



First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 08/31/17

All corrections/supplements addressing these notes should be filed by **08/24/17**. Later-filed documents might not be reviewed prior to the hearing and could result in a continuance of your case. Updates to these notes *typically* will be posted three court days prior to the hearing.

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

Lc08/01/17

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 08/31/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS0600332

CASE NAME: In re Matter of Hope Marie Johnson

HEARING:

Accounting Review

COUNSEL:

HOPE MARIE JOHNSON

(MIN)...WILLIAM D SHAPIRO

HOPE MARIE JOHNSON SPECIAL NEE (TRU)...

LINDA MAXWELL

(PET)...ELISABETH KEMPE-

LINDA MAXWELL

(TEE)...ELISABETH KEMPE-

XREF: VCVVS033704 (*Johnson v Cole; dismissed 07*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 7th Account for Linda Maxwell, trustee, approved on 10/15/15.
2. Need 8th Account beginning with 07/01/2015.

RECOMMENDATION

Inquire status of accounting.

(ww)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400711
CASE NAME: MTR OF COURTNEY CHEEK SETTLEMENT TRUST
HEARING: SECOND Account and Report of WELLS FARGO BANK and Petition for allowance of fees filed.

COUNSEL:
COURTNEY CHEEK SETTLEMENT TRUS (TRU)...
SCOTT GROSSMAN (PET)...SCOTT GROSSMAN
WELLS FARGO BANK (PET)...JENNIFER M DANIEL

XREF CIVDS1302543 (Cheek v Kaiser)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 2nd Trust Account Current and Petition for Allowance of Fees by Wells Fargo Bank, Trustee.

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

1. Account period covers 02/01/15 – 04/30/17.
2. Assets on hand \$1,339,850.48 consisting of \$25,447.14 in cash and the balance in a vehicle and securities.
3. On 11/20/14 Trustee was authorized to purchase a pool up to \$60,000. Disbursements indicate \$5,300 for pool heating solar panels. Question if this amount is within the \$60,000 or an additional amount that may need approval? Need verified supplement.
4. Petitioner's fees paid during this account period total \$41,678.53 billed at an annual rate of 1.50% of the first \$2,000,000 [Acct. 06/06/17 LFpg77]. . Note: Petitioner is billing under their SNT fee schedule and this is not an SNT, but rather a settlement trust.
5. Attorney requests fees of \$3,107.50 for 11.3 hours at \$275/hour. Itemized [Acct. 06/06/17 LFpg83-86].
6. If beneficiary is receiving services from Department of Developmental Services need notice of hearing and proof of service. It does not appear beneficiary is in a state hospital.
7. ~Proposed order: 06/06/17.

RECOMMENDATION:

Need to clear note 3. If approved, set Accounting/Status Review for **07/12/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 08/31/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500942

Vacated

CASE NAME: JANICE ARLENE BETZHOLD

HEARING:

Hearing re Final Discharge

COUNSEL:

DOUGLAS DULUDE

(PET)...JENNIFER

JANICE ARLENE BETZHOLD

(DEC)...

Discharged filed 02/17/17.

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

DATE: 08/31/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600332

CASE NAME: MTR OF VESTA L GUGGISBERG

HEARING:

FIRST AND FINAL Account and Report of TED A GUGGISBERG, BRIAN R GUGGISBERG and Petition for allowance of fees filed.

COUNSEL:

AMY LYNN PHILLIPS	(CRAIG E WILSON
BRIAN R GUGGISBERG	(PET)...BRUNICK, MCELHANEY &
KERI LEIGH GUGGISBERG	(TP)...CRAIG E WILSON
TED A GUGGISBERG	(PET)...BRUNICK, MCELHANEY &
VESTA L GUGGISBERG	(DEC)...

GENERAL INFORMATION

Continued from 06/22/17. Petitioner's counsel to be personally present on 08/31/17. Response to objections to be filed by 07/20/17 and if objectors have a reply to response, then to be filed by 08/10/17.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees for Ted and Brian Guggisberg, Sons/Co-Trustees.

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

1. Petitioners and attorney request statutory fees of \$23,298.99 each; petitioners to divide their fees equally. Ok.
2. Attorney requests reimbursement of costs totaling \$2,507. Itemized [Acct. 04/12 LFPg6].
3. **Objections filed by Amy Philips and Keri Guggisberg, granddaughters, filed 06/21/17.**
4. **Response to objections by Ted and Brian Guggisberg filed 07/19/17.**
5. ~Proposed Order: 04/12/17.

RECOMMENDATION

Matter is contested. If approved, set hearing on the filing of receipts and final discharge for **09/06/18**.

(lc)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600413

CASE NAME: LEWIS DEAB BOOTH

HEARING:
Accounting Review

COUNSEL:
KEITH MORLOCK (PET)...AMY FENELLI CIFTCIKARA
LEWIS DEAN BOOTH (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Keith Morlock, nominee by sole heir, on 06/23/16 full authority, no bond.
2. Need final Inventory and Appraisal
3. Need accounting or status report.

RECOMMENDATION

Need to clear note 2 & 3.
(ww)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601001

CASE NAME: KAYE L. FREEMAN TRUST

HEARING:

Hearing Re: PETITION TO CREATE TERMS OF TRUST; FOR INSTRUCTION

COUNSEL:

MIGUELA M. FREEMAN (PET)...JAMES B CHURCH
THE KAYE L. FREEMAN TRUS T DAT (TRU)...

XREF: PROPS1601002 (Kaye Freeman Estate)

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

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

DATE: 08/31/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700571

CASE NAME: MTR OF ROBERT JOHN TORLEY

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

ROBERT JOHN TORLEY (DEC)...
WILLIAM P TORLEY (PET)...VICTORIA P STAPLETON

GENERAL INFORMATION

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

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

1. All heirs waive bond; however, need mandatory judicial council form DE-142/DE-111 (A-3e).
2. Need Notice to Petition to Administer Estate and proof of service.
3. Need proof of publication
4. Court address lists 351 N Arrowhead on all forms. Court may wish to require correct address. JTD
5. ~Proposed Form Order: 06/07/17

RECOMMENDATION

Need to clear notes 1-3. Court's discretion re note 4 and bond. If approved, set Accounting/Status Review for **11/08/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lc)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700572

CASE NAME: MTR OF DAVID HOFFMAN

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

AUDREY J BERNHARD (PET)...IGNAZIO FICARA
DAVID HOFFMAN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Audrey Bernhard, mother

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

1. All heirs waive bond. The net estate value consists of \$651,650 of which \$19,650 is personal property. Petitioner is a non-resident and the court may require bond if the proposed personal representative resides outside California per Pr. C. § 8571. Court also has discretion to require bond per Pr.C. § 8481(b). Does court wish to require minimum bond of \$20,000.00 or alternatively based on net assets of \$651,650; of which \$632,000 is real property? JTD
2. The petition for probate is on an outdated form. JTD
3. Need proof of publication
4. ~Proposed Form Order: 06/08/17

RECOMMENDATION

Need to clear note 3. Court's discretion re bond and note 2. If approved, set Accounting/Status Review for **11/08/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S35P

CASE#: SPR SS06802

CASE NAME: EST OF MARY JANE WILSON

HEARING:
Hearing Re: STATUS CONFERENCE

COUNSEL:

MARY JANE WILSON	(DEC)...
PATRICIA J O'NEIL	(PET)...HARTNELL LAW GROUP
PATRICIA J O'NEIL	(PET)...MARTIN E KELLER
RICHARD DONELLA	(TP)...PRO/PER
WILLIAM F O'NEIL	(PET)...MARTIN E KELLER

GENERAL INFORMATION

Continued from 05/18/17. George Theios stated on the record the possible reason that Martin Killer is not present, the court has ordered him to be present. Any objections or some written response as to why objections cannot be filed by 06/08/17 if not filed by deadline, could will deem objections waived.

