



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 08/29/17**

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.

nb0809/0824

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.

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

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DATE: 08/29/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400861

CASE NAME: Howard Michael Simpkinson

HEARING:

Hearing Re: STATUS REPORT (FILED ON 9/15/16)

COUNSEL:

HENRY A SIMPKINSON (PET)...ROBERT MCKERNAN  
HOWARD MICHAEL SIMPKINSON (DEC)...

#### GENERAL INFORMATION

**Continued from 03/01/17. Oral status report given by administrator. Request is made for a continuance to close the Estate. Matter will be continued to 08/29/17, With court ordering a supplement be filed by 4:00pm on 08/15/17. Notice to be given by Counsel/Administrator.**

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to by Anne Sholtz, friend on 1/14/15, \$1,395,000 bond.
2. Petitioner seeks additional time to close the estate in order to complete the non-judicial foreclosure on the non-performing trust deed, finishing Inventory and Appraisals and rectify the 2012-2014 back tax obligations.
3. Notice was filed for previous hearing, but insufficient time. Need proper notice for this hearing.
4. No proposed order. Submit after hearing.

#### RECOMMENDATION

Need proper notice. If approved, set Accounting/Status Review for **10/05/17**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/nb)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 08/29/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1501151

CASE NAME: ROY AND PATRICIA HILL LIVING TRUST

HEARING:

Petition for ORDERS CANCELLING DEED AND DIRECTING CONVEYANCE OF  
REAL AND PERSONAL PROPERTY ETC

COUNSEL:

EARL BATES	(FULLERTON LEMANN SCHAEFER &
ROY HILL	(PET)...MICHAEL L ABERNATHY
TAWNYA BATES	(OBJ)...FULLERTON LEMANN SCHAEFER
THE ROY & PATRICIA HILL	(TRU)...PRO/PER
TRACY J HILL	(PET)...MICHAEL L ABERNATHY

Currently under review by Legal Research.  
(LR)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 08/29/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600691

CASE NAME: MTR OF LINDA JEAN MARTIN

HEARING:

FIRST AND FINAL Account and Report of TINA MARIE MARTINEZ and  
Petition for allowance of fees filed.

COUNSEL:

LINDA JEAN MARTIN (DEC)...  
TINA MARIE MARTINEZ (PET)...CHRISTOPHER A SHUMATE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of  
Account and for Fees by Executrix, Tina M. Martinez ["Petitioner"-daughter].

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

1. All beneficiaries waive accounting.
2. Assets on Hand \$299,584.86 consisting of \$120,584.86 in cash and remaining in real property and vehicle.
3. Petitioner waives statutory compensation.
4. Attorney requests statutory fees of \$9,221.77. Calculated.
5. Attorney requests reimbursement of costs of \$465.00. Itemized.
6. Need bank/financial statements to support date of death balances per Local Rule 20-908.
7. Petitioner alleges the right to occupy decedent's personal residence as stated in decedent's Will, evidences an intent by decedent to create a testamentary trust in the real property under Pr. C. §15201-15205, and proposes to distribute the real property to Tina Martinez, Trustee of the Erik Shane Sorenson Testamentary Trust. However, the Will states;  
"Upon the cessation of this right to occupy, the executor of my will shall distribute my personal residence, or the proceeds from its sale, according to the terms of this will." [See will affixed to petition filed 07/11/16, p.7].

It appears the "right to occupancy" is similar to a limited life estate. Suggest Court require p's & a's that supports a "right to occupancy" constitutes a testamentary trust? JTD.

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8. Petitioner requests authority to withhold the sum of \$1,500 as a reserve. JTD.
9. Proposed Order 06/05/17, number 7 appears incomplete; establishes trust; names petitioner as trustee; includes language not in the Will; and indicates trust will be established and administered without court approval.

#### RECOMMENDATION

Need to clear note 6 then Court's discretion. If approved, set next hearing for receipts and final discharge for **09/04/18**.

(nb)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 08/29/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700353

CASE NAME: The Bernice Burdick Constructive Trust

HEARING:

Hearing Re: PROOF OF ACCOUNTS- TO GO OFF CALENDAR IF FILED

COUNSEL:

MADISON ANTHONY

(PET)...HARTNELL LAW GROUP

RILEY ANTHONY

(MIN)...

THE BERNICE BURDICK CONSTRUCTI

(TRU)...

TRAECEY ANTHONY

(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Proofs of Accounts

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

1. Matter set at 06/27/17 hearing.
2. Nothing new filed.

RECOMMENDATION:

Court's discretion

(nb)

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Page: 4A ADD ON  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 08/29/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700453

CASE NAME: ELSIE D ROBLEDO

**SEE ALSO 4B**

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION FOR LETTERS

COUNSEL:

CHRISTINE A GRANILLO (PET)...PRO/PER  
ELSIE D ROBLEDO (DEC)...

GENERAL INFORMATION:

**Matter set at 08/01/17 hearing due to non-appearance. Court notes that if petitioner does not appear at next hearing, or have all probate notes cleared, Court will dismiss petition at hearing. Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal** on Petition for Letters of Administration with full authority under IAEA by Christine Granillo (daughter)

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

1. Petitioner requests no bond; however, need bond waivers from Cecilia Huerta and Patrick Robledo, decedent's issue. Estimated net value of estate is \$370,000, real property only. Court also has discretion to require bond per Pr. C. § 8481(b).
2. Need Notice of Petition to Administer Estate.
3. Need Proof of Publication.
4. No proposed order submitted.

RECOMMENDATION:

Need to clear notes. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **10/09/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh/nb)

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Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 08/29/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700453

CASE NAME: ELSIE D ROBLEDO

**SEE ALSO 4A**

HEARING:

Petition for LETTERS OF ADMINISTRATION

COUNSEL:

CHRISTINE A GRANILLO (PET)...PRO/PER

ELSIE D ROBLEDO (DEC)...

See prior matter #4A

(nb)



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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 08/29/17      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1700553

CASE NAME: CONSUELO SANCHEZ

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

CONSUELO SANCHEZ

(DEC)...

JAVIER SANCHEZ

(PET)...PRO/PER

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Javier Sanchez, son

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

1. All heirs waive bond. Bond waivers filed by all heirs. Net estate value consists of \$149,000.00 in real property.
2. Section 5(a)(7) indicates issue of a predeceased child; however, section 8 does not list issue of predeceased child. Need verified supplement.
3. ~Proposed Form Order: 06/06/17

#### RECOMMENDATION

Need to clear note 2. Court's discretion re bond. If approved, set Accounting/Status Review for **11/16/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

-----  
DATE: 08/29/17 TIME: 8:35 DEPT: S35P  
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CASE#: PRO PS1501011

CASE NAME: LUPE G. FLIN

HEARING:

Motion Re: TERM SANCTIONS AND FURTHER MONETARY SANCTIONS Filed  
by Petitioner GARY S WARD

COUNSEL:

CARMEN HERNANDEZ

(OBJ)...GILBERT M GUTIERREZ

GARY S WARD

(PET)...FRIDLEY LAW FIRM

LUPE G FLIN

(DEC)...

SHARLEEN MALDONADO-WARD

(PET)...MICHAEL C MADDUX

Request for Waiver of Court Fees and Costs filed by CARMEN HERNANDEZ is GRANTED

Request for Waiver of Court Fees and Costs filed by SHARLEEN MALDONADO-WARD is GRANTED

Currently under review by Legal Research.

(LR)

Future Hearing:

02/07/18 Readiness calendar

02/07/18 Hearing re: Petition for letters of administration

02/26/18 Court Trial

02/27/18 Court Trial

02/28/18 Court Trial

03/01/18 Court Trial

03/02/18 Court Trial

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 08/29/17      TIME: 8:35      DEPT: S35P  
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CASE#: PRO PS1700561

CASE NAME: THE ERNEST & ELEANOR L MALDONADO REVOCABLE TRUST

HEARING:

Petition for REMOVAL OF TRUSTEE ERNEST MALDONADO & APPOINTING  
ARLEEN D GRAY SUCCESSOR TRUSTEE

COUNSEL:

ARLEEN D GRAY

(PET)... MARY M. BADER

THE ERNEST & ELEANOR L MALDONA

(TRU)...

Currently under review by Legal Research.

(LR)

Notice given.

(nb)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

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DATE: 08/29/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS0700061

CASE NAME: WILLIE C SIMS

HEARING:

FIFTH AND CURRENT Account and Report of VERLENE CAMERON and  
Petition for allowance of fees filed.

COUNSEL:

JOHN D MICKUS

(CPE)...JOHN D MICKUS

VERLENE CAMERON

(CE )...JOHN D MICKUS

WILLIE C SIMS

(CEP)...

