



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 09/19/17

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

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

nb0829/0914

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 09/19/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601201

CASE NAME: PRESTON HAMMOND

HEARING:

PTN FOR FINAL DISTRIBUTION ON WAIVER OF Account and Report of
SHIRLEY HAMMOND and Petition for allowance of fees filed.

COUNSEL:

PRESTON HAMMOND

(DEC)...

SHIRLEY HAMMOND

(PET)...BETTY AUTON-BECK

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for fees by Administrator, Shirley Hammond ["Petitioner"-daughter].

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

1. All heirs waive accounting.
2. Assets on Hand \$135,393.82 consisting of cash.
3. Statutory fees of \$6,204.90 requested. Calculated.
4. Need Notice of Hearing with proof of service.
5. Proposed Order 06/26/17 references Letters Testamentary instead of Letters of Administration.

RECOMMENDATION

Require notice then Court's discretion. If approved, set next hearing for receipts and
final discharge for **09/25/18**.

(nb)

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

DATE: 09/19/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700312

CASE NAME: MTR OF FREDERICK O'NEIL

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS TESTAMENTARY

COUNSEL:

FREDERICK O'NEIL (DEC)...
MICHAEL INGRASSIA (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by MICHAEL INGRASSIA is GRANTED

GENERAL INFORMATION:

Ex parte orders denied without prejudice on 05/01/17.

Continued from 06/13/17 and 08/08/17 at request of petitioner to clear probate notes.

THIS CASE IS SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Michael Ingrassia (executor/nephew)

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

1. Will waives bond. Estimated net value of estate is \$112,000. Court also has discretion to require bond per Pr. C. § 8481(b). JTD
2. Petition, item #8, is incomplete as to decedent's relatives. Need verified supplement including nephew Joseph Ingrassia.
3. Notice of Petition to Administer Estate filed 04/26/17 is incomplete. Need to file amended Notice to include item #5 as to request for authority to administer under IAEA, item #10 as to petitioner's contact information, and Proof of Service indicating notice was served on Joseph Ingrassia, nephew named in Will; **siblings, Mary Lasker and Dennis O'Neil**; and any other unidentified heirs who may be entitled to notice.
4. **Proof of Publication filed 09/12/17 does not include IAEA language. Need proper publication per Pr.C. §§ 8100, 8120. The publication shall contain specific statutory wording re: IAEA. Court to require amended publication or alternatively, grant petition with no IAEA powers.**
5. ~Proposed form Order: 04/04/17

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RECOMMENDATION:

Need to clear notes 3-4. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **11/27/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh/nb)

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

DATE: 09/19/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700452

CASE NAME: MTR OF JUAN J DAVILA JR
HEARING:
Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

JUAN J DAVILA JR	(DEC)...
LAURA A QUIGLEY	(PET)...PRO/PER
NATASHA MARIE AGUIRRE	(PET)...PRO/PER

GENERAL INFORMATION:

Continued from 08/01/17. Petitioner to file and serve the supplement to clear the probate notes by 4pm August 29, 2017.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by fiancé and step-daughter, Laura Quigley and Natasha M. Aguirre ["Petitioners"].

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

1. It appears decedent was survived by sons who have higher priority but whose addresses are purportedly unknown. However, death certificate [LF, p. 7] includes address for son, Juan Jose Davila III. Need Declinations to Serve by sons and nomination of these petitioners.
2. Question if Natasha is a step-daughter from a former relationship or if Natasha is Laura's daughter? Need further clarification via verified supplement.
3. Petition is missing page 3. Need complete petition.
4. Petitioners allege all heirs waive bond. However, no waivers by sons, Juan, Joey and Joseph Davila. Suggest bond of \$200,000. JTD.
5. Need proof of publication.
6. Need Notice of Petition to Administer Estate and Due Diligence Declarations.
7. ~Proposed Form Order/Letters 05/11/17.

