reduced statutory fees, each, in the amount of \$3,901.27.
  - a. Topalian further agrees to credit the estate with \$3,317.00 for the monies previously withdrawn by Ostrander from Decedent's Bank of America Account XXX5568.
7. Attorney Rose Spellman requests extraordinary fees and costs of \$1,279.72 totaling \$12,603.72 for services rendered in connection with recovering \$177,925 in estate assets. Previous payments have been made by petitioner, leaving a balance of \$3,043.22. Billed at \$325/hour for a total of 32.3 hours' attorney time and \$95/hour for 8.7 hours' paralegal time. Need itemization per CRC 7.702 via verified supplement.
8. Need Summary of Account with related schedules.
9. Need Trustee's Deed upon Sale for foreclosed real property.
10. Need legal description of the real properties, including common address, if any, and assessor's parcel number(s).
11. Need vehicle license number(s) and description.
12. Need findings re: sole and separate property.
13. Need findings re: all taxes have been paid, or reserve made for taxes
14. Please file verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr.C.§ 1064(a)(5).
15. Need statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).
16. Need address of heir receiving real property.
17. Need Property Tax Certificate per Revenue and Taxation Code § 480.
18. Please have opposing party/counsel approve as to form and content.
19. Proposed Order 03/15/17. All judgments must be complete in themselves without reference to the petition on which they are based (Local Rule 20-614).

**RECOMMENDATION:**

Need amended account to be placed on first check calendar no sooner than **09/25/17**. Any account to be filed 30 days before hearing. Note requirements of Local Rules.  
(nb)

Superior Court of Calif, County of San Bernardino

Page: 3

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1500139

CASE NAME: Linda D. Ontiveros

**SEE ALSO 15**

HEARING:

Hearing Re: First and Final Account

COUNSEL:

LESLIE ONTIVEROS (PET)...JOSEPHINE A. RICH  
LINDA D. ONTIVEROS (DEC)...  
LISA HOUCK (ADM)...EDWARD B FISCHEL & ASSOCIATES

Waiver of Court Fees and Costs filed by LESLIE ONTIVEROS is GRANTED  
TOTAL FEES WAIVED TO DATE: \$555.00

**X-REF: PROPS1500385**

GENERAL INFORMATION:

**Continued from 06/26/17. Court refers matter to the Public Guardian for investigation and directs them to appear on 08/22/17.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Administrator, Lisa Houck ["Petitioner" – friend].

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

1. Accounting period 02/24/15 to 02/28/17.
2. Assets on Hand \$166, 297.32 consisting of \$56,297.32 in cash and \$110,000 remaining in real property.
3. Petitioner requests statutory compensation of \$6,996.08. Calculated.
4. Petitioner waives extraordinary fees.
5. Attorney Fischel requests authorization and direction to pay half of the statutory fees, of \$6,996.08, to former Attorney Josephine Rich in the amount of \$3,498.04. JTD.
6. Attorney Fischel requests authorization of extraordinary fees in the amount of \$1,650.00 for services rendered in connection with the sale of real property. Billed at \$375/hour for a total of 4.40 hours' attorney time. Itemized [LF, p. 21]. JTD.

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

7. Disbursements – Schedule C, reflects a reimbursement to Attorney Rich for Andrea Ontiveros Burial Expenses and Hotel Accommodations for Leslie Ontiveros (decedent's daughter). **Supp. (06/18/17) indicates counsel advanced costs to administrator for the benefit of the estate [Itemized, LF, p. 4].**
8. Supplement filed 06/12/17 includes Preliminary Distributions to Sole Heir, Leslie Ontiveros totaling \$2,298.29. Estate and creditors do not appear to be harmed.
9. Petitioner proposes to distribute the Estate's remaining cash and improved real property to Leslie Ontiveros' Conservator to be appointed, or blocked in lieu of requiring the added expense of a bond pending such final distribution upon appointment. **Supp. (06/19/17} by Lisa Houck regarding capacity examination of Leslie Ontiveros.**
- 10. Waiver previously granted. Does court wish to revisit issue as there now appear to be assets on hand? JTD.**
11. Proposed Order 03/28/17 includes "Ex Parte" verbage; and wrong hearing date.

**RECOMMENDATION:**

Court's discretion. If approved, set next hearing for receipts and final discharge for **08/28/18.**

(nb)

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 08/22/17      TIME: 8:30      DEPT: S36P  
-----

CASE#: PRO PS1500314

CASE NAME: Clayton D Millspaugh

HEARING:

Hearing re Final Discharge

COUNSEL:

CLAYTON D MILLSPAUGH      (DEC)...

RICKY DEAN MILLSPAUGH      (PET)...RICHARD SCOTT STEWART

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Account for Ricky Dean Millspaugh approved on 08/16/16.
2. Need distribution receipts from Ricky Dean Millspaugh, Daniel Lee Millspaugh and Heather Lynn Weber.
3. Need Ex Parte Petition for Final Discharge and Order.

#### RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 5

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1500385

CASE NAME: Andrea Lynn Ontiveros

**SEE ALSO 6, 16**

HEARING:

Hearing Re: FIRST AND FINAL ACCOUNT

COUNSEL:

ANDREA LYNN ONTIVEROS	(DEC)...
LESLIE ONTIVEROS	(PET)...JOSEPHINE A. RICH
LISA HOUCK	(ADM)...EDWARD B FISCHEL &
SANDY TURNER	(PET)...SANDRA TURNER

Waiver of Court Fees and Costs filed by LESLIE ONTIVEROS is GRANTED  
TOTAL FEES WAIVED TO DATE: \$555.00

**XREF: PROPS1601147**

GENERAL INFORMATION:

**Continued from 026/26/17. Court refers matter to the Public Guardian for investigation and directs them to appear on 08/22/17.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Administrator, Lisa Houck ["Petitioner" – friend].