#### GENERAL INFORMATION

**Continued from 05/02/17 at request of counsel. Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON Fifth and Current Account and Petition for fees and Transfer to Los Angeles by PPF/Conservator of the Estate, Verlene Cameron.

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

1. Accounting period 01/01/15 to 12/31/16 (2 years).
2. Assets on hand \$159,131.12 consisting of \$129,131.12 in cash and remaining \$30,000 in fixed income securities.
3. Conservator requests compensation of \$7,281.25 billed at \$125/hour for 58.25 hours. Itemized [Accounting LF pages 30-33]. JTD
4. Attorney requests fees of \$2,793.00 billed for attorney at \$350/hour and paralegal at \$105/hour for 10.5 hours. Itemized [Accounting LF pages 35-36]. JTD
5. Current bond of \$214,500. Petitioner seeks that all bonds be exonerated and a new qualifying bond of \$224,500 be ordered (an increase of \$10,000). Appears sufficient. JTD.
6. Conservatee now resides in Northridge, in LA County. Petitioner requests transfer of these proceeding to LA County. If approved, Court to set control date.
7. No proposed order. Submit Order after Hearing.

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**RECOMMENDATION:**

Court's discretion. If approved, Court to set control date re: transfer.  
(nb)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 08/29/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1400171

CASE NAME: MARIA DE LA CRUZ SERVIN

HEARING:  
Petition for ATTORNEYS FEES

COUNSEL:

JACK B OSBORNE	(PET)...JACK B. OSBORN
JULIA SERVIN	(CPE)...VOORHEES LAW FRIM
MARIA DE LA CRUZ SERVIN	(CEP)...JACK B OSBORN

**XREF: PROPS1401030, CIVDS1311752, GARSS1300088**

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees by Jack B. Osborne

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

1. Petitioner Jack B Osborne was appointed Guardian Ad Litem for Conservatee Maria De La Cruz on 01/08/15.
2. Petition requests fees of \$12,369 for 54.4 hours at \$325/\$105 for attorney/paralegal services. Itemized [Petition 07/11/17, LFpg6-18].
3. Petitioner requests an additional \$682.50 for 1.5 hours of anticipated paralegal services at \$105/hour, and an additional 1.5 hours of attorney work, including the hearing on this petition. JTD
4. No proposed order submitted.

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing:  
11/14/18 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.**

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 08/29/17      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1700102

CASE NAME: HORTENCIA M. DE LA CRUZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HORTENCIA M DE LA CRUZ      (CEP)...PRO/PER

RUDY DE LA CRUZ      (CPE)...PRO/PER

#### GENERAL INFORMATION

**Continued from 05/20/17.** Petitioner is sworn and examined. Court accepts testimony and amends Section 5 on Dementia Attachment form GC-313 to list the medication sets forth in the Court Investigator's attachment filed 04/27/17. Court clears probate note 4 on record. Attorney Sandy L. Turner appointed for Hortencia De La Cruz. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship, person and estate, by son, Rudy De La Cruz.

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

- 1      Petitioner requests bond not be required as proposed conservatee's only source of income is Social Security. Estimated estate valued at \$178,000. Suggest minimum bond of \$20,000 to be increased upon sale of real property. JTD.
- 2      Petitioner seeks Pr. C. § 2590 powers to sell real and/or personal property, including conservatee's primary residence and proceeds to be used for Conservatee's care and personal needs. Suggest Court require a separate petition after appointment with required showing per Pr. C. 2540 et seq. JTD
- 3      Petitioner seeks medical powers. Capacity declaration filed 03/23/17.
- 4      Petitioner requests dementia powers; **Report of Counsel filed 06/12/17.**
- 5      CI Report filed 04/27/17.
- 6      Citation returned served.
- 7      Certificate of Completion re Conservatorship Class filed.
- 8      ~Proposed Form Order/Letters 03/23/17.

**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. If approved, set hearing for Compliance Review for **04/03/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **11/06/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh)



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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 08/29/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700103

CASE NAME: MTR OF LAURA KARINA BONILLA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JUANA GRIJALVA

(CP)...PRO/PER

LAURA KARINA BONILLA

(CTP)...JEANNE E KENNEDY

GENERAL INFORMATION:

**Continued from 05/02/17. Witness sworn and examined. Court clears probate note 9 re conservatorship class as Court receives testimony on the record. Court clears probate note 10 re proof of service of notice.**

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by mother, Juana Grijalva ["Petitioner"].

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. **Report by court-appointed counsel, Jeanne E. Kennedy, filed.**
3. Medical Capacity Declaration filed.
4. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
5. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
6. Citation returned SERVED.
7. Court Investigator Report filed.
8. **Inland Regional Center Report filed.**
9. ~Proposed Form Order/Letters 03/23/17.

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**RECOMMENDATION:**

Court's discretion. If approved, set hearing for Compliance Review for **04/03/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb/lh/nb)

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 08/29/17      TIME: 9:30      DEPT: S35P  
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CASE#: SC SS3711

CASE NAME: IN THE MATTER OF JESSE J CLARK

HEARING:

Petition for ATTORNEYS FEES

COUNSEL:

JESSE J CLARK

(CEP)...MARK J. FLORY

JO LENE AXTELL

(CPE)...HORSPOOL & H ORSPOOL

MARK J ANDREW OSBORNE

(PET)...MARK J. ANDREW FLORY

PEGGY RENE NOWELL

(PCR)...DONNASUE ORTIZ

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for fees and compensation by Court-Appointed Counsel, Mark J. Andrew Flory ["Petitioner"].

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

- 1      Petitioner was appointed on 06/02/14. Petitioner alleges that services have been rendered for which counsel has not been compensated for period ending 09/30/15.
- 2      Attorney requests fees of \$11,098.56. Billed at \$350/hour for 19.70 hours' attorney time and \$105/hour for paralegal time totaling 30.80 hours.' Itemized [LF, pgs. 7-13]. JTD.
- 3      Petitioner requests and order authorizing and directing Jo Lene Axtell, as Conservator of the Estate to pay requested sum to Brown, White & Osborn, LLP for services rendered.

RECOMMENDATION:

Court's discretion.

(lh/nb)

Future Hearing:

08/01/18 Accounting Review.

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HONORABLE: STANFORD E. REICHERT

**MISC.**

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DATE: 08/29/17      TIME: 1:30      DEPT: S35P  
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CASE#: PRO PS1501083

CASE NAME: KENNETH AARON RAINS

HEARING:

Hearing Re: COURT TRIAL (SECOND DAY OF TRIAL)

COUNSEL:

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

Court trial –no notes—JTD

Future Hearing:

08/30/17 Court Trial

[08/31/17 Court Trial](#)

[09/01/17 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.**

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 08/29/17 TIME: 8:30 DEPT: S36P  
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CASE#: CON PS1200246

CASE NAME: MILO VERNON ELLINGER

HEARING:

Accounting Review

COUNSEL:

JACK B. OSBORN

(PET)...JACK B OSBORN

LISA ZIEMER

(CPE)...JENNIFER M DANIEL

MILO VERNON ELLINGER

(CEP)...WALTER T. MOORE

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

GENERAL INFORMATION

Continued from **01/31/17**. Additional bond to be posted in the amount of \$24,000, total bond \$44,000. Court reinstated voting rights.

**Continued from 06/20/17 Accounting is prepared just needs to be signed by the client.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Matter set on Court's own motion on 12/16/16 after receipt and review of CI report dated 12/08/16.
2. First Accounting or Waiver of Account now overdue. Need same.

RECOMMENDATION

Inquire status.

(nb/lh/cs)

**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

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

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DATE: 08/29/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO DS1000440

CASE NAME: IMAN N. WAHID

HEARING:

THIRD Account and Report of MARWAN WAHID and Petition for allowance of fees filed.

COUNSEL:

AMAL KOBEISSI	(APP)...PRO/PER
HISHAM WAHID	(PET)...MELVIN L FRIEDLAND
IMAN N WAHID	(DEC)...
IMAN N. WAHID	(MIN)...
MARWAN WAHID	(PET)...HARTNELL LAW GROUP
S.I. WAHID LIVING TRUST	(TRU)...
SAMIR WAHID	(PET)...MELVIN L FRIEDLAND
STATE OF CALIFORNIA FRANCHISE	(TP )...PRO/PER
YASMINE WAHID	(PET)...MELVIN L FRIEDLAND

Request for Waiver of Court Fees and Costs filed by MELVIN L. FRIEDLAND is GRANTED  
Fee waiver amount due \$355.00 for petition for appointment of guardian ad litem on 06/28/10

Request for Waiver of Court Fees and Costs filed by AMAL KOBEISSI is GRANTED  
Fee waiver amount due \$355.00 for objection to probate of will etc. on 08/23/10

GENERAL INFORMATION:

**Continued from 06/20/17 to clear notes.**

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Executor, Marwan Wahid ["Petitioner"].