RECOMMENDATION:

Need to clear notes 1-6, \$200,000 bond. If approved, set future hearing for Accounting/Status Review on **11/27/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700621

CASE NAME: HYL A MARROW

HEARING:

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

COUNSEL:

HR TOPALIAN

(PET)...JILL BROUSARD

HYLA MARROW

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by H.R. Topalian, Executor

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

1. Will waives bond. Estate value consist of \$160,000 in personal property.
2. Duties and liabilities filed, however, the telephone number for the proposed personal representative is missing. Need same.
3. The will conditionally incorporates decedent's Trust. Need a certification of trust that meets the requirements in Pr.C. §18100.5 and additionally includes a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? JTD
4. Notice filed 07/12/17 is incorrect. Need Notice of Petitioner to Administer Estate with proof of service (form DE-121).
5. Need proof of publication.
6. Proposed order not submitted.

RECOMMENDATION

Need to clear notes 2 -6, Court's discretion re bond. If approved, set Accounting/Status Review for **11/27/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

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

DATE: 09/19/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700623

CASE NAME: Jimmy Ray Porter Sr

HEARING:

Petition to determine succession to Real Property

COUNSEL:

JIMMY RAY PORTER Jr (PET)...KING LAW FIRM
JIMMY RAY PORTER Sr (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property (Estates \$150,000 or less) by son, Jimmy Ray Porter, Jr. ["Petitioner"].

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

1. Petitioner requests a determination that decedent's real and personal property located at Newberry Springs in San Bernardino County pass to petitioner without administration. Petitioner is decedent's only issue and sole beneficiary in decedent's will. Copy of decedents will affixed [LF, p5].
2. ~Proposed Order 06/26/17.

RECOMMENDATION:

Court's discretion.

(nb)

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

DATE: 09/19/17 TIME: 8:30 DEPT: S35P

CASE#: SPR SS04072

CASE NAME: VICTORIA QUENSENBERRY IRREVOCABLE SPECIAL NEEDS
TR

HEARING:
Accounting Review

COUNSEL:
DEPT. OF DEVELOPMENTAL SERVICE (TP)...PRO/PER
RUTH L HENRICKS (PET)...HARTNELL LAW GROUP
VICTORIA QUESENBERRY IRREV SPC (TRU)...

GENERAL INFORMATION:

Continued from **03/26/15, 05/14/15, 07/30/15, 10/01/15** and **12/03/15**. The Court orders the accounting be filed by 2/29/16.

Continued from 3/29/16, 06/08/16, 08/18/16, 11/02/16, 02/15/17, 05/03/17 and 08/01/17 at request of counsel to file accounting.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 11th Account Current of Ruth Hendricks, Trustee, on 3/27/14 for the period ending 8/5/13.
2. Need 12th accounting beginning with 08/06/13.

RECOMMENDATION:

When the trustee fails to file an accounting as ordered, the court may take action as specified in Pr.C. § 800 and C.C.P. § 128.

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

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 09/19/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500333

CASE NAME: MTR OF MARILYN ANN PERCIVAL

SEE ALSO 7A

HEARING:

FIRST AND FINAL Account and Report of CHELSEA NICOLE PERCIVAL
and Petition for allowance of fees filed.

COUNSEL:

CHELSEA NICOLE PERCIVAL (PET)... RAFFY BOULGOURJ

MARILYN ANN PERCIVAL (PCE)...JAMES B CHURCH

X-REF: CIVDS 1301224

GENERAL INFORMATION:

Conservatee passed away on 10/19/16.

Continued from 06/13/17 at request of counsel. Court sets deadline for the filing of fee petition of James Church for 4pm August 21, 2017; if counsel files the fee petition by that deadline, the fee petition is to be set for hearing on September 19, 2017.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Conservator of the person and estate/daughter, Chelsea N. Percival.