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

1. Accounting period 05/04/15 to 02/28/17.
2. Assets on Hand \$6,582.14 consisting of cash.
3. Petitioner requests statutory compensation of \$4,157.12. Calculated.
4. Attorney Fischel requests authorization and direction to pay half of the statutory fees, of \$4,157.12, to former Attorney Josephine Rich in the amount of \$2,078.56. **Supp. (06/13/17) appears to direct statutory to Attorney Fischel, only. Court to confirm. JTD.**
5. Disbursements – Schedule C, reflects a reimbursement to Attorney Rich for Memorial Services; to Rose Perea and Leslie Ontiveros for caregiving services for Leslie Ontiveros; unidentified, personal to Leslie Ontiveros; mileage reimbursement to Rachel Gonzalez; vacuum for Leslie; mattress for Leslie; and welfare check on

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

Leslie Ontiveros (decedent's daughter). **Supp. (06/13/17) includes disbursements on behalf of the estate and sole heir, Leslie Ontiveros.**

6. Petitioner proposes to distribute the Estate's remaining cash, if any, to Leslie Ontiveros' Conservator to have been appointed, or blocked in lieu of requiring the added expense of a bond pending such final distribution upon appointment.
7. Unauthorized, Preliminary Distributions appear to have been made for the benefit of Sole Heir, Leslie Ontiveros, total \$98,655.38. Estate and creditors do not appear to be harmed.
8. **Report by GAL, Sandy Turner, filed 07/03/17.**
9. Proposed Order 03/28/17 includes "Ex Parte" verbage; and wrong hearing date.

**RECOMMENDATION:**

Court's discretion. If approved, set next hearing for receipts and final discharge for **08/28/18.**

(nb)

Future Hearing:

09/20/17 Accounting Review.

Superior Court of Calif, County of San Bernardino

Page: 6

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1500385

CASE NAME: Andrea Lynn Ontiveros

**SEE ALSO 5, 16**

HEARING:

Petition for PAYMENT OF ATTORNEY FEES TO COURT APPOINTED COUNSEL  
FOR LESLIE ONTIVEROS BENEFICIARY

COUNSEL:

ANDREA LYNN ONTIVEROS	(DEC)...
LESLIE ONTIVEROS	(PET)...JOSEPHINE A. RICH
LISA HOUCK	(ADM)...EDWARD B FISCHEL &
SANDY TURNER	(PET)...SANDRA TURNER

**XREF: PROPS1601147**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Partial Fees and Compensation by Guardian ad Litem Attorney, Sandy Turner ["Petitioner"], for Disabled Beneficiary, Leslie Ontiveros.

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

1. Petitioner was appointed on 09/14/16. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 09/14/16 to 09/20/17.
2. Attorney requests partial fees of \$13,405.00. Billed at \$350/hour for 38.30 hours' attorney time. Itemized [LF, pgs. 9-13]. JTD.
3. Petitioner requests an order authorizing and directing Administrator, through her Attorney Edward Fischel, be directed and ordered to pay requested fees forthwith.
4. Proposed Order 07/07/17 refers to a Najla Ford and reflects fees in the amount of \$32,375.00.

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

09/20/17 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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

Superior Court of Calif, County of San Bernardino

Page: 7

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1500525

CASE NAME: PHYLLIS CAROL BECKLUND

**SEE ALSO 8, 9**

HEARING:

Hearing re Final Discharge

COUNSEL:

ANGELA MCVEIGH

(PET)...JOHN HACHMEISTER

KIM COOPER

(PET)...MATTHEW E SHEASBY

PHYLLIS CAROL BECKLUND

(DEC)...

GENERAL INFORMATION:

**Continued from 07/18/17. Matter is continued to be heard with pending hearing.**

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order on Waiver of First and Final Accounting entered 07/28/16
2. No receipts. Need same.
3. Need Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(nb)



Superior Court of Calif, County of San Bernardino

Page: 8

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1500525

CASE NAME: PHYLLIS CAROL BECKLUND

**SEE ALSO 7, 9**

HEARING:

Hearing Re: Restraining Order

COUNSEL:

ANGELA MCVEIGH	(PET)...JOHN HACHMEISTER
KIM COOPER	(PET)...MATTHEW E SHEASBY
PHYLLIS CAROL BECKLUND	(DEC)...

Request for Waiver of Court Fees and Costs filed by ANGELA MCVEIGH is GRANTED

No notes—JTD

Superior Court of Calif, County of San Bernardino

Page: 9

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1500525

CASE NAME: PHYLLIS CAROL BECKLUND

**SEE ALSO 7, 8**

HEARING:

Petition for to replace trustee and deficiency in trust; sanctions

COUNSEL:

ANGELA MCVEIGH	(PET)...JOHN HACHMEISTER
KIM COOPER	(PET)...MATTHEW E SHEASBY
PHYLLIS CAROL BECKLUND	(DEC)...

Request for Waiver of Court Fees and Costs filed by ANGELA MCVEIGH is GRANTED

Currently under review by Legal Research.  
(LR)

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

Superior Court of Calif, County of San Bernardino

Page: 10

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1600094

CASE NAME: RANDY KIMBALL

HEARING:

Petition for APPROVAL OF CLAIM OF PERSONAL REPRESENTATIVE  
AGAINST ESTATE

COUNSEL:

DONNA LAIRD	(PET)...	FARHAT LAW FIRM, APC
RANDY KIMBALL	(DEC)...	
STATE OF CALIFORNIA FRANCHISE	(TP )...	

**XREF: PROPS1600097, GARPS1600363**

GENERAL INFORMATION:

**Continued from 06/26/17. Court will approve the amount of \$8,963.74 with the understanding that statutory fees will be waived if necessary. Court will reserve on the remaining issues. Court will reserve on the remaining issues.**

THIS CASE IS SET FOR HEARING ON Petition for Approval of Claim of Personal Representative, Donna Laird ["Petitioner], against Estate.

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

1. Petitioner is a creditor of Decedent.
2. Petitioner requests a court order approving and establishing her claim against the decedent's estate in the amount of \$15,763.34, in connection with maintaining, licensing and protecting the decedent's property, including the claim with other established claims to be paid in the course of administration of the decedent's estate. Itemized [see declaration filed 06/07/17, LF, pgs. 11-42].
3. Proposed Order 06/27/17 does not match minute order.

RECOMMENDATION:

Court's discretion

(nb)

Future Hearing:

10/26/17 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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

Superior Court of Calif, County of San Bernardino

Page: 11

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1600097

CASE NAME: MTR OF JOHN CHARLES KIMBALL

HEARING:

Petition for TERMINATION OF FUTHER PROCEEDINGS AND FOR  
DISCHARGE OF REPRESENTATIVE

COUNSEL:

DONNA LAIRD (PET)...FARHAT LAW FIRM, APC  
JOHN CHARLES KIMBALL (DEC)...  
DONNASUE ORTIZ (GAL) ...