Continued from 06/22/17. Attorney Levine indicated that Martin Keller is incarcerated in Riverside County. Counsel to exchange witness lists.

THIS CASE SET FOR HEARING ON Status Conference.

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

1. Matter set on 02/16/17 hearing to Determine Title and for Surcharge etc. Any objections to be filed by 03/09/17 and Martin Keller to personally appear on 05/18/17.

RECOMMENDATION

Inquire status.

(lc)

Future Hearing:09/28/17 Hearing re: to determine title and for surcharge etc.

09/18/17 Hearing r4e: Probate status report filed on 12/01/16

09/28/17 Readiness calendar

10/23/17 *Court Trial* 10/24/17 *Court Trial* 10/25/17 *Court Trial* 10/26/17 *Court Trial*

10/27/17 *Court Trial*

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 08/31/17 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1600510

CASE NAME: EMELY GARCIA SPECIAL NEEDS TRUST

HEARING: FIRST Account and Report of WESTAMERICA BANK and Petition for allowance of fees filed.

COUNSEL:

EMELY GARCIA SPECIAL NEEDS TRU (TRU)...

WESTAMERICA BANK

(PET)...RANDOLPH M SHARON ESQ

XREF CIVRS1401779 (Emely Garcia v Thomas Lee)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st SNT Trust Account Current and Petition for Approval of Fees by Westamerica Bank, Trustee.

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

1. Accounting period 05/01/16 – 04/30/17.
2. Assets on hand \$1,018,984 of which \$2,883.30 is cash equivalent.
3. Trustee seeks court ratify fees already taken of \$14,804.30 [Acct. 06/08/17 LFpg 32]. JTD
4. Attorney seeks fees of \$3,300 and costs of \$230 [Acct. 06/08LFpg8]. . Need itemization.
5. Court authorized purchase of residence. Question how the real property title is held? Need verified supplement.
6. Need financial statements per local rule 20-908.
7. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 4-6. If approved, set Accounting/Status Review for **07/05/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC.

DATE: 08/31/17 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1501083

CASE NAME: KENNETH AARON RAINS

HEARING:

Hearing Re: COURT TRIAL (FOURTH DAY OF TRIAL)

COUNSEL:

BARBARA MOORE

(PET)...LINDA ROBERTS ROSS

KENNETH AARON RAINS

(DEC)...

SHELLIE DINNAUER

(PET)...LINDA ROBERTS ROSS

TERRY ANDERSON

(PET)...TREVOR

Trial – No notes – JTD

Future Hearing: 09/01/17 *Court Trial*

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

PROBATE

DATE: 08/31/17 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000194

CASE NAME: WALTER EARL GREENWOOD

HEARING:

Hearing re Final Discharge

COUNSEL:

CARL GREENWOOD (PET)...GATEWAY LEGAL GROUP, P.C

MARLA L GREENWOOD (PET)...GATEWAY LEGAL GROUP, P.C

WALTER EARL GREENWOOD (DEC)...

XREF: CIVDS1205220 (Greenwood v LaCues), SCVSS261126 (Aguilar v Calnev Pipeline)

GENERAL INFORMATION

Continued from 06/08/17 and 07/20/17. No appearances. Court imposed sanctions of \$50 each on Carl and Marla Greenwood; Gateway Legal group to be payable by 08/31/17.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Carl Greenwood, son, approved on 06/02/16.
2. Need receipts for Walter and Charles Greenwood for civil judgment.
3. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipts and discharge.

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500025

CASE NAME: YOKE YING TAN

HEARING:
Accounting Review

COUNSEL:
JASON VIEGAS (PET)...MITCHELL I ROTH
JONATHEN VIEGAS (OBJ)...RICHARD W.S. PERSHING
YOKE YING TAN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Jason Viegas, son, on 06/28/16 full authority, \$218,000 bond.
2. Need final Inventory and Appraisal
3. Need accounting or status report.

RECOMMENDATION

Need to clear notes 2 & 3.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501026

CASE NAME: ARMANDO OLAZABA

HEARING:

OSC re: Dismissal (Settlement) filed by MARIAH HARRIS

COUNSEL:

ARMANDO OLAZABA	(DEC)...
FRANCES C PEREZ	(CHANDLER LAW FIRM
MARIAH HARRIS	(PET)...JOHN G WURM
PAULA GUSTAFSON	(OBJ)...

XREF: PROPS1600064 (Armando Olazaba), PROPS1600677 (Viola Olazaba)

GENERAL INFORMATION

Continued from 1/4/16, 5/11/16, 08/01/16, 09/19/16, 11/08/16 and 01/24/17.

OSC set on 07/13/17. Possible dismissal contingent on the resolution of claims brought by Ms. Gustafson and her family.

THIS CASE SET FOR HEARING ON **OSC re Dismissal (Settlement)** Petition to Determine Succession to Real Property.

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

1. Petitioner is seeking 100% interest in the decedent's 100% interest in real property (a cabin in Rimforest, CA with \$149,500 I&A value). However, petitioner does not take per will or intestate succession and is not related to decedent nor ever married. Petitioner states she and decedent lived together for years as husband and wife but California is not a common law state. Petitioner alleges that decedent had no living relatives at the time of death. However, as there is no will and petitioner purports to take via intestate succession, petitioner does not appear to be entitled to inherit.
Supp 12/23/15: Petitioner adds allegations that despite the lack of blood relationship between decedent and petitioner, petitioner qualifies as a relative for purposes of intestate succession pursuant to Fam. Code 7630, 7611(d), and Probate Code 6453.
2. Need declaration of agreed upon matters.
3. **Supplement to objection filed 2/16/16 by Barbara Langlois**

4. **Objection filed by Paula Gustafson on 1/20/16** on basis petitioner is not related to decedent and therefore not entitled to take via intestate succession. Objector, however, is not related to decedent (she appears to be the granddaughter of a Viola Olzaba who is a woman with whom decedent and petitioner used to live) and therefore it does not appear that objector has standing to object – she does not have an apparent basis for taking decedent’s property whether the current petition is granted or denied. Court may wish to disregard Objection for lack of standing of objector or invite objector to file P&As establishing standing.
 - a. **Response to Objection filed by petitioner on 1/4/16** to argue Objector’s lack of standing and to reiterate the position that she qualifies as decedent’s relative pursuant to the Family Code and Probate Code.
5. **Objection filed 5/5/16 by Frances Perez.**
6. ~Proposed Form Order: 11/9/15.
7. **NOTE: Letters of Special Administration issued to Frances Perez on 02/02/16, \$55,000 bond under case PROPS1600064 (Armando Olzaba estate).**

RECOMMENDATION

Court’s discretion re OSC. Matter is contested. Need to clear note 2.