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

1. Accounting period 05/25/10 to 08/31/16.
2. Assets on Hand \$507,148.35 consisting of \$394,064.45 in cash and \$113,083.90 in personal property.
3. Compensation or reimbursement is not requested.
4. Disbursements – Schedule C [LF, p. 22] requires further clarification as to the following:

**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.**

- a. Salon rent totaling \$35,637.20;
- b. Kathy Farhat.
5. Need bank/financial statements to support date of death and ending balances per Local Rule 20-908.
6. Petition indicates there remain outstanding tax issues that need resolution and requests the estate remain open another 6 months.
7. Proposed Order 03/23/17 has the following issues:
  - a. Assets on Hand differ;
  - b. Includes trust assets not addressed in petition;
  - c. Includes statutory fees not prayed for in petition;
  - d. Includes distribution not prayed for in petition;
  - e. Includes a reserve not prayed for in petition.

**RECOMMENDATION:**

Need to clear notes then Court's discretion. If approved, set next hearing for Accounting Review on **10/30/17**.

(nb)

Superior Court of Calif, County of San Bernardino

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

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DATE: 08/29/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS0900735

CASE NAME: RE DON QUENTIN AND ROBERTA OLETA MALCOLM TRUST

HEARING:  
Petition for ATTORNEY FEES

COUNSEL:

BRIDGER HANSON	(MIN)...BRYAN C. HARTNELL
DON QUENTIN MALCOLM AND ROBERT	(TRU)...
HOLDEN HANSON	(MIN)...BRYAN C. HARTNELL
KERI CASTIGLIA	(BEN)...PRO/PER
KIMBERLY A LEWIS	(BEN)...PRO/PER
LASSEN COUNTY PUBLIC GUARDIAN	(LASSEN COUNTY COUNSEL
RUBY WATSON	(PET)...JAMES B CHURCH
RUBY WATSON	(STE)...JEFFREY T VANDERVEEN
TANNER HANSON	(MIN)...BRYAN C. HARTNELL

***XREF: CONPS0700266***

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees by Bryan Hartnell

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

1. Petitioner Bryan C. Hartnell was appointed guardian ad litem for Bridger Hanson, Kevin Hanson and Holden Hanson, minors/beneficiaries of the Don Quentin and Roberta Malcom Trust, on 02/24/11.
2. Petitioner alleges minors are now the age of majority. Funds are currently held in Client Trust Account and are for distribution pending this petition for attorney fees. The sum received for the benefit of former minors is \$175,891.23.
3. Petitioner has performed services on behalf of former minors since 2011 requesting fees totaling \$39,825 for 131.6 hours at varying rates of \$250-\$375 per hour for attorney services and \$25-\$125 per hour for paralegal services. Itemized [petition, 05/25/17, LFpg5-15]. JTD
4. Former minors to each pay \$13,275 to Hartnell Law Group.
5. ~Proposed Order: 05/25/17

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.  
(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  
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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 08/29/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1100456

CASE NAME: LOUIS C GUZMAN

HEARING:  
Accounting Review

COUNSEL:  
CHRISTOPHER GUZMAN (PET)...PRO/PER  
LOUIS C GUZMAN (DEC)...  
PATRICK B WRIGHT ( )...  
PUBLIC ADMINISTRATOR (PET)...CRAIG M PARKER  
RAPHAEL A ROSEMBLAT (PET)...  
US SPECIALTY INSURANCE COMPAN (TP )...LANAK & HANNA

GENERAL INFORMATION:  
**Continued from 08/15/17. No appearances.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order on Report of Status of Administration entered 08/10/16.
2. No accounting or updated status report. Need same.

RECOMMENDATION:  
Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 08/29/17      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1400852

CASE NAME: RICHARD GERARD NELSON

**SEE ALSO 5**

HEARING:

Hearing Re: RULING ON SUBMITTED MATTER

COUNSEL:

CAMRYN NICOLE NELSON	(MIN)...
CRYSTAL MACK	(OBJ)...JAMES B CHURCH
DEBBIE A NELSON	(PET)...E LAWRENCE BROCK
RICHARD A NELSON	(MIN)...
RICHARD GERARD NELSON	(DEC)...

No notes – Judge to decide.

(nb)

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

-----  
DATE: 08/29/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1400852

CASE NAME: RICHARD GERARD NELSON

**SEE ALSO 4**

HEARING:

FIRST AND FINAL Account and Report of DEBBIE A. NELSON and  
Petition for allowance of fees filed.

COUNSEL:

CAMRYN NICOLE NELSON	(MIN)...
CRYSTAL MACK	(OBJ)...JAMES B CHURCH
DEBBIE A NELSON	(PET)...E LAWRENCE BROCK
RICHARD A NELSON	(MIN)...
RICHARD GERARD NELSON	(DEC)...

**X-REF: FAMRS701771 (disso)**

GENERAL INFORMATION:

Continued from **04/26/16, 12/21/16 and 03/01/17**. Matter contested and set for trial.

Continued from **06/29/17**.

Continued from **07/05/17**. Court advances and hears Motion Re: Bifurcate the Trial Issue previously set on 08/14/17 to today's date. Arguments heard regarding Motion to Bifurcate. The Court grants Motion to Bifurcate. The first phase will be heard on 07/11/17 at 1:30pm. Counsel is informed trial will begin on 07/11/17 at 1:30pm. Discovery motion will be addressed at next hearing.

**Continued from 07/11/17. Court authorizes preliminary distribution for petitioner and attorney in amount of \$6,880.65. Counsel to prepare order on preliminary distribution.**

THIS CASE IS SET FOR HEARING ON First and Final Waiver of Account; Petition for Determination of Property Passing to Surviving Spouse and for Confirmation of Property belonging to Surviving Spouse; and Petition for Fees.

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

1. Petitioner alleges she is the sole heir, as estate consists solely of community property assets, and waives account. Order Allowing Election to Administer Community Property under Pr. C. § 13502 granted 09/03/15.
2. Former Attorney, Thaddeus Culpepper, waives statutory compensation.

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.

3. Statutory fees of \$8,600.82 requested. Calculated.
  - a. **SUPP 06/19/17:** Petitioner requests that petitioner and attorney be allowed preliminary statutory fees \$6,880.65 (80%) of fees per CRC §7.701. Petitioner states 90% of the work has been completed. Petitioner seeks funds be released from blocked account for fees. In *Estate of Hilton (1996) 44 Cal.App.4th 890* the probate court allowed a 50% preliminary distribution. It later found that that the attorneys were over compensated. Court may wish to require a breakdown in services already rendered to earn the statutory fees. JTD
4. Petitioner requests that the property of this estate is property passing to the surviving spouse and belongs to the surviving spouse and that her ownership is confirmed. All property that is determined to be property passing to the surviving spouse shall be distributed wholly to petitioner, Debbie Nelson, as community property to which she is entitled.
5. Petitioner requests authority to distribute any assets determined to be the Community Property of decedent, not now known but late discovered to Debbie A, Nelson; and authority to distribute any assets determined to be the Separate Property of decedent, not now known but later discovered, to be distributed pursuant to the laws if intestate succession without further Order of this Court.
6. Petitioner requests a reserve of \$2,500.
7. Three Creditor's Claims rejected on 09/15/16 and 90 days have passed since the rejection. Other claims filed were not acted upon; however, appear to be deemed as rejected.
8. Creditor's Claim by Crystal Mack for \$12,018.17 was not denied or allowed. Litigation related to judgment continues in Texas.
9. **Objections filed 04/14/16 and 04/15/16 by GAL, Matthew Sheasby, requesting the Court sustain Objections until a full and fair determination of the nature and extent of the Decedent's community property and separate property interests can be discerned.**
10. **Objections filed 04/29/16 by GAL, Noreen T. Fontaine for Richard A. Nelson.**
11. **Objections filed by Crystal Mack, creditor, on 08/15/16.**
12. **Request for Judicial Notice filed 07/07/17.**

RECOMMENDATION:

Matter is contested. If approved, set next hearing for receipts and final discharge for **09/04/18.**

(nb/lc/lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 08/29/17      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1500595

CASE NAME: ORENE KNIGHT FAMILY TRUST

**SEE ALSO 7**

HEARING:

Hearing Re: PETITION TO COMPEL ACCOUNTING AND INSTRUCT TRUSTEE

COUNSEL:

JULY SPEAR	(PET)...PRO/PER
ORENE KNIGHT FAMILY TRUST	(TRU)...
WILLIAM KNIGHT	(MIN)...