**XREF: PROPS1600094, GARPS1600363**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Termination of Further Proceedings and for Discharge of Representative, Donna Laird ["Petitioner"- decedent's aunt]. Pr. C.§12251.

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

1. Final Inventory and Appraisal was filed on 11/02/16, reflecting a value of \$16,295.78, comprised of personal property; mainly vehicle and vehicle parts. Of decedent's personal property, items were sold totaling \$5,697.93 which is being held at First Mountain Bank in an account under the Estate's name.
2. Petition alleges remaining personal property listed on the I & A is not worth selling at this time and will be distributed directly to decedent's heir, Justin Kimball.
3. No fees or compensation is requested.
4. Petitioner alleges that filing this petition is the most efficient and appropriate manner in which to conclude this probate as, no property of value remains in the estate and any property that does remain can pass via an Affidavit for the Collection of Personal Property [not filed] and does not require administration, thus, no property is subject to administration.
5. Waivers of account filed. However, notwithstanding said waiver, petitioner must file a final report of administration per Pr. C. § 1064 and Pr. C., § 10954(c)(1).
6. Petitioner requests an Order terminating the probate proceedings; an Order discharging GAL, Donnasue Ortiz; and an Order discharging Personal Representative.

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

7. No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

It does not appear this estate qualifies to proceed under Pr. C. §12251 as assets have been marshalled; there was property belonging to the estate; and subject to administration. Court's discretion.

(nb)

Future Hearing:

10/26/17 Accounting Review.

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 08/22/17      TIME: 8:30      DEPT: S36P  
-----

CASE#: PRO PS1600150

CASE NAME: DAREL STEVEN McNORTON

HEARING: Accounting Review

COUNSEL:

DAREL STEVEN MCNORTON      (DEC)..  
WILLIAM SWIM                      (PET)...PRO/PER

GENERAL INFORMATION:

**Continued from 06/13/17 Court directs the administrator to file an Inventory & Appraisal forthwith as it has not been filed as of yet.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters Testamentary issued 04/19/16, full authority, no bond.
2. Need Final Inventory and Appraisal.
3. No accounting or status report of administration. Need same.

RECOMMENDATION:

Need to clear note 2 and 3. Court's discretion  
(nb/cs)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 08/22/17      TIME: 8:30      DEPT: S36P  
-----

CASE#: PRO PS1700182

CASE NAME: JOHN TAI-VAN NGO

HEARING:

Spousal Property Petition hearing.

COUNSEL:

JOHN TAI-VAN NGO

(DEC)...

TINA BUI

(PET)... DAVID TANG

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Administrator, Tina Bui ["Petitioner"].

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

1. Petitioner requests a determination of property passing to the surviving spouse as community property. Specifically real property at Highland, 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 to include copy of vesting document.
2. Section 6 to petition [LF, p2] is incomplete as to whether parents, siblings or issue of siblings survived decedent. Need verified supplement.
3. Court to review sticky note at LF, p.4.
4. ~Proposed Order 07/07/17.

RECOMMENDATION:

Need verified supplement then Court's discretion

(nb)

Future Hearing:

07/11/18 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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

Page: 14

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1700670

CASE NAME: MTR OF ESTABLISHING CHRISTOPHER LOPEZ SNT

HEARING:

Petition for ORDER ESTABLISHING SPECIAL NEEDS TRUST; & FOR ATTYS  
FEES

COUNSEL:

CHRISTOPHER LOPEZ (PET)...MARTHA JO PATTERSON

**X-REF: CIVDS 1513428**

Currently under review by Legal Research.  
(LR)

Notice:

Proof of Service, only, filed 07/17/17 is incomplete. Need Notice of Hearing with proof of service to proposed Trustee/PPF, Kori Boehm; guardian/mother, Griselda Avalos; Omar Lopez; Attorney Douglas N. Harty; Loma Linda University Medical Center; Attorney Sidney J. Martin; Dept. of Health Care Services; Sept. of State Hospitals; and Dept. of Developmental Services.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**



Superior Court of Calif, County of San Bernardino

Page: 15

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

-----  
DATE: 08/22/17 TIME: 8:35 DEPT: S36P  
-----

CASE#: PRO PS1500139

CASE NAME: Linda D. Ontiveros

**SEE ALSO 3**

HEARING: Motion Re: TO BE RELIEVED 000100 Filed by 0001 \*\*\*

COUNSEL:

LESLIE ONTIVEROS	(PET)...	JOSEPHINE A. RICH
LINDA D. ONTIVEROS	(DEC)...	
LISA HOUCK	(ADM)...	EDWARD B FISCHER & ASSOCIATES
SANDY TURNER	(GAL)	

Request for Waiver of Court Fees and Costs filed by LESLIE ONTIVEROS is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Motion to be Relieved as Counsel by Josephine A. Rich ["Petitioner"].

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

1. Petitioner, Josephine A. Rich, makes this motion to be relieved as counsel under Code of Civil Procedure section 284(2) instead of filing consent under section 284(1) and alleges a breakdown in communication between Attorney and Ms. Leslie Ontiveros, has made it unreasonably difficult for the Attorney to carry out the representation of Ms. Leslie Ontiveros effectively. Also, Ms. Ontiveros is in breach of the engagement letter in this matter in that Ms. Leslie Ontiveros is unwilling to sign a substitution of attorney at this time.
2. ~Proposed Form Order 05/18/17.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 16

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

-----  
DATE: 08/22/17 TIME: 8:35 DEPT: S36P  
-----

CASE#: PRO PS1500385

CASE NAME: Andrea Lynn Ontiveros

**SEE ALSO 5, 6**

HEARING: Motion Re: TO BE RELIEVED Filed by Petitioner LESLIE ONTIVEROS

COUNSEL:

ANDREA LYNN ONTIVEROS	(DEC)...
LESLIE ONTIVEROS	(PET)...JOSEPHINE A. RICH
LISA HOUCK	(ADM)...EDWARD B FISCHER &
SANDY TURNER	(PET)...SANDRA TURNER

**XREF: PROPS1601147**

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Motion to be Relieved as counsel by Petitioner, Josephine Rich

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

1. Petitioner, Josephine Rich, seeks to be removed as counsel for Leslie Ontiveros, heir. Petitioner alleges she accepted this case as a pro bono case. Ms. Ontiveros has informed petitioner that attorney Sandy Turner (GAL) is her attorney and does not want petitioner to represent her anymore; however, she is unwilling to sign a substitution of attorney at this time.
2. ~Proposed Form Order: 05/18/17.