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

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

DATE: 08/31/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501116

CASE NAME: MTR OF LEO WILLIAM FROELICH

HEARING:

FIRST AND FINAL Account and Report of MARIE L FROELICH and
Petition for allowance of fees filed.

COUNSEL:

DIANA M MODICA	(TP)...NEIL R HEDTKE, ESQ
LEO WILLIAM FROELICH	(DEC)...
MARIE L FROELICH	(PET)...RICHARD

Request for Waiver of Court Fees and Costs filed by MARIE L FROELICH is GRANTED
Fee waiver amount due \$465.00 for petition on probate on 12/08/15

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Marie Froelich, daughter.

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

1. Petitioner is sole beneficiary, waives accounting and statutory compensation.
2. Attorney seeks statutory fees of \$2,600. Ok.
3. ~Proposed Order: 07/11/17.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **09/06/18**.

(lc)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600064
CASE NAME: ARMANDO OLAZABA

SEE ALSO 6

HEARING: Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

ARMANDO OLAZABA	(DEC)...
BARBARA LANGLOIS	(OBJ)...
BARBARA LANGLOIS	(PET)...PRO/PER
FRANCES C PEREZ	(PET)...CHANDLER LAW FIRM
LEONARD PEREZ	(PET)...CHANDLER LAW FIRM
LESLIE L GUSTAFSON	(PET)...PRO/PER
PAULA J GUSATFSON	(PET)...PRO/PER

XREF: PROPS1501026, (*Armando Olazaba, summary probate*) **ROPS1600677**(*Viola Olazaba*)

GENERAL INFORMATION

Letters of Special Administration issued to Frances Perez on 2/2/16, \$55,000 bond. Continued from 3/3/16 as counsel indicates that PROPS1501026 is a related case. Continued from 5/11/16, 08/01/16, 09/19/16 and 11/08/16. Parties to conduct discovery. Trial dates to be set at this hearing.

Continued from 01/24/17, 03/09/17, 06/01/17 and 07/16/17. Mr. Nelson stated Barbara Longlois withdraws her petition. Petition by Barbara Longlois, Paula Gustafson and Leslie Gustafson is withdrawn.

THIS CASE SET FOR HEARING ON Petition 1 - Petition for Letters of Administration with full authority under IAEA by Frances Perez, friend.

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

1. Petitioner is requesting bond of \$55,000.
2. Court to clarify relatives in section 8 as they do not coincide with relatives in competing petition.
3. Rodolfo Olazaba, nephew nominates petitioner Frances.
4. **Note:** Creditor Claims filed by petitioner Frances Perez. If petitioner is appointed, set hearing re review of Creditor's Claim filed by petitioner.
5. **Objections withdrawn.**
6. ~Proposed Form Order: 01/22/15.

RECOMMENDATION:

If approved, Court to address Creditor's Claim (may set for noticed hearing) and set Accounting/Status Review for **11/08/18**. Accounting to be filed 30 days in advance of hearing date. Note requirements of Local Rules 20-901 and 20-908.

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

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

DATE: 08/31/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600064
CASE NAME: ARMANDO OLAZABA

SEE ALSO 5

HEARING: Petition for ESTABLISH TRUST; PETITION TO CONFIRM

COUNSEL:

ARMANDO OLAZABA	(DEC)...
BARBARA LANGLOIS	(OBJ)...
BARBARA LANGLOIS	(PET)...PRO/PER
FRANCES C PEREZ	(PET)...CHANDLER LAW FIRM
LEONARD PEREZ	(PET)...CHANDLER LAW FIRM
LESLIE L GUSTAFSON	(PET)...PRO/PER
PAULA J GUSATFSON	(PET)...PRO/PER

XREF: PROPS1501026, (*Armando Olazaba, summary probate*) **ROPS1600677**(*Viola Olazaba*)

GENERAL INFORMATION

Letters of Special Administration issued to Frances Perez on 2/2/16, \$55,000 bond.

Continued from 3/3/16, 5/11/16, 08/01/16, 09/19/16, 11/08/16, 01/24/17, 06/01/17 and 07/13/17. Waiting for signatures on settlement.

THIS CASE IS SET FOR HEARING ON Petition to establish trust, confirm transfer of real property, and to confirm transfer of assets to trust.

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

1. Petitioners are Frances and Leonard Perez, decedent's long-time friends and neighbors.
2. Petitioners allege that decedent had no close family; that in 2014 decedent and petitioners began to discuss a purchase by petitioners of decedent's Rimforest, CA real property by which petitioners would pay off decedent \$13,000 mortgage on the property and decedent would take back a note and need on the property; that decedent would be allowed to live on the property for the rest of his life; that decedent and petitioners discussed that a purchase price "around \$75,000" would be a fair price; that decedent was in bad physical condition in January 2015 but agreed to go to the hospital only if he could sign a bill of sale selling the property to petitioners as well as a durable power of attorney and an advanced healthcare directive both naming petitioner Frances as agent; that decedent signed these documents (Exhibits B, C, and D to petition); that petitioner was then diagnosed

with cancer; that decedent and petitioners then began the process to close the purchase and sale of the real property; that the parties entered into a \$55,000 purchase and sale agreement, with reduction in price to account for necessary repairs (Exhibit E); that decedent entered hospice care but continued to indicate a desire to close the sale of the property; that petitioners suggested the use of a trust “to avoid probate and allow a trustee to complete the sale of the real property” (presumably in the event of decedent’s death); that decedent agreed to a trust of petitioners would pay for the attorney and have the attorney come to decedent; that decedent was interviewed by a doctor who stated that decedent had mental capacity to make decisions himself (doctor’s declaration at Exhibit G); that petitioners arranged for attorney Harry Histen to meet with decedent about the trust; that Histen met with decedent and took notes regarding decedent’s wishes for the trust and property sale; that decedent died before the trust could be completed and executed; that the trust that would have been signed is presented as Exhibit I; that decedent wanted the property to go to petitioners; and that petitioners have spent \$12,000 in costs and expenses regarding the property and on decedent’s funeral (itemized at Exhibit J).

3. Petitioners seek to establish the trust that was drafted but unexecuted at the time of decedent’s death. Petitioner also requests an order determining that the real property was a trust asset pursuant to Pr.C. § 850 and *Estate of Heggstad* et al. Petitioners also request transfer of the real property pursuant to the term of the purchase agreement, for enforcement of the purchase contract (by which petitioners would receive the property and be liable for the purchase price and payment terms).
4. Petitioners state that the named trustee Angel Uberto has declined to serve (declination filed 2/8/16) and request that they be appointed co-trustees.
5. Declaration of attorney Histen filed 1/27/16 re facts surrounding drafting of draft trust instrument.
6. Draft/unexecuted trust instrument waives bond.
7. Petitioner lists people entitled to notice as those who are beneficiaries of the trust. It appears, however, that decedent’s intestate heirs would also be interested parties and it is not clear whether there are people who would be heirs who are not already lists as trust beneficiaries. Need verified supplement addressing and notice of hearing with proof of service for any additional interested parties. **Supplement filed 5/5/16 and notice filed 5/20/16.**
8. Draft/unexecuted trust instrument states that formal accountings to the court or any beneficiaries shall not be required (Sec. 1.4 at p. 2).
9. **Objections filed by Barbara Langlois on 09/02/16.**

RECOMMENDATION

Matter is contested.