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

1. Petitioner, as sole heir, waives further accountings.
2. Accounting period 04/27/16 to 10/19/16.
3. **Bank statements affixed to 09/07/07 supplement are provided through 07/28/17. Need post death accounting per Pr.C. § 2620.**
4. Assets on Hand \$47,882.63 in cash.
5. Petitioner does not seek compensation and waives reimbursement of paid fees.
6. Petition indicates Petitioner paid for attorney services directly, outside the estate from the funds recovered in the related case, in connection with conservatee's claim to surplus funds after trustee's sale, when Petitioner received the net proceeds. **Fees may only be paid out of a conservatorship estate with court authorization. Pr. C. 2642, CRC 7.755(a). Need verified supplement re: authority to pay fees without authorization.**
- 7.

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8. Petitioner is conservatee's only child and sole heir to the conservatee's estate. As such, petitioner seeks distribution via a Pr. C. § 13100 Petition [LF, p. 7]. JTD.
9. Petitioner seeks discharge. However, discharge does not occur until the entry of a final discharge order.
10. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 3 & 6 then Court's discretion. If approved, set next hearing for final discharge for **09/25/18**.

(nb)

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

DATE: 09/19/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500333

CASE NAME: MTR OF MARILYN ANN PERCIVAL

SEE ALSO 7 HEARING:

Petition for Attorney fees by Court appointed counsel

COUNSEL:

CHELSEA NICOLE PERCIVAL	(PET)...	RAFFY BOULGOURJ
JAMES B. CHURCH	(PET)...	E JOAN NELMS
MARILYN ANN PERCIVAL	(CEP)...	E JOAN NELMS
MARILYN ANN PERCIVAL	(PCE)...	JAMES B CHURCH

GENERAL INFORMATION:

Conservatee passed away on 10/19/16.

THIS CASE IS SET FOR HEARING ON Petition for fees and compensation by Court-Appointed Attorney, James B. Church ["Petitioner"].

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

- 1 Petitioner was appointed on 01/12/16. Petitioner alleges services have been rendered for which counsel has not been compensated.
- 2 Attorney requests fees of \$6,198.75. Billed at \$375/hour for 14.1 hours' attorney time and \$75-\$150/hour for 6.75 hours' paralegal time. Itemized [LF, pgs. 8-12]. JTD.
- 3 Petitioner requests that he be relieved as counsel for the conservatee.
- 4 Petitioner requests an order authorizing and directing Chelsea Nicole Percival as conservator of the estate to pay requested sum.
- 5 ~Proposed Order 08/21/17

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600143

CASE NAME: REGINA TOFFI

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of EBTISAM HELO TOFFI

COUNSEL:

DIMITRI JEAN TOFFI (CP)...PRO/PER
EBTISAM HELO TOFFI (CP)...PRO/PER
REGINA DIMITRI TOFFI (CTP)...DUANE P BOOTH

Request for Waiver of Court Fees and Costs filed by REGINA DIMITRI TOFFI is GRANTED

GENERAL INFORMATION

Continued from 05/23/17. No appearances. Citation issued to: Ebtisam Helo Toffi and Dimitri Jean Toffi who are ordered to appear. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Audelia Munoz appointed Conservatee of the person on 10/18/16.
2. **Notification of Conservatee's rights filed. However, section 5 to proof of mailing [LF, p. 4] is not dated. Question whether a copy of the Order Appointing Probate Conservator was mailed? Court to inquire.**
3. Determination of Conservatee's Appropriate Level of Care and Care Plan filed.
4. **Need return of citation as to Dimitri Jean Toffi.**
5. **Citation as to Ebtisam Helo Toffi returned served.**

RECOMMENDATION

Need to clear note 4 than Court's discretion.

(lh/nb)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700001

CASE NAME: ROLAND LEVONE HAMILTON JR

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ROLAND LEVONE HAMILTON

COUNSEL:

JACQUELYN M HILL

(CPE)...PRO/PER

ROLAND LEVONE HAMILTON JR

(CTP)...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. Jacquelyn Hill appointed Conservator of the person.
2. Need Notification of Conservatee's rights per Pr. C. §1830(c).
3. Need a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
4. Need Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700012

CASE NAME: LYDA M SHILLINGBURG

HEARING:

FIRST AND FINAL Account and Report of DONNA WASHBURN and
Petition for allowance of fees filed.