RECOMMENDATION

Court's discretion  
(cs/nb)

Future Hearing:  
09/20/17 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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

-----  
DATE: 08/22/17      TIME: 9:30      DEPT: S36P  
-----

CASE#: CON PS0900165

CASE NAME: RAYMUNDO VELASQUEZ

HEARING:

PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

ENRIQUETA R VALLEJO      (CP )...PRO/PER

RAYMUNDO VELASQUEZ      (CTP)...CANDICE A GARCIA RODRIGO

#### GENERAL INFORMATION

**Continued from 06/20/17. Referred to Court Investigator for report. Attorney Candice A Garcia Rodrigo is appointed for Raymundo Velasquez. Court orders Enriqueta Vallejo to be present at next hearing.**

THIS CASE IS SET FOR HEARING ON Conservatorship Management Conference

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

1. Enriqueta R Vallejo (maternal aunt) appointed limited conservator of the person on 03/09/10.
2. Case was ordered transferred to Los Angeles County Superior Court on 03/19/13. Case ordered transferred back to San Bernardino on 10/18/16 and was received by San Bernardino Court on 04/19/17 as the conservatee resides and intends to continue to reside in San Bernardino County.
3. Need amended Letters to reflect this county.
4. **CI report filed.**
5. Need report from appointed Counsel.

#### RECOMMENDATION

Inquire status.

(lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 18

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 08/22/17      TIME: 9:30      DEPT: S36P  
-----

CASE#: CON PS1300204

CASE NAME: Carly Suzanne Peralta

HEARING:

Petition for ATTORNEY FEES

COUNSEL:

CARLY SUZANNE PERALTA (CEP...JENNIFER M DANIEL

DEBRA LEE ESPINOZA (CP)...PRO/PER

DEBRA LEE ESPINOZA (CPE)...ARLIN

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

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees by Jennifer Daniel

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

1. Petitioner Jennifer Daniel was appointed Counsel for Carly Suzanne Peralta (conservatee/beneficiary) on 09/16/15.
2. Petition requests fees of \$3,275.00 at the discounted rate of \$250/hour for 13.1 hours for attorney services. Itemized [petition 06/29/17, LFpgs5-6].
3. ~Proposed Order: 06/29/17

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 18A ADD ON

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

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1500365

CASE NAME: MTR OF DAISY PAOLA HERRERA

HEARING:

Hearing Re: CI MEMO (Filed 08/09/17)

COUNSEL:

DAISY PAOLA HERRERA (PCE)...  
LETICIA AVILA (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by DAISY PAOLA HERRERA is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON CI Memo

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

1. Matter set after receipt and review of CI memo filed 08/09/17.
2. Notice by Judicial Assistant.

RECOMMENDATION:

Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

Page: 19

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1700144

CASE NAME: MTR OF CHARLIE BRANDON PARDO

HEARING:

Hearing Re: Petition for Conservatorship (limited)

COUNSEL:

AURORA TEMPLETON	(CP )...PRO/PER
CHARLIE BRANDON PARDO	(CTP)...LENITA A SKORETZ
JUAN CARLOS PARDO	(CP )...PRO/PER
KIMBERLY PARDO	(CP )...PRO/PER

#### GENERAL INFORMATION

Matter set on 06/20/17. Referred to Court Investigator for CI report. Attorney Lenita A Skoretz appointed for Charlie Brandon Pardo.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Juan Carlos Pardo (father), Aurora Templeton (mother) and Kimberly Pardo (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, control right to contract, give or withhold consent to medical treatment, make decisions regarding education.
2. Petitioner seeks civil rights be limited. JTD
3. Petitioner seeks medical powers. Need Capacity Declaration.
4. Proposed conservatee is developmentally disabled. Need report of Counsel Lenita Skoretz.
- 5. Court Investigator report filed.**
6. Need list of required contacts (Local form SB-12224).
7. Proof of Completion of the Conservatorship Training Class filed 03/29/17 as to Juan Carlos Pardo, Aurora Templeton. Need proof of completion from Kimberly Pardo.
8. IRC report filed 06/16/17.
9. Return of Citation with proof of service filed 03/20/17.
10. No proposed Order submitted.

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

## RECOMMENDATION

Need to clear notes 3-4, 6-7. If approved, set hearing for Compliance Review for **03/27/18** 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)

**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](mailto: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: JAMES MICHAEL WELCH

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1700234  
CASE NAME: MTR OF MIRACLE GARDNER

HEARING:  
Petition for Appointment of Conservator

COUNSEL:

KAM LOVE (CP)...PRO/PER  
MIRACLE GARDNER (CTP)...WALTER T MOORE

GENERAL INFORMATION

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

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 documents, control right to contract, make and consent to medical decisions. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 06/22/17.
4. Proposed conservatee is developmentally disabled. Need appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. **IRC report filed.**
6. **Court Investigator report filed.**
7. List of Required Contact Information filed 06/22/17 is missing Thelma Love (mgm) and Murtis Gardner (pgm). Need completed form.
8. Proof of Completion of Conservatorship Training Class filed 07/06/17.
9. Return of Citation with proof of service filed 07/26/17.
10. ~Proposed Form Order: 06/22/17

RECOMMENDATION

Need to clear notes 4 & 7. If approved, set hearing for Compliance Review for **03/27/18** 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)

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](mailto: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: JAMES MICHAEL WELCH

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S36P  
-----

CASE#: SC SS01795

CASE NAME: MTR RE VERONICA ISABELLE COLE

HEARING:

Hearing Re: OSC Re: Sanctions

COUNSEL:

CYNTHIA S CARROLL (CPE)...HARTNELL LAW GROUP  
VERONICA ISABELLE COLE (CEP)...

#### GENERAL INFORMATION

Conservatee passed away on 07/22/16.