(ds/sa/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600714

CASE NAME: THE MESSINA LIVING TRUST DATED JULY 21,2015

SEE ALSO 8

HEARING:

Hearing Re: Status on I & A

COUNSEL:

CRAIG MESSINA (PET)...LAW OFFICE OF BOICE & ASSOCIAT
DEBORAH MESSINA (PET)...KARIANN VORHEES
KEVIN MESSINA (RES)...LAW OFFICE OF BOICE & ASSOCIAT
LOUIS MESSINA (PET)...KARIANN VORHEES
THE MESSINA LIVING TRUST DATED (TRU)...

GENERAL INFORMATION:

Continued from 07/20/17.

THIS CASE IS SET FOR HEARING ON Status on Inventory and Appraisal.

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

1. Matter set at 06/08/17 accounting hearing.
2. Need Final Inventory and Appraisal. See next matter.

RECOMMENDATION:

Inquire Status.

(ww/lc)

Future Hearing: 09/14/17 Petition to compel trustees to account etc.

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600714

CASE NAME: THE MESSINA LIVING TRUST DATED JULY 21,2015

SEE ALSO 7

HEARING: FIRST SUMMARY Account and Report of KEVIN MESSINA, CRAIG MESSINA and Petition for allowance of fees filed.

COUNSEL:

CRAIG MESSINA	(PET)...LAW OFFICE OF BOICE & ASSOCIAT
DEBORAH MESSINA	(PET)...KARIANN VORHEES
KEVIN MESSINA	(RES)...LAW OFFICE OF BOICE & ASSOCIAT
LOUIS MESSINA	(PET)...KARIANN VORHEES

GENERAL INFORMATION:

Continued from 12/05/16, 01/25/17, 04/5/17 and 6/08/17. Attorney Bruce Boice to notify the probate referee Bud Garvin that he was appointed and get the Inventory and Appraisal completed. Court ordered this to be done by 06/15/17.

Continued from 07/20/17. Powers for current trustee suspended with exception to get Inventory and Appraisal completed. Deborah Messina appointed interim successor trustee. Counsel to submit order.

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Successor, Co-Trustees, Kevin Messina and Craig Messina.

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

1. Accounting period reflected as 10/07/15 to 08/31/16.
2. Assets on Hand \$601,637.55 consisting of \$1,137.55 in cash and remaining in carry value for real and personal property.
3. Corrected Inventory and Appraisal filed 04/3/17; however, real property is not appraised by referee. Need corrected Inventory and Appraisal **as referee was appointed.**
4. Need copies of bank/financial statement(s) per Local Rule 20-908.
5. Need Notice of Hearing with proof of service.
6. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 3-5. **If trust becomes court supervised**, set next hearing for Accounting Review on **10/30/17**. Account to be filed 30 days before hearing. Note requirements of Local Rules.

(nb/lc/ww/lc)

Future Hearing: 09/14/17 Petition to compel trustees to account etc.

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

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

DATE: 08/31/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601065

CASE NAME: MTR OF MARK BURNACH

HEARING:

FIRST & FINAL Account and Report of DAVID BURNACH and Petition
for allowance of fees filed.

COUNSEL:

DAVID BURNACH (PET)...MY ATTORNEY LA
MARK BURNACH (DEC)...

GENERAL INFORMATION

Continued from 07/20/17 for late filed supplement to be reviewed.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by David Burnach, brother.

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

1. Petitioner and attorney request statutory fees of \$4,960.00 each.
2. Petitioner seeks a reserve of \$1,000.
3. Proposed order 07/17/17; however, there is not after discovered property clause.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **09/06/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700176

CASE NAME: JUDITH E WAGNER

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

JUDITH E WAGNER (DEC)...
LOIS COOK (PET)...SAMUEL LOVELY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Lois Cook, executor.

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

1. Bond requested in the amount of \$120,000. Appears Ok.
2. The petition for probate is on an outdated form. JTD
3. Petitioner is not listed in section 8 of the petition. Need verified supplement.
4. Need Notice to Petition to Administer Estate and proof of service.
5. Need proof of publication
6. ~Proposed Form Order: 05/30/17

RECOMMENDATION

Need to clear notes 3-5. \$120,000 bond. If approved, set Accounting/Status Review for **11/08/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700526

CASE NAME: MTR OF SHIRLEY ANN MABRY HORNER

HEARING:

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

COUNSEL:

JOANN MABRY (PET)...ZACHARY R. HAGENBUCH
SHIRLEY ANN MABRY (DEC)...

GENERAL INFORMATION

Letter of Special Administration issued to Joann Mabry on 07/11/17, \$50,000 bond.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full
Authority under IAEA by Joann Mabry, sister

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

1. Petitioner requests bond of \$36,036.Ok.
2. Petitioner is not listed in section 8 of the petition; however, it is clear that petitioner is the sister of the decedent. Does Court wish to require verified supplement? JTD
3. Attorney failed to date the petition. Need dated verification. Alternatively, court may wish to verify on the record. JTD
4. Duties and liabilities is missing telephone number of petitioner and-Court address is incorrect. Need completed form.
5. Need Notice to Petition to Administer Estate and proof of service.
6. Need proof of publication
7. ~Proposed Form Order: 05/26/17

RECOMMENDATION

Need to clear notes 3-6, \$36,036 bond, then Court's discretion. If approved, set Accounting/Status Review for **11/08/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 9:30 DEPT: S36P

CASE#: CIV DS1614969

CASE NAME: ARCINIEGA-V-RAMIREZ

HEARING:

Motion Re: To Compel Attn dnc & Testimony of Virginia Arcinie g

COUNSEL:

VIRGINIA TAPIA ARCINIEGA (PLA)...TETLEY LAW OFFICES
DEBRA JEANNE RAMIREZ (DEF)...LAW OFFICES OF JOHN SETLICH

No notes – JTD

(LR)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

CONSERVATORSHIP

DATE: 08/31/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100285

CASE NAME: GILBERT E. MADRID

SEE ALSO 14

HEARING:

OSC re: Suspension/Removal of Conservator filed by GILBERT MADRID

COUNSEL:

GILBERT E MADRID

(CEP)...MITCHELL I ROTH

GILBERT MADRID

(CPE)...DAVID M GROSSMAN

MITCHELL I. ROTH

(CPE)...MITCHELL I ROTH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Suspension/Removal of Conservator.

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

1. OSC set on 07/27/17. Gilbert Madrid was suspended as the trustee of the trust and as conservator of the estate. W A Hlavaty is appointed successor interim trustee and conservator of the estate. Court ordered no payments be made other than the facility bills from the trust or the conservatorship accounts. W A Hlavaty to personally be present and submit a report on the 08/31/17 hearing.
2. Need report by W A Hlavaty.

RECOMMENDATION

Need report, then Court's discretion.

(lc)

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

DATE: 08/31/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100285
CASE NAME: GILBERT E. MADRID

SEE ALSO 13

HEARING: FOURTH Account and Report of GILBERT MADRID and Petition for allowance of fees filed.

COUNSEL:

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

XREF: PROPS1400404

GENERAL INFORMATION

Continued from 07/06/17 and 07/13/17. Gilbert Madrid to pay \$72 overdraft fees and get his rent up to date. Rent is payable monthly on the 15th. Declaration to be filed as to payments made. Gilbert Madrid suspended as Conservator and trustee on 07/27/17.