COUNSEL:

DONNA WASHBURN (PET)...PRO/PER
LYDA M SHILLINGBURG (CPE)...JENNIFER M DANIEL

GENERAL INFORMATION:

Conservatee passed away on 03/30/17.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees
by Temporary Conservator of the Person and Estate, Donna Washburn ["Petitioner"].

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

1. Need final Inventory and Appraisal with supporting bank/financial statements per Local Rule 20-908.
2. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
3. Accounting period 01/23/17 to 05/19/17.
4. Assets on Hand \$5,664.85 consisting of cash.
5. Petitioner waives compensation.
6. The Summary of Account and schedules are not on the mandatory Judicial Council forms. Does court wish to require amended accounting or to advise parties to file all accountings on the required forms in the future? JTD.
7. Summary of Account [LF, p.3] does not include Total Credits. Need complete Summary of Account.
8. Petition alleges this estate is subject to the terms of The Shillingburg Living Trust and under its testamentary provisions, Petitioner's sister, Marti Mackey, is the Successor Trustee to the Conservatee. In order to facilitate the testamentary dispositions, Ms. Mackey instructed Petitioner to distribute certain sums described in Schedule B [LF, p. 9] to the beneficiaries, totaling \$296,000. Question the authority to make preliminary distributions without prior court authority directly to trust beneficiaries? Need verified supplement.

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9. Need a certification of trust that meets the requirements in Pr.C.§18100.5 and additionally includes a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? JTD
10. Need residential facility statements and/or written verification of rent per Pr.C. §2620(c)(5).
11. Need Notice of Hearing with proof of service.
12. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700161

CASE NAME: ERICA LOERA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ANGELICA LOERA	(PET)...RODRIGO LAW FIRM
ERICA LOERA	(CEE)...CRAIG M PARKER
JOSE LOERA	(PET)...RODRIGO LAW FIRM
MARGARITA C LOERA	(PET)...RODRIGO LAW FIRM

See x-ref matter CONPS171700162 (In re Cecilia Loera)

GENERAL INFORMATION

Continued from 06/13/17. Attorney Craig M. Parker appointed.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Margarita Loera (mother), Jose Loera (father), and Angelica Loera (sister)

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

1. Petitioner seeks orders for powers under Pr. C. §2351.5 to fix residence, access confidential records, control right to contract, authority to consent or withhold consent of medical treatment, make decisions as to education, consent or withhold consent to marriage, control social and sexual contacts. JTD.
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Need Capacity Declaration.
4. Proposed conservatee is developmentally disabled. **Need report by court-appointed counsel, Attorney Craig Parker.**
5. Proposed conservatee is developmentally disabled. **IRC requests 120 day continuance.**
6. **Court Investigator report filed.**
7. Need Certificate of Completion of the Conservatorship Training Class.

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8. Citation returned served
9. ~Proposed Form Order: 05/04/17

RECOMMENDATION; Continue 120 days.

Need to clear notes 3-5 & 7. If approved, set hearing for Compliance Review for **04/24/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700162

CASE NAME: CECILIA LOREA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ANGELICA LOREA	(PET)...RODRIGO LAW FIRM
CECILIA LOREA	(CEE)...WALTER T. MOORE
JOSE LOREA	(PET)...RODRIGO LAW FIRM
MARGARITA C LOREA	(PET)...RODRIGO LAW FIRM

See x-ref matter CONPS171700161 (In re Erica Loera)

GENERAL INFORMATION

Continued from 06/13/17. Attorney Walter t. Moore appointed. Notice by Judicial Assistant.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Margarita Loera (mother), Jose Loera (father), and Angelica Loera (sister)