Request for Waiver of Court Fees and Costs filed by JULY SPEAR is GRANTED

Currently under review by Legal Research.  
(LR)

Continued matter – notice not re-reviewed.  
(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

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 08/29/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1500595

CASE NAME: ORENE KNIGHT FAMILY TRUST

**SEE ALSO 6**

HEARING:

Hearing Re: JOINDER AS TO WILLIAM KNIGHT

COUNSEL:

JULY SPEAR (PET)...PRO/PER

ORENE KNIGHT FAMILY TRUST (TRU)...

WILLIAM KNIGHT (MIN)...

Request for Waiver of Court Fees and Costs filed by JULY SPEAR is GRANTED

Currently under review by Legal Research.

(LR)

**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

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 08/29/17      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1600395

CASE NAME: MTR OF STEPHEN OTTO STAFFORD

HEARING:

Accounting Review

COUNSEL:

STEPHEN OTTO STAFFORD      (DEC)...

TOM STAFFORD      (PET)...PRO/PER

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters testamentary issued to Tom Stafford, son on 06/21/16; full authority no bond.
2. Need final Inventory and Appraisal.
3. No account, need same.

#### RECOMMENDATION

Inquire status

(cs)



Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 08/29/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600725

CASE NAME: MTR OF JOSEPH JOHN DUBNICKA

HEARING:

Petition for REMOVAL OF ADMINISTRATOR AND APPTOF NEW  
ADMINISTRATOR

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
JOSEPH JOHN DUBNICKA	(DEC)...
MICHAEL J DUBNICKA	(PET)...DARLING LAW OFFICES
RYAN MICHAEL DARLING	(PET)...RYAN MICHAEL DARLING
SURTEC	(TP )...WOLKIN CURRAN LLP

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Remove Administrator;  
Appointment of New Administrator by Attorney Ryan Michael Darling ["Petitioner"].

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

1. Letters of Administration issued 10/19/16 to Michael J. Dubnicka, full authority, \$300,000 bond.
2. Petition indicates the sole asset of the estate was the property located at Yucaipa, CA, that was sold on 02/01/17. The net proceeds from the sale of this property was \$212,245.62.
3. Two creditors' Claims by DHS have been filed in the amounts of \$369,416.92 and \$194,670.84. Petitioner alleges once Mr. Dubnicka realized there were multiple creditors' claims and the estate might be insolvent, he stated he had paperwork showing a loan in the amount of \$175,000 he made to decedent.
4. Petitioner states it has been more than 6 months and Mr. Dubnicka has yet to provide any paperwork; failed to move the proceeds from the sale of the house into counsel's IOLTA Account; and will not respond to any emails or letters.
5. Petitioner alleges the removal of Mr. Dubnicka as the Administrator is necessary for the protection of the estate and the creditors of the estate as Mr. Dubnicka has failed to perform any of the duties expected of him and may have absconded with the estate funds.

**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. Petitioner requests the Court appoint petitioner as the Administrator of the Estate so he can contact the bank where the Estate Account is held and move forward with closing the Estate.
7. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion

(nb)

Future Hearing:

12/14/17 Accounting Review.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 08/29/17      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1600984

CASE NAME: MTR OF SONJA R DOUGLASS

HEARING:

FIRST AND FINAL Account and Report of DENNIS P DOUGLASS and  
Petition for allowance of fees filed.

COUNSEL:

DENNIS P DOUGLASS                      (PET)...DEBORAH A MALKIN  
SONJA R DOUGLASS                      (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees  
by Administrator, Dennis P, Douglass ["Petitioner"-son].

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

1. Accounting period 08/15/16 to 06/24/17.
2. Assets on Hand \$552,189.20 consisting of cash.
3. Petitioner waives statutory compensation.
4. Attorney requests statutory fees of \$14,075.75. Calculated.
5. Attorney requests reimbursement of costs advanced of \$1,465.50. Itemized [LF, p.6].
6. Petition indicates ancillary proceedings were commenced in Oklahoma. Question the status of same via verified supplement.
7. Need bank/financial statements to support date of death balances per Local Rule 20-908 for inventories filed 02/03/17 and 07/10/17.
8. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 6-7 then Court's discretion. If approved, set next hearing for receipts and final discharge for **09/04/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 08/29/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

HEARING:

Petition for INSTRUCTIONS/CONTINUING JURISDICTION  
TERMINATION OF TRUST/SUSPENSION OF TRUSTEE POWERS

COUNSEL:

ANGELA EZZEDDINE	(PET)...FITZGERALD YAP CREDITOR
TENA EZZEDDINE	(OBJ)...
THE BAREA ESSEDDINE 2013 TRUST	(TRU)...

Currently under review by Legal Research.  
(LR)

Notice given.  
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 08/29/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700245

CASE NAME: LYMAN D BEDFORD REVOCABLE LIVING TRUST

HEARING:

Petition for ORDER CONFIRMING TRUST ASSETS

COUNSEL:

MICHAEL BEDFORD

(PET)...PHILIP M SAVAGE

LYMAN D BEDFORD REVOCABLE TRUS(TRU)...

Currently under review by Legal Research.  
(LR)

Notice given.  
(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

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 08/29/17      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1700266

CASE NAME: MARGARET MARQUEZ

HEARING:

Petition to determine succession to Real Property

COUNSEL:

MARGARET MARQUEZ                      (DEC)...

THERESA DANIEL                              (PET)...MICHAEL C MADDUX

GENERAL INFORMATION:

**Continued from 06/20/17 to clear notes.**

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by Theresa Daniels ["Petitioner"-sister].

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

1. Section 9a(7) indicates there is issue of a predeceased child. However, attachment 11 [LF, p. 8] indicates decedent was never married or had any children.
2. Inventory & Appraisal attached to petition has the following issue:
  - a. Real property was appraised by the probate referee at \$165,000 for a 50% interest in subject real property and exceeds the amount allowed.
3. Petitioners request determination that decedent's 50% interest in real property located in San Bernardino County pass to petitioner without administration. Petitioner is decedent's niece and owner of the other 50% interest in the real property held as a Tenancy in Common per declaration filed 03/23/17.
4. Petitioner proffers timely filed disclaimers by decedent's siblings in her favor.
5. **Declaration by petitioner filed 06/29/17.**
6. ~Proposed Form Order 03/24/17.

RECOMMENDATION:

Deny. Property exceeds statutory limit.

(nb)

Future Hearing:

10/16/17 Petition for letters of administration

**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

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 08/29/17      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1700516

CASE NAME: Felipe Rivera Sanchez

HEARING:

Petition to determine succession to Real Property

COUNSEL:

FELIPE RIVERA SANCHEZ      (DEC)...

LUCILA SANCHEZ ZAPIAN      (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by LUCILA SANCHEZ ZAPIAN is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property (Estates \$150,000 or less) by mother, Lucilla Sanchez Zapián ["Petitioner"].

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

1. Petitioner requests a determination that decedent's real property located at Adelanto, CA, in San Bernardino County pass to petitioners without administration. Petitioner is decedent's mother and purported only heir.
2. ~Proposed Form Order 05/24/17.

RECOMMENDATION:

Court's discretion.

(nb)

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

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

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DATE: 08/29/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700725

CASE NAME: MTR OF MICHAEL JOHN KERR

HEARING:

Petition to determine succession to Real Property

COUNSEL:

BETTY A ALCOCK (PET)...EDWARD B FISCHER & ASSOCIATES  
MICHAEL JOHN KERR (DEC)...

GENERAL INFORMATION:

Order Granting Order Shortening Timed entered 08/11/17.

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by Betty Alcock ["Petitioner"].

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

1. Inventory & Appraisal attached to petition has the following issues:
  - a. Section 4 is incomplete;
  - b. Statement about the Bond section is incomplete.  
Need corrected inventory.
2. Petitioner initially requested a determination of decedent's 25% interest in real property located at Highland, CA in San Bernardino County, to pass to petitioner without administration. Petitioner does not identify her relationship to decedent but proffers assignments by decedent's 4 children in her favor. Further, supplemental declaration filed on 08/04/17 indicates that upon review of a Preliminary Title Report, it was discovered that Decedent actually owned record title to 1/2 of the subject property. Does Court wish to require vesting documents? JTD.
3. ~Proposed Form Order 07/25/17.

RECOMMENDATION:

Need complete I&A then Court's Discretion.