THIS CASE SET FOR HEARING ON 4th Account Current and Petition for Allowance of Fees by Gilbert Madrid, son.

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

1. Accounting period 07/03/15 – 01/05/17.
2. Assets on hand \$369,873.76 of which \$73,614.03 is cash and remainder in investment accounts.
3. No request for fees made.
4. Disbursements indicate two overdraft fees totaling \$72.00. Court to inquire if petitioner is fulfilling his fiduciary duties.
5. Report lists cash on hand as \$68,658.88 and summary of account states \$73,614.03. Need verified supplement or corrected accounting.
6. Need residential facility statements and/or written verification of rent for Pacifica per Pr.C. §2620(c)(5).
7. Need Conservatee's list of addresses per local rule 20-1406 (a).
8. Prayer is incomplete and does not match report for items 2 & 4 re balance and fee request. Need verified supplement. If fees requested, need itemization and petition signed by counsel.
9. Supplemental report of Counsel Roth filed 05/31/17.

10. Declaration filed **07/27/17** indicating \$45,000. \$17,000 and \$72 deposit into conservatee's account.
11. **Objections filed by conservatee through counsel on 05/02/17. Need proof of service for bonding company.**
12. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 5-8. If approved, set hearing on the next accounting review for **04/11/18** (if one year) or **04/10/19** (if two years). Accounting to be filed 30 days in advance.

(lc)

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

DATE: 08/31/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600144

CASE NAME: MTR OF LETHA JOAN CANUP PHILLIPS

SEE ALSO 16

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ARTHUR CHARLES EWING

COUNSEL:

ARTHUR CHARLES EWING (CPE)...CHRISTINA FERRANTE
LETHA JOAN CANUP PHILLIPS (CEP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from 05/11/17. No property or stocks be sold without court approval.

Continued from 07/13/17.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Arthur Ewing, son, appointed conservator of the person and estate on 10/06/16, \$20,000 bond.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 04/25/17.
3. Need Care Plan in accord with Pr.C.§2352.5.
4. 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.
5. Determination of Conservatee's Appropriate Level of Care form GC-355 filed 05/12/17.
6. Final Inventory and Appraisal filed 06/09/17.

RECOMMENDATION

Need to clear notes 3-4.

(lc)

Future Hearing: 12/14/17 *Accounting Review – conservatorship*

12/14/17 *Accounting Review – trust.*

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600144

CASE NAME: MTR OF LETHA JOAN CANUP PHILLIPS

SEE ALSO 15

HEARING:

Hearing Re: Proof of Bond for C'ship/Bond Review of Trust

COUNSEL:

ARTHUR CHARLES EWING (CPE)...CHRISTINA FERRANTE
LETHA JOAN CANUP PHILLIPS (CEP)...MITCHELL I ROTH

GENERAL INFORMATION:

Continued from 11/29/16. Court orders Attorney Christina Ferrante and her client to be present.

Continued from 02/21/17 and 05/11/17.No property or stocks be sold without approval.

Continued from 07/13/17.

THIS CASE IS SET FOR HEARING ON Proof of Bond for C'ship/Bond Review of Trust

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

1. Bond filed 11/04/16 as to Conservatorship in the amount of \$20,000.
2. Court took jurisdiction of Trust on 10/28/16.
3. Proof of blocked account filed on 03/01/17 indicating an opening balance of \$200 and titled CRT RST ACCT for Letha Philips. Court to clarify if this is trust account.

RECOMMENDATION:

Court's discretion.

(nb/lc)

Future Hearing:

12/14/17 *Accounting Review Trust*

12/14/17 Accounting Review conservatorship

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

DATE: 08/31/17 TIME: 9:30 DEPT: S36P

CASE#: VC VS00116
CASE NAME: MTR OF CONSERVATORSHIP OF MARTIN ACOSTA
HEARING: Petition for TO DISMISS CONSERVATORSHIP PETITION

COUNSEL:

JOAQUIN A ACOSTA	(PET)...
MARTIN ACOSTA	(CEP)...PRO/PER
SANDRA ACOSTA	(PET)...STANLEY W HODGE

GENERAL INFORMATION:

Continued from 05/26/16. Court deemed petition as a petition to terminate conservatorship of person and estate.

Continued from 08/11/16 and 10/27/16. Parties are still attempting to obtain a conservatorship in Nebraska.

Continued from 01/05/17. Counsel advised petitioner and conservatee may have moved out of California without the court's authority. Matter referred to Public Guardian and Court Investigator to gain information on the whereabouts of parties. Referred to Court Investigator.

Continued from 03/09/17. Conservator directed to register the conservatorship according to Nebraska Law. Case will be dismissed once proof is filed.

Continued from 07/13/17. No appearance. On 3/9/17 Court ordered petitioner Sandra Acosta to register a conservatorship in accordance to Nebraska law. There being no proof of a conservatorship in Nebraska the Court orders petitioner and counsel to appear in court on 8/31/17 with Martin Acosta. Conservator Sandra Acosta removed conservatee from California without the Courts permission.

THIS CASE IS SET FOR HEARING ON Declaration and Petition to Dismiss Conservatorship Petition.

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

1. Mother, Sandra Acosta, appointed Limited Conservatorship, person/estate, on 7/11/97, no bond. (Last waiver of account approved 10/19/10 and appears the estate consist solely of public benefits. Proposed Waiver of Account and Order returned for correction on 4/25/14 and 6/4/15.) Accounting Review on 1/6/16. Counsel stated that the conservators will not be returning to California and appears will not be filing an accounting. Need waiver of account or proof of guardianship of estate in other state. Petitioner waives accounting; however, **need** actual waiver of accounting with report or local form.

2. Petitioner, Sandra, is currently in Nebraska with the conservatee and will be moving to Colorado and is requesting dismissal; court deemed as termination. Petitioner and conservatee will not be returning to California.
3. Court Investigator memos/reports filed 2/15/13, 3/3/14, 6/25/14, 8/12/15 and **02/22/17**.

RECOMMENDATION:

Court's discretion re note 1. Need proof of conservatorship of estate in Nebraska or Colorado.

(sa/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 08/31/17 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1600228

CASE NAME: ARIYAH M. MONTOYA & AUDRINAH A. MONTOYA

SEE ALSO 2

HEARING: Hearing Re: PETITION FOR GUARDIANSHIP

COUNSEL:

ARIYAH M. MONTOYA

(MIN)...

AUDRINAH A. MONTOYA

(MIN)...

NIKOLAUS P. IVANOFF

(PET)...HOLSTROM BLOCK & PARKE

RONALD J MONTOYA

(OBJ)...JOHN

GENERAL INFORMATION:

Continued from 7/12/16 for father to file objections. Matter referred to Court Investigator.

Continued from 09/21/16. Temporary orders granted of person.

Continued from 03/09/17 and 06/01/17. Counsel are not ready for trial.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person and estate, by Nikolaus Ivanoff, step-father, minors now Ariyah 11 & Audrinah 8.

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

1. Mother is deceased.
2. Petition requests no bond be required. However, estimated value of the property of the estate indicates "Unknown." Court to inquire.
3. Petition reflects related child custody and step-parent adoption cases;
SDASS161509.
4. Court Investigator report filed 09/15/16.
5. **Objection filed 7/21/16 by father, Ronald Montoya.**
6. **Supplement and Response to Objections filed on 09/09/16 by petitioner.**
7. ~Proposed Form Order, only 05/18/16.