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

1. Petitioner seeks orders for powers under Pr. C. §2351.5 to fix residence, access confidential records, control right to contract, authority to consent or withhold consent of medical treatment, make decisions as to education, consent or withhold consent to marriage, control social and sexual contacts. JTD.
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Need Capacity Declaration.
4. Proposed conservatee is developmentally disabled. **Need report by court-appointed counsel, Walter T. Moore.**
5. Proposed conservatee is developmentally disabled. **IRC requests 120 day continuance.**
6. **Court Investigator report filed.**
7. **Certificates of Completion of the Conservatorship Training Class filed.**

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

8. Citation returned served.
9. ~Proposed Form Order: 05/04/17

RECOMMENDATION: Continue 120 days.

Need to clear notes 3-5. If approved, set hearing for Compliance Review for **04/24/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700291
CASE NAME: MTR OF ULISES ROMERO

HEARING:
Petition for Appointment of Conservator

COUNSEL:
JACKIE ROMERO (CP)...PRO/PER
ULISES ROMERO (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Jackie Romero, mother

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

1. Proposed conservatee is developmentally disabled. It appears a limited conservatorship is appropriate.
 - a. Court may wish to appoint counsel and require report for proposed conservatee per Pr.C. §1470. JTD
 - b. An IRC report is optional per Pr.C. 1827.5(b). Does court wish to require? JTD
2. Petitioner does not request medical powers; however, indicates in item 9 that proposed conservatee lacks capacity to consent to medical treatment.
 - a. Need verified supplement clarifying powers sought.
 - b. Need Capacity Declaration.
3. Need Court Investigator report.
4. Need Certificate of Completion of the Conservatorship Training Class.
5. Need return of Citation.
6. Need Notice of Hearing and Proof of Service, including 30 days' notice to Inland Regional Center.
7. ~Proposed Form Order: 08/03/17

RECOMMENDATION

Need to clear notes 2-6. If approved, set hearing for Compliance Review for **04/24/18** 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)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PA/PG

DATE: 09/19/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1300422

CASE NAME: DEBRA MARY SAVAGE-EVANS

HEARING:

FIRST AND FINAL Account and Report of DIANE M SCHUMANN and
Petition for allowance of fees filed.

COUNSEL:

DEBRA MARY SAVAGE-EVANS	(DEC)...
DIANE M SCHUMANN	(PET)...MARIA G NICIFOROS
MARIA G NICIFOROS ESQ	(TP)...
SAN BERNARDINO COUNTY PUBLIC A	(PET)...CRAIG M PARKER

GENERAL INFORMATION:

Petitioner's powers of administration were suspended on 02/01/16.

Letters of Special Administration issued to PA on 04/06/16.

Continued from **05/10/16 and 07/26/16**. Court notes that the notice of proposed action was filed on 09/30/13.

Continued from **10/11/16** at request of counsel. Oral report by Craig Parker.

Continued from **11/29/16, 01/17/17 and 03/28/17**. Oral report given by Craig Parker.

Continued from 06/13/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON **Amended (05/04/16)** First and Final Account and Petition for Fees.

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

1. Accounting period 01/30/13 to 03/28/16.
2. Assets on Hand **\$46,711.76** in cash.
3. Petitioner requests statutory fees of \$11,551.52. Calculated.
 - a. Petitioner requests this Court allow statutory compensation less \$12,590.01, the amount Petitioner previously inadvertently erroneously reimbursed and paid herself, leaving a balance due to the Estate by Petitioner of \$1,038.49 to be paid by Petitioner and collected by PA. **Supp. (11/29/16) represents the balance due was mailed to PA on 10/807/16.**
4. Attorney requests reimbursement of the outstanding balance for costs advanced of \$765.00. Itemized [LF, p.79].

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.