(nb)



Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

-----  
DATE: 08/29/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON DS1000025

CASE NAME: SYLVIA RITA ZAGHA

HEARING:

FOURTH WITH WAIVER OF ACCOUNT Account and Report of MARCO ZAGHA  
and Petition for allowance of fees filed.

COUNSEL:

LENITA A SKORETZ	(PET)...PRO/PER
MARCO ZAGHA	(CPE)...KARIN E HORSPPOOL
SYLVIA RITA ZAGHA	(CEP)...LENITA A SKORETZ
SYLVIA RITA ZAGHA	(CEP)...PRO/PER

GENERAL INFORMATION

**Continued from 07/11/17 for counsel to provide supplement showing  
withdrawals and assets on hand.**

THIS CASE SET FOR HEARING ON Fourth Waiver of Account and Petition for  
Allowance of Fees by Conservator of the Person and Estate Marco Zagha  
[“Petitioner”].

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

1. Petition indicates Conservatee resides at Azusa, CA, in Los Angeles County.  
Suggest transfer. If so, Court to set control date.
2. Accounting period 03/01/15 – 02/28/17.
3. Assets on hand not stated. Need assets on hand per C.R.C § 7.550 (b)(4).
4. No bond.
5. Petitioner alleges the conservatorship estate qualifies for a waiver of accounting  
per Pr.C. 2628 and because all of the estate assets are held in the  
Conservatee’s Trust. Petitioner further alleges that on 1/3/12 the court  
dispensed the need for any further accountings in the conservatorship  
proceedings but further ordered that a copy of the most recent statement for the  
IRA be filed with this report. Statement filed on 06/01/17 indicates account is  
vested in trust’s name.
6. Petitioner is not seeking fees; however, is seeking reimbursement of travel  
expenses of \$969.30. Itemized [LFp9].

**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. Attorney is seeking fees of \$2,379.50 for 7.10 hours at \$315/350 per hour. Itemized [LFp11].
8. Proposed order 06/01/17 does not include account period; does not specify reimbursement for costs; and reflects balance on hand for trust account.

#### RECOMMENDATION

Need to clear note 3, then Court's discretion re fees and transfer. If approved, set hearing on the next accounting review for **04/24/18** (if one year) or **04/23/19** (if two years). Account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

-----  
DATE: 08/29/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS0900186

CASE NAME: RYAN GEIB

HEARING:

SIXTH Account and Report of DIRK GEIB and Petition for allowance of fees filed.

COUNSEL:

DIRK GEIB	(CE )...LENITA A SKORETZ
DIRK GEIB	(CPE)...LENITA A SKORETZ
RYAN GEIB	(CEP)...JACK B OSBORN
RYAN GEIB	(CEP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Sixth Account Current and Petition for Fees by Conservator of the Person and Estate, Dirk Geib ["Petitioner"-father].

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

1. Account period 01/01/16 to 12/31/16.
2. Assets on hand \$1,975,842.18 consisting of \$1,938,108.07 in cash and brokered account and \$37,734.11 in personal property.
3. Bond is currently set at \$225,000 as the two Union Bank accounts and Americas Christian account are blocked. Appears sufficient.
4. Petitioner does not request fees for services during the fifth account period.
5. Attorney requests fees and costs totaling \$4,240.50. Billed at \$300/hour for 10.75 hours. Itemized [LF p.29-30]. JTD
6. Need residential facility statements and/or written verification of rent per Pr.C. §2620(c)(5).
7. Bank accounts are not vested as required by Local Rule 20-1406(g)(i). Need same.
8. Need to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).
9. Petitioner requests that the Court order, that UnionBanc, while maintaining the blocked accounts, may diversify the portfolio and investments of the conservatorship estate so that the estate can begin to earn money for the benefit of the conservatee.

**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. Proposed Order 07/19/17, section 8 reflects “first” accounting period.

**RECOMMENDATION:**

Need to clear notes 6-8 than Court’s discretion. If approved, set hearing re next Accounting Review for **02/27/18**. Accounting to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

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DATE: 08/29/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1200125

CASE NAME: MARY CHARM KUTCH

**SEE ALSO 18**

HEARING:  
Petition for ATTORNEY'S FEES

COUNSEL:

JAMES KUTCH	(DINA I FARHAT, ESQ	).
JAMES KUTCH	(TP )...	
MARK J ANDREW FLORY	(PET)...MARK J. ANDREW FLORY	
MARY CHARM KUTCH	(CEP)...JAMES B CHURCH	
ROBERT R KUTCH	(CPE)...BRYAN C HARTNELL	

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees by Mark J Andrew Flory

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

1. Petitioner Mark J. Andrew Flory was appointed Counsel for Conservatee Mary Kutch on 02/17/16.
2. Petitioner requests fees of \$3,344.50 for at \$350/105 per hour for attorney services/paralegal services. Itemized [petition 07/11/17, LFpg6-9]. JTD
3. Petitioner anticipates additional time of 1.5 hours for paralegal work at \$105/hour and an additional 1.5 hours for attorney work at \$350/hour for an additional total of \$682.50. JTD
4. No proposed Order submitted.

RECOMMENDATION

Court's discretion.

(lh)

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HONORABLE: JAMES MICHAEL WELCH

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DATE: 08/29/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1200125

CASE NAME: MARY CHARM KUTCH

**SEE ALSO 17**

HEARING:

FOURTH AND FINAL Account and Report of ROBERT R KUTCH and  
Petition for allowance of fees filed.

COUNSEL:

JAMES KUTCH	(DINA I FARHAT, ESQ	).
JAMES KUTCH	(TP )...	
MARK J ANDREW FLORY	(PET)...MARK J. ANDREW FLORY	
MARY CHARM KUTCH	(CEP)...JAMES B CHURCH	
ROBERT R KUTCH	(CPE)...BRYAN C HARTNELL	

GENERAL INFORMATION:

Conservatee passed away on 09/13/16.

**Continued from 05/02/17 and 07/11/17. Attorney Dina Farhat represents objections were filed yesterday (7-10-17). The Court notes there was no authority to transfer assets because conservatee has passed away. The Court further notes, the petitioner requests \$44,575.00 for conservatorship fees to provide respite care in the board and care according to the accounting. The Court further notes the supplement filed on 5-1-17 does not include receipts from the caregivers. Counsel is to provide receipts and/or bills from the caregivers by the next hearing date. The Court needs specifics on property maintenance, bookkeeping services, and charges for check imaging fees by the next hearing.**

THIS CASE IS SET FOR HEARING ON Fourth and Final Account and Petition for Fees by Conservator, Robert R. Kutch.

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

1. Accounting period 05/17/15 to 09/13/16. Need amended accounting to include post-death accounting period per Pr. C. § 2620. **Supp.: 05/01/17 alleges the Conservatorship was indebted to the Trust for over \$20,000 and on the passing of the Conservatee, the assets of the Conservatorship were immediately transferred to the Trust. A "post-death" accounting will show**

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.

**that one transaction and a receipt by the Trustees will be filed with the Petition for Final Discharge. JTD.**

2. Assets on Hand \$20,717.32 consisting of \$7,217.32 in cash and \$13,500 in the carry value of a 2006 Honda EX.
3. Petitioner requests compensation of \$44,575.00. Billed at \$25/hour for 59 weeks to be paid by the Trustee(s) of the Conservatee's Trust. Generally described [LF, p. 7]. JTD.
4. Attorney requests fees of \$14,817.50 to be paid by the Trustee(s) of the Conservatee's Trust. Billed at \$250-\$425/hour for 30.1 hours' attorney time and \$50-\$125/hour for 48.6 hours' paralegal time totaling 78.7 hours. Itemized [LF, pgs. 40-47]. JTD.
5. Petitioner requests the current bond of \$210,000 be exonerated nunc pro tunc to the date of death, 09/13/16, as all assets have been transferred to the Trustees. JTD.
6. Petition proposes distribution transferring the remaining assets to the Co-Trustees of the Conservatee's/Decedent's trust via a Pr. C. § 13100 affidavit. Need same. **Supp. (05/01/17) indicates the Conservator is also one of the Successor Co-Trustees. After the death of the Conservatee, the Petitioner withdrew funds from Bank of America and opened a Trust Account with Co-Trustee, James T. Kutch. JTD.**
7. Proposed Order 03/22/17 discharges upon filing of receipts instead of upon entry of final discharge order.
8. **Objections filed by James Kutch on 07/12/17.**

RECOMMENDATION: Matter is contested.