RECOMMENDATION:

Matter is opposed. If approved, set hearing for Inventory and Appraisal for **10/19/17** and hearing for Accounting Review on **11/08/18**. Any account to be filed 30 days before hearing. Note Local Rules.

(nb/sa/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1600228

CASE NAME: ARIYAH M. MONTOYA & AUDRINAH A. MONTOYA

SEE ALSO 1

HEARING:
Readiness Calendar

COUNSEL:

ARIYAH M. MONTOYA	(MIN)...
AUDRINAH A. MONTOYA	(MIN)...
NIKOLAUS P. IVANOFF	(PET)...HOLSTROM BLOCK & PARKE
RONALD J MONTOYA	(OBJ)...JOHN

Readiness – No notes – JTD

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO DS1000567

CASE NAME: MARTIN R SINGLETON

HEARING: Hearing Re: ACCOUNTING REVIEW BY DENNIS SHOGREN

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (TRACY A STEVENSON	
CITIMORTGAGE, INC.	(PITE DUNCAN, LLP
COLDWELL BANKER KIVETT-TEETERS (RES)...SCOTT SHOWLER	
DENNIS SHOGREN	(SA)...JAMES B CHURCH
JOHN LEE SINGLETON	(PET)...PRO/PER
JOHN MAC LACHLAN	(PET)...JACK B OSBORN
JOHN MAC LACHLAN	(PET)...ZIPRICK & CRAMER
JOHN SINGLETON	(PLA)...ARMAND D THRUSTON
MARTIN R SINGLETON	(DEC)...
PATRICIA M SINGLETON	(PET) (JAMES B CHURCH

XREF: FAMSS905370 (*Martin Singleton n Patricia Singleton*)

GENERAL INFORMATION

Continued from 04/13/17 and 06/22/17.

THIS CASE SET FOR HEARING ON Accounting review re Dennis Shogren.

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

1. Letters of Successor Administration issued to Dennis Shogren on 02/20/14; full authority, no bond.
2. Matter set on 12/07/16 status conference. Settlement was reached.
3. Need accounting.

RECOMMENDATION

Inquire status of accounting.

(lc/ww)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0700887

CASE NAME: LUIS ALBERTO SANCHEZ JR.

HEARING: Hearing re Final Discharge

COUNSEL:

LUIS ALBERTO SANCHEZ JR (DEC)...
MARIA L DOERZAPF (PET)...SARAH E BREWSAUGH
MARIA L. DOERZAPF (PET)...CHARLIE D BARB

GENERAL INFORMATION

Continued from 12/22/16, 03/02/17 and 05/11/17. No appearances. Maria Doerzaph and/or counsel to appear at next hearing.

Continued from 07/13/17.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution approved for Maria Doerzaph on 12/17/15. **Order rejected by examiner for corrections on 03/08/17. Need corrected order.**
2. Need Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b). **Rejected for corrections on 03/03/17 and 05/19/17.**
3. Need substitution of attorney for Charles Barb.
4. No receipt required, petitioner is sole heir.

RECOMMENDATION

Need to clear notes 1-3.

(lc)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0800559
CASE NAME: MTR OF LUCY ALDERETE TAFOYA
HEARING: Probate status report filed.

COUNSEL:

DEBRA ESQUIVEL	(BEN)...PRO/PER
JOHN F WEBER	(TP)...JOHN F WEBER
LUCY ALDERETE TAFOYA	(DEC)...
TARCILA LUCERO	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 09/29/16. Need notice and final Inventory and Appraisal. Written objections may be filed regarding the sale of the home as is versus making improvements to the home prior to sale.

12/08/16 hearing vacated and reset.

Continued from 01/26/17 for current reappraisal.

Continued from 04/20/17 and 06/22/17. Final Inventory and Appraisal to be filed prior to next hearing. Petitioner reported that family has agreed not to surcharge Tarcila Lucero. Signed agreement to be filed.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Tarcila Lucero was removed as Executor on 06/09/15. Successor Letters Testamentary issued to **Debra Esquivel, daughter**, on 06/10/15; **full authority**, no bond. Court to note that Decedent died 05/24/08 and the probate was originally filed 06/18/08.
2. Final Inventory and Appraisal filed 09/17/08 in the amount of \$126,000 consisting of one residence [12/31/19LFpg30].
3. **Reappraisal for sale filed 12/29/16 and 04/20/17 are identical to the reappraisal for sale filed 03/03/10; appears it has been re-filed and is invalid as a reappraisal for sale must be within 1-year of sale; estate residence is valued at \$50,000. Court to inquire if petitioner is filing a report of sale. As petitioner has full authority, notice of proposed action is only required.**
4. Petitioner requests a 3 year continuance in order to come to an agreement and sell the property. However, court may wish to continue administration for 1 year. Petitioner further alleges she is living in the property, making repairs and qualifies for low income. Court to inquire further.

5. **Second Status Report filed 12/29/16 also listing this hearing date. Question whether the Court wants to deem it an amended status report, or a supplement. - JTD Second status report does not include a prayer.**
6. **Supplement filed 05/24/17 indicating previous executor received \$30,623.01 from insurance re-claim for real property; however, petitioner alleges \$26,823.01 remains unaccounted for.**

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **11/09/17**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/jm/lc)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300689

CASE NAME: Joanne L. De Loof

HEARING:
Accounting Review

COUNSEL:

JOANNE L DE LOOF	(DEC)...
JUDITH L JORDAN	(TP)...PRO/PER
RICHARD DE LOOF	(PET)...CHRISTOPHER JAMES MURTAGH
RICHARD DE LOOF	(PET)...CHRISTOPHER JAMES MURTAGH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Richard De Loof, son, on 10/09/13, full authority, no bond.
2. Previous status report heard on 01/19/17 but was not granted or denied. There is a Texas asbestos civil litigation action. Court discussed making an order discharging estate by assigning interest in the asbestos litigation pursuant to language in Texas civil action and including language that Richard DeLoof is to be the representative of the family in the civil litigation and payee and will distribute the funds as ordered in final order.
3. Need accounting or status report.

RECOMMENDATION

Inquire status of accounting.
(ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400908

CASE NAME: RICHARD V. SMITH TRUST DATED 7/14/98

SEE ALSO 8

HEARING:

Hearing Re: PETITION FOR INSTRUCTIONS FOR TRUSTEE

COUNSEL:

AMERICAN CANCER SOCIETY ARTHRI	(PET)... TARA L COOPER
CAROL STEINBRENNER	(PET)...WARD & WARD
CITY OF HOPE	(RODRIGUEZ, HORII, CHOI &
MELODIE SCOTT	(STE)...J. DAVID HORSPOOL
RICHARD V. SMITH TRUST DATED 7	(TRU)...

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400908

CASE NAME: RICHARD V. SMITH TRUST DATED 7/14/98

SEE ALSO 7

HEARING:
Accounting Review

COUNSEL:

AMERICAN CANCER SOCIETY ARTHRI	(PET)...	TARA L COOPER
CAROL STEINBRENNER	(PET)...	WARD & WARD
CITY OF HOPE	(RODRIGUEZ, HORII, CHOI &	
MELODIE SCOTT	(STE)...	J. DAVID HORSPOOL
RICHARD V. SMITH TRUST DATED 7	(TRU)...	