Continued from **03/21/17** due to not appearances. The Court orders Cynthia S. Carroll and/or counsel to be present at the next hearing on 5-30-17. Notice by Judicial Assistant. **17**

**Continued from 05/30/17. Matter is continued for a verified supplement regarding the payments be filed.**

THIS CASE IS SET FOR HEARING ON **OSC re Sanctions** on Eighth and Final Account and Petition for Fees.

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

1. Accounting covers 05/11/13 to 07/22/16. Missing post death accounting per Pr. C. § 2620(b). Need same.
2. Assets on hand: \$112,977.36 (cash of \$10,477.36, personal household items with a carry value of \$2,500 and the balance in carry value of real property)
3. Petitioner requests ratification of payment for her services as a 24-hour caregiver of \$1,250/month, as previously authorized by the court. Services are generally itemized (LF p5). **Need verified supplement itemizing services.**
4. Attorney requests fees of \$8,080.00. Billed at \$250-\$375/hour for attorney time and \$50-\$125/hour for paralegal time totaling 57.7 hours. Itemized [LF, pgs. 36-42]. Incomplete LF images. Clerk's office notified.
5. Receipts – Schedule A [LF, p. 13-14] requires a verified supplement as to the following:
  - a. Missing rents for 09/13, 06/14, 11/14, 12/14, 02/16.
  - b. Missing civil service retirement income for 02/16, 07/16.

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

6. Disbursements – Schedule C [LF, p. 16] requires a verified supplement as to the following:
  - a. \$1,600.00 payments to Cynthia S. Carroll;
  - b. \$6,400.00 payment to Cynthia S. Carroll.
7. During the accounting period, petitioner paid to Carol Nevarez, Sharon Clark and Lyn Brown for house cleaning. Need verified declarations for acknowledgment of receipt of fees per Local Rule 20-1406(c).
8. Notice filed 11/21/16.
9. Proposed Order 11/07/16 does not include post-death period and discharges upon filing of declaration for discharge and receipts instead of upon entry of final discharge order.

**RECOMMENDATION:**

Need to clear notes then Court's discretion re: fees. If approved, set next hearing for receipts and final discharge for **08/21/18**.

(nb/lh)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

-----  
DATE: 08/22/17      TIME: 8:30      DEPT: S37P  
-----

CASE#: PRO PS1200758

CASE NAME: EUGENE F. SACHARA TRUST OF 2005

HEARING:

THIRD Account and Report of LYNETTE HILL and Petition for allowance of fees filed.

COUNSEL:

EUGENE F. SACHARA TRUST OF 200

(TRU)...

LYNETTE HILL

(PET)...J. DAVID HORSPOOL

MARK T SACHARA

(PET)...THOMAS W DOMINICK

**XREF: PROPS1300188**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Third Account Current and Petition for Fees by Successor Trustee, Lynette Hill ["Petitioner"].

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

1. Accounting period 09/01/15 to 12/31/16.
2. Assets on Hand \$366,887.77 consisting of cash.
3. Distributions – Schedule DD reflects cash distributions totaling \$372,000 in cash and non-cash distributions in the amount of \$35,000 totaling \$407,000.
4. Real property was sold during this administration. Need copies of closing statements per Local Rule 20-910.
5. Proposed Order 05/31/17 includes a "reservation below" and is not signed by opposing counsel as to form and content.

RECOMMENDATION:

Need to clear note 4 then Court's discretion. If approved, set next hearing for Accounting Review on **02/27/18**.

(nb)

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

Superior Court of Calif, County of San Bernardino

Page: 2

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1200918

CASE NAME: SARAH J. MCCLASKEY

HEARING:  
Hearing re Final Discharge

COUNSEL:

LARRY PARKER (PET)...RICHARD I GONZALEZ  
SARAH J MCCLASKEY (DEC)...

**CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN**

GENERAL INFORMATION:

Continued from **07/28/15** and **09/22/15** to determine where or whom the funds are to be distributed to as Counsel states there is a pending probate case in Ireland for an heir. Continued from **12/01/15** to retain attorney service in Ireland to retrieve documents. Continued from **02/09/16** Counsel still investigating re sister (heir) in Ireland. **Continued from 04/12/16, 6/13/16, 8/22/16 and 11/07/16.** **Continued from 06/27/17. Amended order to be filed. Matter continued for Counsel to further verify son's and son's counsel's identity. Counsel has determined there is no Irish probate filed.**

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling First and Final Account entered 07/29/14.
2. No receipts filed. Need same.
3. Need Ex-Parte Petition/Order for Final Discharge.
4. Declaration filed 02/03/16 alleges Lillian Thompson may be deceased and requests additional time to further investigate when/if Ms. Thompson died.
5. Notice filed 11/04/16 does not give 15 days' notice. Need proper service.
6. Notice filed 11/04/16 affixes a declaration by Attorney Richard L. Gonzalez regarding final distribution, which indicates that an amended order is forthcoming. **Need amended Order.**
7. **Need verified supplement identifying son and son's counsel.**

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

RECOMMENDATION:  
Inquire status.  
(nb/dl/sa/lc/nb/lh)

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

Page: 3

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1300188

CASE NAME: EUGENE F. SACHARA

HEARING:

Hearing Re: FINAL DISCHARGE OF LYNETTE HILL

COUNSEL:

EUGENE F SACHARA	(DEC)...
LYNETTE HILL	(PET)...J. DAVID HORSPOOL
MARK T SACHARA	(TP )...THOMAS W DOMINICK

**XREF: PROPS1200758**

GENERAL INFORMATION:

**Continued from 10/22/15, 5/4/16, 07/20/16, 01/09/17 and 04/03/17** at request of counsel.

Attempting to deliver property.

**Continued from 06/26/17.**

THIS CASE SET FOR HEARING ON Final Discharge

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

1. Final Distribution approved on 01/21/15.
2. Need receipts for March Sachara and Lance Sachara.
3. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(lc/sa/nb/lh)

Superior Court of Calif, County of San Bernardino

Page: 4

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1601119

CASE NAME: MTR OF DANIEL D ZUNIGA

HEARING:

Petition for PROBATE LETTERS OF ADMINISTRATION W/LIMITED IAEA

COUNSEL:

DANIEL D ZUNIGA	(DEC)...
ESTHER ZUNIGA	(PET)...JOHN F WEBER
RICHARD A ZUNIGA	(PET)...JACQUELINE PELAEZ

GENERAL INFORMATION

Continued from **03/07/17**. Counsel request petition filed by Mr. Zuniga be denied. Petition filed by Richard Zuniga on 11/08/16 is denied without prejudice.