Court's discretion. If approved, set next hearing for receipts and final discharge for **07/17/18.**

(nb)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 08/29/17      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1500204

CASE NAME: MARIA RAMIREZ DE MARTIN

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of TERESA RAMIREZ

COUNSEL:

MARIA RAMIREZ DE MARTIN      (CTP)...WALTER T. MOORE  
TERESA RAMIREZ                      (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. Teresa Ramirez appointed Conservator of the person.
2. Notification of Conservatee's Rights per Pr. C. §1830(c) filed 07/21/17. However, Proof of Service is incomplete at section 4a date of mailing; section 5 indicates wrong date of Order, and form is not dated at signature. Need amended Proof of Service.
3. Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
4. Care Plan filed 07/21/17.

#### RECOMMENDATION

Need to clear note 2.

(lh)



Superior Court of Calif, County of San Bernardino

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

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DATE: 08/29/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1500274

CASE NAME: Gwenda Davis

HEARING:  
Accounting Review

COUNSEL:

GWENDA DAVIS	(CEE)...BRYAN C HARTNELL
GWENDA DENICE DAVIS	(PCE)...PRO/PER
HOWARD LEE DAVIS	(PCR)...PRO/PER

Request for Waiver of Court Fees and Costs filed by HOWARD LEE DAVIS is GRANTED

GENERAL INFORMATION

**Conservatee passed away on 03/11/16.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Appointing Conservator of the Person and Estate entered 05/03/16, no bond.
2. Ex-Parte Petition to Dispense with Accounting and Order filed 07/25/17.  
However, need pre and post death accounting per Pr. C. § 2620 and Local Rule 20-1406.

RECOMMENDATION

Need final accounting.  
(cs/nb)

Future Hearing:  
09/26/17 Compliance review hearing

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

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

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DATE: 08/29/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600134  
CASE NAME: MTR OF EVELYN RUTH GEORGE

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of PATRICIA LYNN RAMSEY

COUNSEL:

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

**XREF: PROPS1600544**

GENERAL INFORMATION

Order appointing Patricia Lynn Ramsey conservator of the person and estate entered  
04/07/17, \$20,000 bond.

**Continued from 07/18/17.**

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

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

- 1 Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's Rights per Pr.C.§1830(c).
- 2 Need Statement of Care Plan in accord with Pr.C.§2352.5.
- 3 Need a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
- 4 Need final Inventory & Appraisal per Pr.C.§2610.
- 5 Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
- 6 If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION:

Inquire status.

(nb/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.**

Future Hearing:  
02/20/18 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.**

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 08/29/17      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1600186

CASE NAME: DEVIKA D. RAJYAGOR

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of JYOTI RAJYAGOR

COUNSEL:

DEEPAKRAI RAJYAGOR

(PET)...PRO/PER

DEVIKA D. RAJYAGOR

(CEE)...CANDICE A GARCIA-RODRIGO

JYOTI RAJYAGOR

(PET)...PRO/PER

GENERAL INFORMATION

**Continued from 06/13/17.**

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Jyoti Rajyagor and Deepakrai Rajyagor, parents, appointed co-conservators of the person.
2. Notification of Conservatee's Rights filed 07/26/17.
3. Determination of Conservatee's Appropriate Level of Care and Care Plan filed.

RECOMMENDATION

None.

(lh/nb/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 08/29/17      TIME: 9:30      DEPT: S36P  
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CASE#: RC RS00134

CASE NAME: ISRAEL D MORENO

HEARING:

Accounting Review

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (PET)...PRO/PER

ELIZABETH MORENO

(CPE)...E LAWRENCE BROCK

ISRAEL D MORENO

(CEP)...ALTHOUSE & MCDONOUGH

ISRAEL F MORENO

(PET)...E LAWRENCE BROCK

ISREAL F MORENO

(PET)...BROCK, MARTIN &

GENERAL INFORMATION

**Continued from 06/27/17.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Approving Second Account entered 07/19/16; third account now due.
2. No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

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DATE: 08/29/17      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS0900078

**VACATE**

CASE NAME: MONIQUE JUAREZ SPECIAL NEEDS TRUST

HEARING:

Accounting Review

COUNSEL:

JACQUELINE JUAREZ

(OBJ)...MARK D PERRYMAN

MARK J. ANDREW FLORY

(PET)...JAMES B CHURCH & ASSOCIATES

MARK PERRYMAN

(MARC DAVID PAISIN

MARK PERRYMAN

(PET)...MITCHELL WEILER LAW

MONIQUE J JUAREZ

(PET)...JAMES B CHURCH

MONIQUE JUAREZ S.N. TRUST

(TRU)...

WELLS FARGO BANK

(PET)...FRED MUSCARELLA

WELLS FARGO BANK

(PET)...HESS-VERDON & ASSOCIATES

Trustee's 8<sup>th</sup> Accounting Report filed 07/26/17.

Future hearing date:

10/19/17 Trustee's 8<sup>th</sup> Accounting Report

**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.**

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

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DATE: 08/29/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500798

CASE NAME: JAMES ROBERT WILLIAM BULLOCK

HEARING:

FIRST AND FINAL Account and Report of LINDA JOYCE MURPHY and  
Petition for allowance of fees filed.

COUNSEL:

JAMES ROBERT WILLIAM BULLOCK (DEC)...  
LINDA JOYCE MURPHY (PET)...TREDWAY LUMSDAINE &

GENERAL INFORMATION:

**Continued from 07/11/17 at request of petitioner.**

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of  
Account and for Fees by Executrix, Linda Joyce Murphy ["Petitioner" – daughter].

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

1. Beneficiary waives accounting.
2. Accounting period 06/19/14 to 03/06/17.
3. Assets on Hand \$170,062.10 in cash.
4. Petitioner waives statutory compensation.
5. Attorney requests statutory fees of \$6,191.79. Calculated. **Court approves attorneys request for statutory fees in the amount of \$6,191.79 on 07/11/17.**
6. Attorney requests reimbursement of costs of \$351. Itemized [LF, p. 24]. **Court approves attorneys request for reimbursement of costs in the amount of \$351.00 on 07/11/17.**
7. **Supp. (07/07/17) indicates after-discovered assets, consisting of an IRA, while cashed out, did contain assets subject to an appraisal by the probate referee. Petitioner requests the requirement of the probate referee to inventory the IRA be dispensed with as it was not known until now that it contained assets subject to the probate referee. Petitioner alleges that such request, if granted, will save time and money in the probate estate and allow the trust administration to also come to a close as this is a final petition to distribute pursuant to a pour over will to the trust. 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.

8. No proposed order. Submit Order after Hearing.

**RECOMMENDATION**

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

**07/17/18.**

(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.**



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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 08/29/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1501018

CASE NAME: ROY E BRANSON

HEARING:

Probate status report filed.

COUNSEL:

DONNA L CARLSON (PET)...BRYAN C HARTNELL  
ROY E BRANSON (DEC)...

GENERAL INFORMATION:

**Continued from 07/11/17.**

THIS CASE IS SET FOR HEARING ON Status Report by Administrator, Donna L. Carlson ["Petitioner"].

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

1. Need final inventory and appraisal.
2. Petitioner alleges the estate is not in a condition to be closed as Decedent owned real property located at Washington, D.C., for which, ancillary proceedings have commenced but not yet, completed.
3. Petitioner requests an additional 12 months to close the estate.
4. ~Proposed Order 04/24/17.

RECOMMENDATION:

Need to clear note 1 then Court's discretion. If approved, set next Accounting Review for **07/17/18**.

(nb/lh)

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

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DATE: 08/29/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600069

CASE NAME: ESTATE OF MANJIBHAI R VAGHASHIA

HEARING:

Probate status report filed.

COUNSEL:

GOVIND R VAGHASHI	(PET)...GLENN M. HORAN
MANJIBHAI R VAGHASHIA	(DEC)...
MONIKA D VAGHASHIA	(PET)...LAYNE A BARTHOLOMEW

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status Report

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

1. Petitioner alleges the estate is not in a condition to be closed as estate is currently involved in ongoing litigation pending in Los Angeles County, case number EC064237.
2. Petitioner requests an additional 12 months to close the estate.
3. ~Proposed Order: 06/14/17

#### RECOMMENDATION

Court's discretion. If approved, Court to set next accounting review date for **05/22/18**.  
(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 08/29/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600907

CASE NAME: MTR OF YOUNG S00K HAN

HEARING: Re: AMENDED LTRS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

AE SOOK HAN	(PET)...RYAN A ELLIS
YOUNG SOOK HAN	(DEC)...
YOUNG SOO KO	(PET)...PRO/PER

GENERAL INFORMATION:

**Continued from 07/24/17 at request of counsel. Notice to be given by Mr. Ellis.**

THIS CASE IS SET FOR HEARING ON **Amended** Petition for Letters of Administration with full authority under IAEA by Young Soo Ko, brother-in-law, as petitioned by sister, Ae Sook Han.