GENERAL INFORMATION

Continued from 06/22/17 Accounting to be filed by 07/31/17.

THIS CASE SET FOR HEARING ON Accounting review re Melodie Scott, Trustee.

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

1. On 01/23/17, court granted petition to compel accounting. Melodie Scott was ordered to compile a list of all cases she is appointed on either probate or conservatorship or trusts in any county. List was to be provided to the Court prior to the next hearing. **Need order for petition to compel.**
2. Need accounting.

RECOMMENDATION

Need to clear notes 1 & 2.

(lc/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500528

CASE NAME: MTR OF DANIEL RAY SHAFFER

HEARING:
Accounting Review

COUNSEL:
DANIEL RAY SHAFFER (DEC)...
LISA SHAFFER (PET)...PRO/PER

GENERAL INFORMATION

Continued from 09/26/16, 01/12/17, 04/06/17 and 06/15/17. Inventory and Appraisal and accounting to be filed.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Lisa Shaffer, spouse, on 07/23/15; full authority, no bond.
2. Need final Inventory and Appraisal.
3. Need accounting or status report.

RECOMMENDATION

Need to clear notes 2 & 3. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. *No bonding company to notice.*

(lc/ww)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600229

CASE NAME: KENNETH DUKESHIER

HEARING:

FIRST AND FINAL Account and Report of TRUDI L SLONE and Petition
for allowance of fees filed.

COUNSEL:

KENNETH JACK DUKSHIER (DEC)...
TRUDI L SLONE (PET)...FULLERTON LEMANN SCHAEFER &

GENERAL INFORMATION

Continued from 06/22/17. Health issues to resolve. Objections to be filed by 07/28/17. Nothing new filed.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Trudi Slone, step-daughter.

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

1. Petitioner and attorney request statutory fees of \$5,288.12 each. Ok.
2. Attorney requests extraordinary fees of \$1,987 for 6.5 hours at \$110/350 per hour for paralegal and attorney services. Itemized [Acct. 04/11 LFpg22-26].
3. Petitioner requests a reserve of \$1,500.
4. ~Proposed Order: 04/11/17.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **09/06/18**.

(lc)

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600659

CASE NAME: MARCELINO FLORES SPECIAL NEEDS TRUST

HEARING:
Accounting Review

COUNSEL:

CELINA FLORES	(PET)...JACK H ANTHONY
INLAND COUNTIES REGIONAL CENTE	(ADM)...LAYNE A BARTHOLOMEW
MARCELINO FLORES	(MIN)...JACK H ANTHONY
MARCELINO FLORES SPECIAL NEEDS	(TRU)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 2nd Account of IRC Master Trust approved on 10/19/16.
2. Need 3rd Account beginning with 06/01/16.

RECOMMENDATION

Inquire status of accounting.
(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601108

CASE NAME: LUCY A SHATZ

HEARING:
Hearing Re: RECEIPT OF BOND

COUNSEL:

LUCY A SHATZ (DEC)...
SAMMY MICHAEL DRAKE (PET)...CARLA D ALLEN

GENERAL INFORMATION

Continued from 04/13/17 and 06/22/17.

THIS CASE SET FOR HEARING ON Receipt of Bond.

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

1. Sammy Drake, son, appointed administrator on 01/19/17; limited authority, \$20,000 bond.
2. Need bond in order for letters to issue.

RECOMMENDATION

Inquire status of bond.

(lc)

Future Hearing: 03/29/18 *Accounting Review.*

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601180

CASE NAME: JOHN T SMITH

HEARING:

FIRST AND FINAL Account and Report of LINDA B FRANTZ and
Petition for allowance of fees filed.

COUNSEL:

JOHN T SMITH (DEC)...
LINDA B FRANTZ (PET)...MARTHA A HOFFMANN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Linda Frantz, Trustee.

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

1. Petitioner and attorney request statutory fees of \$11,340 each.
2. Need bank statement to support ending balance per local rule 20-908.
3. ~Proposed Order: 06/23/17.

RECOMMENDATION

RFA subject to note 2. If approved, set hearing on the filing of receipts and final discharge
for **09/06/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700338

CASE NAME: MTR OF JOSE LUIS MACIAS

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

JOSE LUIS MACIAS (DEC)...
MARIA CARMEN AMENDARIZ (PET)...KENNETH GAUGH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Receipt of Bond.

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

1. Maria Carmen Amendariz, sister, appointed administrator on 06/22/17; full authority \$175,000 bond.
2. Need bond in order for letters to issue.

RECOMMENDATION

Inquire status of bond.

(lc)

Future Hearing: 08/30/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700339

CASE NAME: HOLBROOK FAMILY TRUST

HEARING:

Petition for AN ORDER TO CONFIRM VALIDITY OF TRUST CONFIRM
TRUSTEE, AND CONFIRM ASSETS

COUNSEL:

HOLBROOK FAMILY TRUST (TRU)...
LINDA JEANNE KLEVOS (PET)...RUSSELL P NOWELL

Currently under review by legal research

(LR)

NOTICE

1. Petitioner is only child.
2. Russell Nowell, trust protector, waived notice.

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

DATE: 08/31/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700590

CASE NAME: MTR OF KRIS L. WILLIAMSON

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL AUTHORIZATION TO
ADMINISTER UNDER THE IAEA

COUNSEL:

ELIZABETH A. DIENES (PET)...RICHARD S PRICE
KRIS L. WILLIAMSON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full
Authority under IAEA by Elizabeth Dienes, sister

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

1. Petitioner seeks bond of \$155,000; however, estate value is \$157,500. Suggest
bond of \$157,500. Petitioner is a non-resident Pr.C. § 8571.
2. Petitioner's signature in petition is not dated. Need dated verification. Alternatively,
court may wish to verify on the record. JTD
3. Need Notice to Petition to Administer Estate and proof of service.
4. Need proof of publication
5. ~Proposed Form Order: 06/22/17

RECOMMENDATION

Need to clear notes 2-4. Court's discretion re bond. If approved, set Accounting/Status
Review for **11/08/18**. Any accounting to be filed 30 days in advance local rule 20-901.
Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 08/31/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1400929

CASE NAME: John Navarro Leon

HEARING:

Motion Re: TO ENFORCE SETTLEMENT AGREEMENT Filed by Petitioner
MAXIMINO DOMINGUEZ LEON

COUNSEL:

COUNTY OF SAN DIEGO'S DEPT OF	()...
DEPT OF CHILD SUPPORT SVCS LOM	(TP)...PRO/PER	
JOHN NAVARRO LEON	(DEC)...	
MAXIMINO DOMINGUEZ LEON	(PET)...MICHAEL C. MADDUX	
THE COUNTY OF SB DEPT OF CHILD	(MARC A JENSEN-ELDRED CHIEF	

No notes – JTD

(LR)

Future Hearing: 07/18/18 Final Discharge

Superior Court of Calif, County of San Bernardino

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

DATE: 08/31/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1500457

CASE NAME: Miguel Gonzalez

HEARING:

Motion Re: NOTICE OF MOT AND MOT TO BE RELIEVED AS COUNSEL
Filed by Petitioner JOSE GONZALEZ

COUNSEL:

JOSE GONZALEZ (PET)...POONAM K KOCH
MIGUEL GONZALEZ (DEC)...