5. Attorney requests statutory fees of \$11,551.52 less the amount of \$1,000.00 due to Craig Parker. JTD.
6. Petitioner indicates she used the services of Michelle Boyes who assisted with preparation for sale of the house and requests the court approve the sum of \$5,382.50 as compensation. Billed at \$15/hour. Itemized [LF, pgs. 60-64]. Petitioner requests Craig M. Parker to pay Ms. Boyes for such services.
7. George Ross was inadvertently overpaid by the Petitioner for his mileage (\$707) and for fees (\$313) totaling \$1,020.00 and has agreed to reimburse the Estate forthwith.
8. Amended Account (05/04/16) indicates partial distribution was made to petitioner, consisting of the 2004 Saturn, with the approval of PA, Craig Parker. The value of the vehicle (\$2,500) will be deducted from Petitioner's ultimate share of the estate. Petitioner requests transfer of vehicle to her as a devisee by Craig. M. Parker. **Receipt by Diane M. Shuman for pink slip to vehicle filed 11/29/16.**
9. Petitioner requests authority for Craig M. Parker to pay four Creditor's Claims that were presented and approved in the amounts of \$3,847.26; \$2,086.27; \$778.81; and \$666.01.
10. Under the terms of the Will admitted on 06/27/13, Decedent specifically left all personal assets to Petitioner. However, there is no mention of to whom the real property was to be distributed and there is no residual clause. Petitioner believes it was the intent of Decedent to leave the entire Estate to Petitioner, but submits the matter to the Court and presumes that the Court will find that the net sale proceeds of the house should be distributed to Decedent's father. John Savage.
 1. On 02/02/15, John Savage, father of Decedent and heir at law, passed away. Petition requests PA, Attorney Parker, be authorized and directed to distribute to the heirs of John D. Savage, father of Decedent. If approved, Court to require Pr. C. § 13100 petitions. **Pr. C. § 13100 petition filed 01/17/17 is not signed by Kent Savage. Need complete petition.**
11. Petitioner requests her powers to be reinstated and that she performs all acts necessary to close out the Estate.
12. Notice given.
13. **Notice of non-payment of bond filed.**
14. Proposed Order 05/04/16 distributes directly to John D. Savage's heirs.

RECOMMENDATION:

Need to clear note 10a then Court's discretion. If approved, set next hearing for receipts and final discharge for **09/25/18**.

(nb/lh/nb)

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

DATE: 09/19/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1400698

CASE NAME: BARBARA JEAN EVANS

HEARING:

FIRST & FINAL Account and Report of PUBLIC ADMINISTRATOR and
Petition for allowance of fees filed.

COUNSEL:

BARBARA JEAN EVANS	(DEC)...
DAVID EVANS	(PET)...LENITA A SKORETZ
HEATHER EVANS THOMAS	(PET)...JOHN
JOHN R RONGE	(PRO/PER
PUBLIC ADMINISTRATOR	(ADM)...CRAIG M PARKER

Request for Waiver of Court Fees and Costs filed by HEATHER EVANS THOMAS is GRANTED

Fee waiver amount due \$465.00 for petition on 08/20/14

GENERAL INFORMATION:

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

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

1. Accounting period 07/14/14 to 06/06/17.
2. Assets on Hand \$106,776.61 consisting of cash.
3. Statutory compensation of \$7,650.05 requested. Calculated.
4. Petitioner requests extraordinary fees of \$660 for services rendered in connection with the sale of real and personal property. Billed at \$60/hour for a total of 11 hours' time. Generally described [LF, pgs. 24-25]. JTD.
5. Attorney requests extraordinary fees of \$1,050.00 for services rendered in connection with the sale of real and personal property. Billed at \$350/hour for a total of 3 hours' attorney time. Itemized [LF, p.28]. JTD.
6. Petitioner requests authority to withhold the sum of \$2,500 as a reserve.
7. ~Proposed Order 06/20/17.

RECOMMENDATION:

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

09/25/18.

(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 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: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1400970

CASE NAME: Marcia Beller

HEARING:

Accounting Review

COUNSEL:

MARCIA BELLER

(DEC)...