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

1. Heirs appear to be citizens of Korea. Need Notice of Petition to Administer Estate with proof of service to include diplomatic or consular office per Pr.C. 8113.
2. Petition does not include estimated value of property at Section 3d; Section 3h re residency is incomplete; Section 5 (3) or (4) do not indicate if domestic partner exists and Section 5 (7) or (8) do not indicate if there is issue of a predeceased child. Need verified supplement.
3. All heirs waive bond. Need Mandatory Waivers of Bond by Heir or Beneficiary, form DE-142/DE-111 by each heir.
4. Duties and Liabilities of personal representative is not dated and telephone number is not listed at section 2. Need same
5. Need proof of publication.
6. Need Notice of Petition to Administer Estate with proof of service.
7. ~Proposed Form Order: 06/13/17.

RECOMMENDATION:

Need to clear notes 1 - 6. Court's discretion re bond. If approved, set Accounting/Status Review for 11/06/18. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

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

(cs/nb)

Future Hearing:

10/16/17 Petition for letters of administration **VACATE**

**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.**

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

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DATE: 08/29/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600917

CASE NAME: MTR OF LILEAN SARAH ATTEBERRY  
HEARING:  
Petition to determine succession to Real Property

COUNSEL:

LILEAN SARAH ATTEBERRY (DEC)...  
PATRICIA LILY TILLEY (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by PATRICIA LILY TILLEY is GRANTED

GENERAL INFORMATION:

Matter set at **11/22/16** hearing due to non-appearance. Notice by Judicial Assistant.  
Continued from **01/24/17** at request of petitioner to clear notes and seek legal counsel.  
Continued from **04/11/17**. No appearance. Notice to be given by petitioner.  
**Continued from 06/27/17 at request of petitioner. Notice to be given by petitioner.**

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by sister.

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

1. Petitioner alleges Decedent was not a resident of California, but owned real property in Yermo, California at the time of death.
2. Petition indicates decedent was survived by issue and issue of a predeceased child. However, attachment does not include issue, issue of predeceased child or other heirs as alleged. Additionally, petition needs to include all parties claiming an interest per Pr. C. § 13151. Need amended petition.
3. Inventory & Appraisal attached to petition has the following issues:
  - a. Sections 4 & 5 incomplete.
  - b. No signatures on the I&A. Need signatures of verification by all heirs.
  - c. Need full legal description of real property listed on Attachment 2.  
Need corrected inventory.
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 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.**

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

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DATE: 08/29/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700198

CASE NAME: MTR OF DORA ELLEN BAKER

HEARING:

Petition to determine succession to Real Property

COUNSEL:

DAVID E MUNSEN	(PET)...PRO/PER
DORA ELLEN BAKER	(DEC)...
VICTOR ALLEN MUNSEN	(PET)...PRO/PER

GENERAL INFORMATION:

**Continued from 07/11/17 at request of petitioner.**

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property (Estates \$150,000 or less) by second cousin and named executor, David E. Munsen and beneficiary/second cousin, Victor Allen Munsen.

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

1. Inventory & Appraisal attached to petition **and filed on 07/10/17** has the following issue:
  - a. No signatures on the I&A by Victor A. Munsen. Need signatures of verification.  
Need corrected inventory.
2. Petitioners request a determination that decedent's real property located at Joshua Tree, CA in San Bernardino County pass to named beneficiary without administration. Petitioners are decedent's second cousins and a beneficiary in decedent's will. Petitioner attaches a copy of decedent's will [LF, p. 5]
3. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need corrected I&A 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.**

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 08/29/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700579

CASE NAME: MTR OF RICHARD RAYMOND MARINEZ

HEARING:

Petition for PROBATE OF WILL & LETTERS OF ADMIN W/FULL  
AUTHORIZATION TO ADMINISTER UNDER IAEA

COUNSEL:

RICHARD RAYMOND MARINEZ (DEC)...  
RICHARD RYAN MARINEZ (PET)...PRO/PER

#### GENERAL INFORMATION

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

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

1. Petitioner seeks no bond on the basis that will waives bond and indicates all heirs waive bond; however, will does not indicate waiver of bond and Waiver of Bond form DE-142 by each beneficiary not filed. Petition indicates estate value consists of \$122,800 in personal with an unstated amount in real property.  
**Mandatory Waivers of Bond by Heirs, form DE-142/DE-111, filed.**
2. Petition indicates powers sought are for will and for letters of administration with will annexed; however, will names petitioner as an alternate executor. Does Court wish to require amended petition to reflect proper letters testamentary sought. JTD
3. The will conditionally incorporates decedent's Trust. Need Certification of Trust that meets the requirements in Pr. C. § 18100.5, to include a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? JTD
4. ~Proposed Form Order: 06/29/17

#### RECOMMENDATION

Need to clear notes 2 - 3, Court's discretion re bond. If approved, set Accounting/Status Review for **11/16/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.  
(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.**

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San Bernardino District

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HONORABLE: TARA REILLY

**CONSERVATORSHIP**

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DATE: 08/29/17      TIME: 9:30      DEPT: S37P  
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CASE#: CON DS1000180

CASE NAME: LUISA PEPILASCOV

HEARING:

Hearing Re: PETITION TO TERMINATE CONSERVATORSHIP

COUNSEL:

CHARLES CORNETT	(PET)...EDWARD G. OPERINI
EDWARD B FISCHEL	(PET)...EDWARD B FISCHEL &
LEIA CHASE	(CPE)...CHO, SHEASBY, CHUNG &
LEIA CHASE	(CPE)...PRO/PER
LINDA MAXWELL	(CE )...MAUREEN MURATORE
LINDA MAXWELL	(CPE)...MAUREEN MURATORE
LISA LEHAR	(PRO/PER
LUISA PEPILASCOV	(CEP)...MITCHELL I ROTH
LUISA PEPILASCOV	(PRO/PER
MARCOS PEPILASCOV	(CPE)...EDWARD B FISCHEL &
MITCHELL I ROTH	(PET)...
RAQUEL PEPILASCOV	(CPE)...EDWARD B FISCHEL &
US SPECIALTY INSURANCE COMPANY	(TP )...PRO/PER

**XREF: PRODS1000524, CONPS0900199**

GENERAL INFORMATION

Continued from **08/29/16**; 1<sup>st</sup> Account approved.

Continued from **11/03/16**. The Court orders that objectors served all parties with objection. Mr. Fischel agrees to service via email. Referred to Court Investigator for investigation and report.

**Continued from 03/13/17. Objections filed. Matter continued at this time for siblings to speak with each other regarding options other than conservatorship.**

THIS CASE IS SET FOR HEARING ON Petition for Termination of Conservatorship.

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.



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

1. Daughter, Raquel Pepilascov, was appointed successor conservator, estate only, on 3/16/15.
2. Petitioner alleges that the conservatee's health has improved making the conservatorship no longer necessary and requests the termination of the conservatorship.
3. Need CI report as directed by Court on 11/03/16.
4. **Objection filed by Luisa Pepilascov, daughter, on 09/28/16.**
5. **Report by court-appointed counsel, Mitchell I. Roth, filed 08/01/17.**
6. **Capacity Declaration filed 08/10/17, Section 4a, re the last time conservatee was seen by physician is incomplete. Need verified supplement.**

RECOMMENDATION:

Need to clear notes 3 & 6 then set for contested hearing. If approved re-set the Accounting review for 60-90 days.

(/lc/nb)

FUTURE HEARING:

08/29/18 Accounting Review (conservatorship)

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CASE#: CON PS1300021  
CASE NAME: JANE JOLLY

HEARING:  
Petition for ATTORNEYS FEES

COUNSEL:

JANE JOLLY	(CEP)...JAMES B CHURCH
JANE JOLLY	(CTP)...MARK J. ANDREW FLORY
JOHN JOLLY	(CP )...EDWARD B FISCHEL
JOHN JOLLY	(CPE)...EDWARD B FISCHEL &
MARK J ANDREW FLORY	(PET)...PRO/PER
MARK J ANDREW OSBORN	(PET)...MARK J. ANDREW FLORY
NATALIE BLICKENSTAFF	(CE )...JENNIFER M DANIEL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL

**XREF: CONPS1200265**

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees by Mark J. Flory

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

1. Petitioner Mark J. Flory was appointed Counsel for Conservatee Jane Jolly on 01/30/13.
2. Petitioner requests fees of \$6,260.50 for 36.50 hours at \$350/\$300/\$105/\$95 for attorney services and paralegal service. Itemized [Petition, LFpgs6-12].
3. Petitioner requests additional anticipated fees of \$682.50 for an anticipated 1.5 hours at \$105.00/hour for paralegal services and \$350.00/hour for attorney services. JTD
4. No proposed Order submitted.