**Continued from 06/27/17 court gives tentative decision of granting petition and ordering a bond of \$325,000.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration, full authority, by spouse, Esther Zuniga.

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

1. Petition alleges all property is held by the state and consists of unclaimed joint and p.o.d. accounts.
2. All heirs waive bond, Waiver of Bond filed. JTD.
3. **Proof of Service to Notice of Petition to Administer Estate filed on 04/19/17 was sent to Adrian Zuniga at an address in care of Set Free Christian Fellowship. Authorization to give Notice in care of a second person filed 06/27/17. JTD.**
4. **Question if this is Adrian Zuniga's current address as direct notice to a person is required per CRC 7.51a(2). Need proper service. Alternatively, require due diligence declaration.**
5. ~Proposed Form Order/Letters 12/21/16.

RECOMMENDATION:

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

(lh/nb/lh/cs/nb)

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

Superior Court of Calif, County of San Bernardino

Page: 5

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1601167

CASE NAME: MTR OF LUIS ROMERO

HEARING:

Hearing Re: AMENDED SPOUSAL PROPERTY PETITION

COUNSEL:

CATALINA PEDRAZA DE ROMERO (PET)...ANGEL COLEMAN  
LUIS ROMERO (DEC)...

Request for Waiver of Court Fees and Costs filed by CATALINA PEDRAZA DE ROMERO is GRANTED

GENERAL INFORMATION:

Continued from **02/06/17** and **04/24/17** for amended petition to be reviewed.

**Continued from 06/27/17. The Court tentatively denies petition. Matter continued for sons to file waivers and disclaimers.**

THIS CASE IS SET FOR HEARING ON **AMENDED** (04/14/17) Spousal Property Petition

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

1. Petitioner, Catalina Pedraza De Romero, requests determination of property passing to the surviving spouse as community property. Specifically, real property located in San Bernardino County. **Amended petition indicates parties were married in Mexico on 04/01/82 (certificate and translation affixed – LF, pgs. 6-8) and purchased subject property with community funds. However, vesting deed [LF, p. 9] reflects property titled as “Luis Romero Martinez, a Married Man as his Sole and Separate Property.” Further, an Interspousal Transfer Grant Deed [LF, p. 10] is affixed, signed by Petitioner. It appears subject real property is Decedent’s separate property.**
2. **Need assignments.**
3. ~Proposed Form Order 04/14/17

RECOMMENDATION:

Need to clear note 2 then Court’s discretion

(nb)

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



Superior Court of Calif, County of San Bernardino

Page: 6

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1700479

CASE NAME: CURTIS RAY MCINTIRE

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL AIAE

COUNSEL:

CURTIS RAY MCINTIRE (DEC)...  
JEAN MARIE MCINTIRE (PET)...DAVID SARAZEN

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Jean McIntire, spouse

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

1. Petitioner requests bond be set at \$510,000. Estimated net estate value is \$510,000 with \$10,000 in personal property.
2. Petitioner submitted an outdated form (2008). JTD
3. ~Proposed Form Order: 05/17/17

#### RECOMMENDATION:

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

(cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 7

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1700538

CASE NAME: MTR OF DOROTHY ANN ST. JOHN

HEARING:

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

COUNSEL:

DOROTHY ANN ST JOHN	(DEC)...
JEFFREY E PAPCIAK	(PET)...J BENJAMIN SELTERS III
JOSEPH T BLAUM	(PET)...J BENJAMIN SELTERS III

**X-REF: PRO PS1501040** (post deceased spouse)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Jeffrey Papciak (First cousin once removed of post-deceased spouse) and Joseph Blaum (brother)

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

1. Petitioners are Administrators in related case; are out of state residents; and request funds be deposited into a blocked account with Citizens Bank. Estate consist of \$820,000.00 in personal property. Does court wish to require minimum bond? JTD
2. Petition indicates that pursuant to California community property law, since Robert St. John [DOD: 10/05/15] did not survive his wife Dorothy Ann St. John [DOD: 10/01/15] by 120 hours, neither is a legal "surviving spouse" of the other and their deaths are deemed simultaneous. Pr. C. §6403(a). Pursuant to California's intestate laws in Pr. C. §§6402, 6402.5, each spouse's estate is entitled to half of all assets..
3. Notice of Related cases filed case PROPS1501040.
4. ~Proposed Form Order: 05/31/17

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

## RECOMMENDATION

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

(cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 8

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

-----  
DATE: 08/22/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1700547

CASE NAME: IRA JOHNSON

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

IRA JOHNSON (DEC)...  
YOLANDA JOHNSON (PET)... NAVEED MAHBOOBI

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Yolanda Johnson, daughter

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

1. Petitioner requests bond be set at \$210,000. Estimated net estate value is \$210,000 with \$10,000 in personal property. Appears sufficient. JTD.
2. Section 3(h)(3)-(4) of petition is incomplete as to whether administrator is a resident of the U.S. However it is clear that petitioner is a California resident.
3. ~Proposed Form Order: 06/02/17

#### RECOMMENDATION

RFA, \$210,000 bond. If approved, set Accounting/Status Review for **10/30/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**CONSERVATORSHIP**

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1500211

CASE NAME: KRISTEN MARCH GILCHRIST(CONS OF PER TRANS KERN)

HEARING:

Accounting Review

COUNSEL:

CHRISTOPHER BIAGI	(PET)...PRO/PER
DEPARTMENT OF DEVELOPMENTAL SE	(PET)...BRUCE J BELAND
INLAND COUNTIES REGIONAL CENTE	(STEVEN K BECKETT
KRISTEN MARACH GILCHRIST	(CEE)...
KRISTEN MARCH GILCHRIST	(DEPUTY PUBLIC DEFENDER
LAUREL J BIAGI	(PET)...JAMES R HULSY
PUBLIC DEFENDER	(DEPUTY PUBLIC DEFENDER
SARAH E DAVIS	(PET)...PRO/PER