PUBLIC ADMINISTRATOR

(PET)...CRAIG M PARKER

GENERAL INFORMATION:

Order Authorizing the PA to Collect and Sell the Property of Decedent per Pr.C. § 7660(a)(1) entered 12/01/14.

Continued from **01/12/16** at request of counsel. Waiting on the life insurance monies to fund.

Continued from 06/28/16 and 09/20/16 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Need final inventory and appraisal
2. No accounting. Need same.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1500373

CASE NAME: REBIA CALLAHAN

HEARING:

Accounting Review

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
REBIA CALLAHAN	(DEC)...
ROBERT WASHINGTON III	(TP)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Continued from 07/11/16, 07/12/16 and 09/20/16 at request of counsel. Notice to be given by Craig Parker.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Need final inventory and appraisal.
2. No accounting/status report. Need same.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

(dl/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1600429

CASE NAME: MTR OF RICHARD A MILLIGAN

HEARING:

Accounting Review

COUNSEL:

RICHARD A MILLIGAN (DEC)...

S.B CO PUBLIC ADMINISTRATOR (PET)...CRAIG M PARKER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Letters of Administration issued to Public Guardian, on 07/12/16, full, no bond.
2. Reappraisal Inventory and Appraisal filed 03/08/17.
3. No accounting or waiver of account filed.

RECOMMENDATION:

Inquire status.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1600825

CASE NAME: MTR OF RAYMOND JERRY MICHAEL

SEE ALSO 20, 21

HEARING:

Hearing Re: OSC RE DISMISSAL OF RONALD ALLEN'S PETITION

COUNSEL:

PUBLIC ADMINISTRATOR (PET)...CRAIG M PARKER

RAYMOND JERRY MICHAEL (DEC)...

RONALD D ALLEN (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by RONALD D ALLEN is GRANTED

See notes on matter #20.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1600825

CASE NAME: MTR OF RAYMOND JERRY MICHAEL

SEE ALSO 19, 21

HEARING:

Petition for LETTERS OF ADMINISTRATION

COUNSEL:

PUBLIC ADMINISTRATOR (PET)...CRAIG M PARKER

RAYMOND JERRY MICHAEL (DEC)...

RONALD D ALLEN (PET)...PRO/PER

GENERAL INFORMATION:

Continued from **10/05/16**. Non-appearance by petitioner. Court refers the matter to the Public Administrator for possible appointment.

Continued from 10/11/16 at request of counsel.

Continued from 01/10/17. Hearing continued at request of counsel for further investigation by public administrator (PA).

Continued from 03/21/17. The Public Administrator to file a petition for administration.

Continued from 05/16/17. Hearing continued at request of Counsel. Counsel represents the Petitioner to Administer Estate was previously filed last week. Court notes the petition does not currently appear in Court's system.

Continued from **06/27/17**. Matter trailed to 08/15/17 to be heard with petition by PA.

Continued from 08/15/17 matter continued to follow the OSC re Dismissal of the Petition filed by Ronald D. Allen for lack of appearance.

THIS CASE IS SET FOR HEARING ON

- **Petition #1** filed 08/18/16 for **OSC Re Dismissal** of Letters of Administration with full authority under IAEA, **by Ronald Allen (friend/caregiver)**
- **Petition #2** filed 05/23/17 for Letters of Administration with full authority under IAEA, **by Public Administrator**

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

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-
Petition #1 filed 08/18/16 by Ronald Allen

1. Petitioner alleges he is the sole heir/beneficiary and waives bond. However, it appears petitioner is not an heir and as there is no will, is not a beneficiary. Court may wish to require full bond of \$204,000.
2. Petitioner alleges that he was decedent's caregiver and they had a "verbal contract" of caregiving services in exchange for an inheritance in decedent's real property. Petitioner alleges that decedent is survived by a nephew, Robert Lawrence Char, who is currently in Patton.
3. Need Notice of Petition to Administer Estate and proof of service.
4. ~Proposed form order: 8/18/16

Petition #2 filed 05/23/17 by Public Administrator

5. Bond waived as petitioner is an exempt government agency.
6. It appears Public Administrator has priority of appointment per Pr. C. §8461.
7. ~Proposed form Order: 05/23/17

RECOMMENDATION:

Petition #1: Need to clear note 3.