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing:

10/26/17 Hearing re: Accounting of John Jolly

01/11/18 Hearing re: Final discharge of Natalie Blickenstaff

**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.**

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CASE#: CON PS1600117

CASE NAME: MTR OF JEFFREY CRAIG ANDERSON

HEARING:

Conservatorship Compliance Review Hearing on 1st Amended  
PETITION FOR CONSERVATORSHIP of DOUGLASS LEE GROVES

COUNSEL:

DOUGLASS LEE GROVES (CPE)...RONALD W ASK  
JEFFREY CRAIG ANDERSON (CEP)...MARK J. ANDREW FLORY

GENERAL INFORMATION

Douglas Lee Groves appointed Limited Conservatorship of the person and estate,  
\$20,000 bond.

**Continued from 07/11/17 to clear probate notes.**

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

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

1. Notification of Conservatee's Rights filed. However, section 5 to proof of service is incomplete. Question whether a conformed copy if the Order Appointing Probate Conservator was also served? JTD.
2. Need Statement of Care Plan in accord with Pr.C.§2352.5.
3. Appropriate Level of Care filed.
4. Final Inventory and Appraisal filed 04/25/17; however, date of appointment of conservator is incorrect. Need corrected Inventory and Appraisal.
5. Need supporting bank statements as of date of appointment of conservator on 11/29/16 per Local Rule 20-9083.
6. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.

RECOMMENDATION:

Inquire status.

(nb/lh)

Future Hearing:

12/05/17 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.**

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DATE: 08/29/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700117

CASE NAME: MTR OF ALEJANDRO RUDY VASQUEZ

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
ALEJANDRO RUDY VASQUEZ (CTP)...CANDICE A GARCIA-RODRIGO  
ANISSA M VASQUEZ (CP)...VOORHEES LAW GROUP  
LISA VASQUEZ (CP)...VOORHEES LAW GROUP  
RUDY VASQUEZ (CP)...VOORHEES LAW GROUP

#### GENERAL INFORMATION

**Continued from 05/09/17.** Proof of completion of Conservatorship Training Class shown as to Rudy Vasquez. Attorney Candice A Garcia-Rodrigo is appointed for Alejandro Rudy Vasquez. Lisa Vasquez is appointed Temporary Conservator of Alejandro Vasquez, person only.

**Continued from 07/11/17. Court waives proposed service of Citation as proposed conservatee is present in Court. It is determined proof of completion of conservatorship training class was filed 05/02/17. Court appointed Candice Garcia-Rodrigo at last hearing. Judicial Assistant sent notice this date. Verified supplement and Counsel report to be filed.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Lisa Vasquez (mother), Rudy Vasquez (father) and Anissa Vasquez (sister)

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

1. Petition requests powers under Pr. C. §2351.5 to fix residence access confidential records, control right to contract, withhold medical treatment, and make educations regarding education. JTD.
2. Petitioner requests court limit civil rights of proposed conservatee, including right to choice of residence, right to access confidential records, right to contract, consent to medical treatment and decisions regarding education. 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.**

3. Petitioner seeks medical powers. Capacity Declaration filed 03/23/17.
4. Proposed conservatee is developmentally disabled. Report of Candice A. Garcia-Rodrigo filed 07/27/17.
5. Proposed conservatee is developmentally disabled. IRC report filed 05/04/17.
6. Court Investigator report filed.
7. Proof of completion of Conservatorship Training Class for Rudy Vasquez shown at 05/09/17 hearing.
8. No proposed form Order.

#### RECOMMENDATION

Court's discretion. If approved, set hearing for Compliance Review for **04/03/18** 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/lh)

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DATE: 08/29/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700189

CASE NAME: VIRGINIA QUEVEDO

HEARING:  
Petition for Appointment of Conservator

COUNSEL:

AMAY GUILLEN	(PET)...LENITA A SKORETZ
MICHELLE T MAYFIELD	(PET)...CHRISTIAN U ANYIAM
VIRGINIA QUEVEDO	(CEE)...J. DAVID HORSPOOL/ E JOAN NELSMS (GAL)

GENERAL INFORMATION

**Ex parte orders denied 05/30/17.** Court makes interim orders that no one is to discuss facts in this case nor give documents to Virginia Quevedo. No visitation ordered until further notice. Attorney J. David Horspool appointed for Virginia Quevedo. **Continued from 07/11/17.** Counsel's report filed in Courtroom. Court appoints Michelle Mayfield as temporary conservator of the person and estate with \$347,000 bond. Court orders powers of attorney to make healthcare decisions and of the estate are suspended pending further order of the Court. Objections and competing petition will be filed by Amay Guillen. Court has no objection to conservatee being in a non-secured facility but orders that conservatee remain in her current placement pending further order of the Court. Court makes visitation orders. Court appointed E Joan Nelms as Guardian Ad Litem for Virginia Quevedo. Notice given by Judicial Assistant.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Michelle T. Mayfield (friend/caregiver)

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

1. Petitioner seeks bond of \$347,000. Estate consists of \$15,000 in personal property, \$12,000 public benefits, and \$300,000 in real property. Question if petitioner seeks powers under Pr. C. §2591 to sell/encumber real property. If so, suggest bond of **\$382,000** (includes recovery). JTD
2. Section 11 to petition [LF, p. 8] does not indicate relationships of named individuals to conservatee. Need verified supplement.

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

3. Petitioner seeks medical powers.
  - a. **Capacity Declaration filed 07/14/17 is not dated at signature. Need completed form.**
  - b. Petition is incomplete at item 9b and 9d re medical treatment. Need verified supplement.
4. List of Required Contact Information filed 05/19/17 does not include complete addresses of relatives Robert and Virginia Guillen. Ezekiel Hernandez (brother) is missing. Need completed form.
5. Need return of Citation.
6. Need Notice of Hearing and Proof of Service as to Robert Guillen and Virginia Guillen, or file Due Diligence Declarations.
7. **Need report of E. Joan Nelms, GAL.**
8. Report of Counsel J. David Horspool filed 07/11/17.
9. **CI Report filed 07/07/17.**
10. Court suspended Power of Attorney and Healthcare Directive as to agent Amay Rochell Guillen.
11. Proof of Completion of Conservatorship Training Class filed 07/17/17.
12. ~Proposed Form Order: 05/19/17

#### RECOMMENDATION

Need to clear notes 2-7. If approved, set hearing for Compliance Review for **03/14/18** for the filing of the required documents and hearing re Accounting Review for **11/16/18**. Any account to be filed 30 days in advance. Note requirements of Local Rules.  
(lh/)

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

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DATE: 08/29/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700280

CASE NAME: MTR OF LOUIS EDWARD TAYLOR

HEARING:

Petition for Appointment of Conservator

COUNSEL:

LOUIS EDWARD TAYLOR (CTP)...  
THELMA LOUISE TAYLOR (CP)...PRO/PER

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only, by Thelma Taylor (mother)

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

1. Petitioner seeks medical powers. **Capacity Declaration filed 08/16/17 is incomplete at Sections 3, 4, 5, 7b, 8; and does not affix Dementia Attachments GC-313 or GC335A. Need complete capacity declaration.**
2. Petitioner seeks dementia powers. **Need report by court-appointed counsel, Jennifer Daniel.**
3. List of required contacts (Local form SB-12224) is missing daughter Daijas Taylor. Need completed form.
4. Need Confidential Supplemental Information.
5. Court Investigator report filed 08/10/17.
6. Certificate of Completion of the Conservatorship Training Class filed 08/04/17.
7. Return of Citation filed 08/07/17 with proof of service.
8. ~Proposed Form Order: 07/20/17.

#### RECOMMENDATION

Need to clear notes 2-5. If approved, set hearing for Compliance Review for **04/03/18** 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.**



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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 08/29/17      TIME: 9:30      DEPT: S37P  
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CASE#: RC RS00170

CASE NAME: IN THE MATTER OF TIMOTHY ERIC JOHNSON

HEARING:

Accounting Review

COUNSEL:

DONALD JOHNSON	(CPE)...CHARLES S ALTHOUSE
JESSIE JOHNSON	(CPE)...CHARLES S ALTHOUSE
TIMOTHY ERIC JOHNSON	(CEP)...
TIMOTHY ERIC JOHNSON LIGITATIO	(PCE)...
TIMOTHY ERIC JOHNSON LIGITATIO	(TRU)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order approving Sixth Account current entered 09/01/15.
2. No accounting or status report of administration. Need same.

#### RECOMMENDATION

Inquire status

(lh)