#### GENERAL INFORMATION

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

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

1. On 2/17/15 Kern County Superior Court granted a Substituted Judgment creating a SNT funded by inheritance proceeds and placed into the Master Trust of California Pooled Trust in a sub-account for Kristen March Gilchrist in order to maintain eligibility for public benefits.
2. Copy of executed SNT filed 09/08/15.
3. Declaration by Trustee, IRC, of SNT filed 06/07/16 confirms funds in the amount of \$25,000 held by Cheryl Slattery as Trustee of The Gilchrist Family Trust have been transferred to The Master Trust of California Agreement for Kristen Gilchrist.
4. No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb)

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

Superior Court of Calif, County of San Bernardino

Page: 10

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

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1600149

CASE NAME: MTR OF DOREEN BOTELHO

**SEE ALSO 11**

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of ANTHONY BOTELHO

COUNSEL:

ANTHONY BOTELHO	(CPE)...PETER LAW GROUP
DOREEN BOTELHO	(CEP)...CRAIG M PARKER
DOREEN BOTELHO	(CPE)...PRO/PER

**XREF: CONPS1300121**

GENERAL INFORMATION

**Continued from 03/23/17 and 06/08/17 to clear probate notes.**

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Anthony Bothelo, brother-in-law, appointed **temporary** conservator of the person and estate on 08/16/16, \$245,000 bond. Appointed general on 01/23/17.
2. **Need proof of recordation of Letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.**
3. Notification of Conservatee's rights per Pr.C.§1830(c) filed 07/20/17.
4. Care Plan filed 03/22/17.
5. Determination of Conservatee's Appropriate Level of Care form GC-355 filed 05/15/17.

RECOMMENDATION

Need to clear note 2.

(lc/lh/lc/lh)

**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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino

Page: 11

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

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1600149

CASE NAME: MTR OF DOREEN BOTELHO

**SEE ALSO 10**

HEARING:

Accounting Review

COUNSEL:

ANTHONY BOTELHO	(CPE)...PETER LAW GROUP
DOREEN BOTELHO	(CEP)...CRAIG M PARKER
DOREEN BOTELHO	(CPE)...PRO/PER

**X-REF: CONPS1300121**

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

- 1 Order Appointing, Anthony Botelho, Temporary Conservator entered 07/12/16, \$245,000 bond; general order entered 01/23/17; first and current account now due.
- 2 No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 12

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

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1600244

CASE NAME: BARBARA PRAMSCHUFER

HEARING:

Petition for TRANSFER OF INTEREST IN PERSONAL PROPERTY TO  
THE ESTATE OF BARBARA PRAMSCHUFER

COUNSEL:

ANDREW PRAMSCHUFER	(CE )...ROSA M MARQUEZ
BARBARA PRAMSCHUFER	(CE )...MITCHELL I ROTH
BARBARA PRAMSCHUFER	(PP )...JOHN D LUECK
JANICE PRAMSCHUFER	(TP )...DONNASUE ORTIZ
NATIONAL HEALTH MARKETING SERV	(PRO/PER
SHAHANDANA ULLAH	(PRO/PER
SUSAN PRAMSCHUFER	(CE )...RONALD W ASK
TONY ULLAH	(PRO/PER

Request for Waiver of Court Fees and Costs filed by TONY ULLAH is GRANTED

Request for Waiver of Court Fees and Costs filed by SHAHANDANA ULLAH is GRANTED

Request for Waiver of Court Fees and Costs filed by NATIONAL HEALTH MARKETING SERVICES INC is GRANTED

**XREF: CONPS1600284**

GENERAL INFORMATION:

**Continued from 06/27/17. Court orders Attorney Barsegian file his substitution of attorney and serve all parties with the objections.**

THIS CASE IS SET FOR HEARING ON Petition for transfer of Interest in Personal Property to the Estate of Barbara A. Pramschufer for Financial Elder Abuse; Fraud and for Damages, Attorney Fees, and Costs by Co-Conservator of the Estate, Andrew Pramschufer ["Petitioner" – son].

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

1. Petitioner alleges he is entitled to recover possession of the \$60,000 transferred into the account of Shahandana Ullah ("Mr. S. Ullah") because the money was obtained from Ms. Pramschufer, fraudulently by virtue of Hameed "Tony" Ullah's,

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.



- exercise of undue influence over Ms. Pramschufer and fraudulent representation that the \$60,000 was to startup a business.
2. Petitioner alleges that after extensive investigation, Petitioner discovered that Ms. Pramschufer had given Mr. T. Ullah approximately \$300,000 which she had withdrawn from her bank accounts, investment accounts, credit cards, and her disabled daughter's account.
  3. Petitioner requests an order authorizing and directing National Health Marketing Services dba Western State Bancorp, Inc., Hameed "Tony" Ullah, and Shahandana Ullah to reimburse to Petitioner, as co-conservator of the estate of Barbara Pramschufer, \$60,000; directing National Health Marketing Services dba Western State Bancorp, Inc., Hameed "Tony" Ullah, and Shahandana Ullah to pay the estate damages under Pr. C. §859 in the amount to be proven at trial; and reasonable attorney fees and costs.
  4. **Need report by court-appointed counsel, Mitchell I. Roth.**
  5. **Need report by guardian ad litem, Walter T. Moore.**
  6. **Need Court Investigator Report.**
  7. Need Notice of Hearing with proof of service to co-conservator, conservatee, Mitchell I. Roth, Walter Moore, Donnasue Smith Ortiz; Margaret Mueller, Janice A. Pramschufer and Rosa M. Marquez.
  8. No proposed order. Submit Order after Hearing.
  9. **Objections filed by Tony Ullah on 06/07/17.**
  10. **Objections filed by Shahandana Ullah on 06/07/17.**
  11. **Objections filed by National Health Marketing Services, Inc. on 06/07/17**
  12. **Opposition and Amended Answer to Petition et seq. filed by Tony Ullah on 06/23/17.**

RECOMMENDATION:

Need to clear notes 4-7 then set for contested hearing.

(nb)

Future Hearing:

11/29/17 Accounting Review.