XREF: CIVDS1506907 (Estate of Miguel Gonzales v Casteneda)

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Motion to be Relieved as counsel by Poonam Koch.

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

1. Petitioner, Poonam Koch, seeks to be removed as counsel for Administrator Jose Gonzalez. Petitioner alleges that client refuses to sign a substitution of attorney, will not return any calls or letters and has requested attorney to cease communications.
2. Need proof of service of Notice of Hearing to Teresa Castaneda who requested special notice.

RECOMMENDATION:

Need to clear note 2, then Court's discretion. No bonding company to notice.
(cs/lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 08/31/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400117

CASE NAME: Lynnette T. Moreno

HEARING:

Petition for ATTORNEY FEES

COUNSEL:

DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
LYDIA H. VASQUEZ	(CPE)...LAYNE A BARTHOLOMEW
LYNNETTE T. MORENO	(CEP)...JENNIFER M DANIEL
LYNNETTE T. MORENO	(CTE)...DONNASUE ORTIZ
MARIA J GUDINO	(PET)...JOYCE M HOLCOMB
MARIA J. GUDINO	(CPE)...LAYNE A BARTHOLOMEW

XREF: FAMSS1401945 (Lynette Moreno v Michael Moreno)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Jennifer Daniel.

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

1. Petitioner, Jennifer Daniel, was appointed counsel for conservatee on 05/07/17.
2. Petitioner seeks attorney's fees of \$22,380 for 74.6 hours at \$300 per hour. [Pet. 06/15/17LFpg6-17].
3. Fees range from 4/2014 to 6/2017. Fee requests shall be made at least every two years local rule 20-1402(b). JTD
4. ~Proposed Order: 06/15/17.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing: 11/15/17 *Accounting Review*.

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

DATE: 08/31/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500349

CASE NAME: MTR OF JANIS MOREHOUSE

HEARING:
Accounting Review

COUNSEL:
EMMA LOU MOREHOUSE (CPE)...PRO/PER
JANIS KAY MOREHOUSE (CEP)...CRAIG M PARKER
SALLY ARMSTRONG (CPE)...PRO/PER

GENERAL INFORMATION

Continued from 11/10/16. No appearance. Sally Armstrong ordered to appear.
Continued from 01/26/17. Craig Parker appointed Counsel.

Continued from 04/27/17. Petition to termination conservatorship of the estate will be filed. Waiver of accounting will be filed.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Charles and Emma Lou Morehouse, parents, appointed Conservators of person and estate on **07/01/91** in Shasta County. **Sally Armstrong**, friend, appointed successor Conservator of person and estate in Riverside County on **12/11/07**; \$8,400 bond.
 - a. 01/26/17 minute order states Sally was appointed successor Conservator in 2001 in Riverside County. However, the order appears to state 2007. Court to clarify.
2. Need accounting.
3. Need report of Counsel C. Parker.
 - a. 04/27/17 minute order states that Counsel's report was filed in court but no report has been entered or imaged. Need report filed and imaged.

RECOMMENDATION

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

(lc/ww)

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

DATE: 08/31/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600049

CASE NAME: EDWARD OSORIO

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MIGUEL OSORIO

COUNSEL:

EDWARD OSORIO	(CEE)...MARK J. FLORY
KRICIA OSORIO	(PCR)...CHRISTOPHER A POULOS
MIGUEL OSORIO	(PCR)...CHRISTOPHER A POULOS

GENERAL INFORMATION

Continued from 06/22/17.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Miguel and Kricia Osorio, parents appointed **limited** conservator of the person only on 11/15/16.
2. Need Notification of Conservatee's rights per Pr.C.§1830(c).
3. Need Determination of Conservatee's Appropriate Level of Care form GC-355.
4. Need Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION

Need to clear notes 2-4.

(lc/ww)

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

DATE: 08/31/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600157

CASE NAME: MTR OF AIDA MONTESINOS

HEARING:

Hearing Re: CONFIRMATION OF TRANSFER

COUNSEL:

AIDA MONTESINOS	(CEP)...
AIDA MONTESINOS	(PET)...CHERYL L WALSH
ANGELICA MONTESINOS	(OBJ)...SERBIN & CARMELI
JESSICA MONTESINOS	(CPE)...BRYAN C HARTNELL
MILAGRITOS CLONTS	(CPE)...BRYAN C HARTNELL

GENERAL INFORMATION

Continued from 06/22/17. Counsel reported mediation has been unsuccessful. Court will investigate the issue of Orange County transfer. Fees waived. Jill Stock is not to attend or monitor visitation, and substituted the word "translated" for monitored by a fluent Spanish speaking individual.

THIS CASE SET FOR HEARING ON Confirmation of Transfer.

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

1. Proposed Conservators Milagritos & Jessica, daughters, and proposed conservatee live in Laguna Hills where she has resided since January 2015.
2. Matter transferred on 04/13/17.
3. Receipt and acknowledgement of transfer indicating Orange County case number 30-2017-00929967-PR-CP-CJC.

RECOMMENDATION

None.

(lc)

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

DATE: 08/31/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600180

CASE NAME: MTR OF SEBASTIAN A PIZARRO

HEARING:

Conservatorship Compliance Review Hearing on PETIITON FOR
CONSERVATORSHIP of VERONICA PIZARRO

COUNSEL:

ENZO J PIZARRO	(CP)...PRO/PER
SEBASTIAN A PIZARRO	(CTP)...MELVIN L FRIEDLAND
VERONICA PIZARRO	(CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Veronica & Enzo Pizarro, parents appointed **limited** conservator of the person only on 01/26/17.
2. Need Notification of Conservatee's rights per Pr.C.§1830(c).
3. Need Determination of Conservatee's Appropriate Level of Care form GC-355.
4. Need Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION

Need to clear notes 2-4.

(ww)

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

DATE: 08/31/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700070
CASE NAME: MTR OF OLIVIA CRAWFORD
HEARING: Petition for Appointment of Conservator

COUNSEL:

HELLEN HUNT (CP)...PRO/PER
OLIVIA CRAWFORD (CTP)...JEANNE E KENNEDY

GENERAL INFORMATION

Continued from 04/13/17. Court clarifies that petitioner does not request a change of placement of proposed conservatee. Jeanne Kennedy appointed counsel. Remove attorney Caldwell, Kennedy & Porter, APC, from case. Court orders IRC to prepare a report for the Court. Clerk's office to notify IRC.

Continued from 06/22/17. Court requests petitioner apply for IRC for Olivia. Counsel Rosado to assist. Hellen Hunt appointed temporary Conservator of Estate.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Dr. Hellen Hunt (aunt)

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

1. Petitioner seeks medical powers. Capacity Declaration filed 03/03/17.
2. Petitioner seeks dementia powers. Report of Counsel Kennedy filed 06/14/17.
3. Petitioner alleges that proposed conservatee is developmentally disabled. **Inquire status of IRC application/report.**
4. Citation returned served.
5. Certificate of Completion of the Conservatorship Training Class filed 06/01/17.
6. Court Investigator report filed 04/05/17.
7. ~Proposed Form Order: 06/19/17.

RECOMMENDATION

Need to clear note 3. If approved, set hearing for Compliance Review for **04/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5 (lh/lc/lh/lc)