Superior Court of Calif, County of San Bernardino

Page: 13

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

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1600337

CASE NAME: MTR OF EVELYN Y DIAZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of OSCAR A DIAZ

COUNSEL:

EVELYN Y DIAZ	(CTP)...ROSE C ROSADO
OSCAR A DIAZ	(CP )...PRO/PER
RAMONA M BELLO	(CP )...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Oscar Diaz and Ramona Bello appointed co-conservators of the person on 01/17/17.
2. Notification of Conservatee's rights filed 08/09/17 **does not give 15 days' notice and Section 5 reflects incorrect date. Need proper service.**
3. **Determination of Conservatee's Appropriate Level of Care and Care Plan filed.**

RECOMMENDATION

Inquire status.

(lh/nb)

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

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1700178

CASE NAME: MTR OF CONNIE ORTIZ

HEARING:  
Petition for Appointment of Conservator

COUNSEL:

CONNIE ORTIZ (CEP)...E JOAN NELMS/ MARK FLORY (GAL)  
ROSALIE R MENDIETA (CPE)...ELISABETH KEMPE-OLINGER

**X-ref matter: SCSS02088**, In Re: Jessie R. Ortiz (mother)

GENERAL INFORMATION

**Continued from 06/27/17. Rosalie Mendieta appointed temporary conservator of Connie Ortiz. Attorney E Joan Nelms is appointed for Connie Ortiz. Notice given by Judicial Assistant.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Rosalie Mendieta (sister)

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

1. Petitioner seeks bond of \$126,500. Appears sufficient.
2. Petitioner seeks medical powers. Capacity Declaration filed 05/12/17.
3. **Report by appointed Counsel E Joan Nelms filed.**
4. Need report from Mark Flory (GAL).
5. CI report filed 06/26/17
6. See Confidential Screening form
7. Citation filed 06/09/17.
8. Certificate of Completion of the Conservatorship Training Class filed 06/01/17.
9. Proposed Form Order: 05/12/17

RECOMMENDATION

Need reports from GAL. If approved, set hearing for Compliance Review for **03/27/18** for the filing of the required documents and hearing re Accounting Review for **10/30/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules 20.901 and 20.908.

(lh/nb/lh/nb)

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto: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: TARA REILLY

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1700239

CASE NAME: EDWARD ANDREW MODZELEWSKI

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
EDWARD ANDREW MODZELEWSKI (CEP)...HARTNELL LAW GROUP  
SALLY LIU MODZELEWSKI (CPE)...JIM L. DAVIS

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person and estate by Sally Modzelewski (stepmother)

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

1. Petitioner requests minimum bond of \$20,000. Appears sufficient. JTD
2. Petitioner seeks civil rights be limited. JTD
3. 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 or withhold consent to medical decisions, control sexual/social contacts, make decisions regarding education. **Need verified supplement clarifying reasons for each.**
4. Petitioner requests order authorizing independent exercise of powers under Pr. C. §1830(b) to manage estate, contract on behalf of proposed conservatee, compromise and settle all claims, invest assets, pay debt and expenses, and borrow money/lease, convey/exchange property. **Need verified supplement clarifying reasons for each.**
5. Petitioner seeks medical powers. **Capacity Declaration filed.**
6. Proposed conservatee is developmentally disabled. Need appointment of counsel for report.
7. Proposed conservatee is developmentally disabled. Need IRC report.
8. Petition indicates estate property consists of inheritance from deceased father's estate held in an account. Question if there is a pending probate of deceased father's estate? Need verified supplement.
9. **Citation returned served.**

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

10. Need Certificate of Completion of the Conservatorship Training Class.
11. Need Notice of Hearing and Proof of Service as to Inland Regional Center.
12. **Court Investigator report filed.**
13. ~Proposed Form Order: 06/26/17

#### RECOMMENDATION

Need to clear notes. If approved, set hearing for Compliance Review for **03/27/18** 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

Page: 16

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

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1700269

CASE NAME: MTR OF TERESA ANN GOLLEDGE

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JASON GOLLEDGE	(CPE)...JEFFREY A GOTTLIEB
PENNY GADUT	(CPE)...JEFFREY A GOTTLIEB
TERESA ANN GOLLEDGE	(CEP)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Penny Gadut (sister) and Jason Golledge (son)

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

1. Petitioner seeks bond in an amount to be determined by Court.
2. Petitioner seeks medical powers. **Capacity Declaration with dementia attachment filed.**
3. Petitioner seeks dementia powers. Need appointment of counsel for report.
4. Petition is incomplete at item #3e as to estimated value of estate. Need verified supplement.
5. Petition is missing Attachment Requesting Special Orders re Dementia [Form GC-315]. Need verified supplement.
6. Petition is incomplete; co-petitioner Jason Golledge (son) did not sign petition. Need verified supplement.
7. Petition item #5f indicates proposed conservatee is developmentally disabled. Need verified supplement clarifying disability.
8. Need Certificates of Completion of the Conservatorship Training Class.
9. **Court Investigator report filed.**
10. **Citation returned served.**
11. No proposed Order submitted.

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

## RECOMMENDATION

Need to clear notes 3-8. If approved, set hearing for Compliance Review for **03/27/18** for the filing of the required documents and hearing re Accounting Review for **10/30/18**. Any accounting to be filed 30 days in advance.

(lh/nb)

**Revised second check notes post two court days prior to the hearing.** Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto: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: TARA REILLY

-----  
DATE: 08/22/17 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1700270

CASE NAME: MTR OF LINA LORRAINE OTERO

HEARING:  
Petition for Appointment of Conservator

COUNSEL:

LINA LORRAINE OTERO (CTP)...  
LINA S GARCIA (CP)...PRO/PER  
VANESSA S GONZALES (CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Lina Garcia and Vanessa Gonzales (daughters)

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

1. Petitioner seeks medical powers. Capacity Declaration filed 07/14/17 is incomplete at item 7b as to initials; form is not dated at signature and is missing printed name of physician. Need completed form.
2. 1-4Confidential Screening form by Lina Garcia filed 07/14/17 is incomplete as to attachment 8. Need verified supplement.
3. **Certificates of Completion of the Conservatorship Training Class filed.**
4. **Court Investigator report filed.**
5. Return of Citation filed 07/20/17.
6. ~Proposed Form Order: 07/14/17

RECOMMENDATION

Need to clear notes 1-2 . If approved, set hearing for Compliance Review for **03/27/18** 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)