Petition #2: Court's discretion.

If approved, set hearing for Accounting/Status Review on **11/27/18**. Any accounting to be filed at least 30 days in advance. Note Local Rule requirements.

(sa/nb/lh/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1600825

CASE NAME: MTR OF RAYMOND JERRY MICHAEL

SEE ALSO 19, 20

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

PUBLIC ADMINISTRATOR (PET)...CRAIG M PARKER

RAYMOND JERRY MICHAEL (DEC)...

RONALD D ALLEN (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by RONALD D ALLEN is GRANTED

See notes on previous matter #20.

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/19/17 TIME: 10:00 DEPT: S35P

CASE#: SC SS02092

CASE NAME: MTR OF SAM J. MINEO

HEARING:

Accounting Review

COUNSEL:

JOSEPH C. MINEO

(CPE)...D. HERSHEL W ILSON

SAME J. MINEO

(CEP)...

Request for Waiver of Court Fees and Costs filed by JOSEPH C. MINEO is GRANTED

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Petition to Dispense with Accounting and Order entered 10/14/15;
account or waiver of account now due beginning 08/29/15.

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

PROBATE

DATE: 09/19/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600156

CASE NAME: LILY MARTINEZ

HEARING:

Accounting Review

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (TP)...PRO/PER

ESTHER GUARDADO

(PET)...FULLERTON LEMANN

LILY MARTINEZ

(DEC)...

MARY MARIN

(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from 07/25/17. The I & A filed 04/13/17 is deemed the final I & A.

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 Esther Guardado, on **03/08/17**; full authority, \$200,000 bond.
2. Need accounting or status report.

RECOMMENDATION

Court may wish to continue the accounting review date as the letters were recently *issued*. If granted, continue the accounting review date to **05/08/18**.

(ww/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: 09/19/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600500

CASE NAME: MTR OF ORAN WALKER PALMER

HEARING:
Accounting Review

COUNSEL:
DEBORAH PALMER MCCAIN (PET)...PRO/PER
ORAN WALKER PALMER JR (DEC)...
STATE OF CALIFORNIA FRANCHISE (TP)...

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 Deborah Palmer McCain, daughter, on 07/12/17; full authority, no bond.
2. Need Final Inventory and Appraisal.
3. Need accounting or status report.

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: 09/19/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600686

CASE NAME: MTR OF SYLVIA RIVERA

HEARING:

FINAL Account and Report of JOYCE A C JOHNSON and Petition for allowance of fees filed.

COUNSEL:

JOYCE A C JOHNSON (PET)... HOWARD R HAWKIN
SYLVIA RIVERA (DEC)...

GENERAL INFORMATION:

Continued from 07/25/17 for review of supplement.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Administrator, Joyce A.C. Johnson ["Petitioner"].

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

1. Accounting period 06/08/16 to 03/31/17.
2. Assets on hand \$147,066.05 consisting of cash.
3. Statutory fees of \$12,678.01 requested. Calculated.
4. Petitioner requests extraordinary fees of **\$4,740.00** for services rendered in connection with the sale of real property. Billed at \$30/hour for a total of 158 hours' time. Itemized [**see supp. 08/03/17, LF, p.3**]. JTD.
5. Attorney requests extraordinary fees of \$1,000 for services rendered in connection with the sale of real property. Billed at \$275/hour for a total of 3.7 hours' time. Itemized [LF, p.18]. JTD.
6. Petitioner requests reimbursement of costs advanced of \$6,466.03. Itemized [LF, p19].
7. Proposed Order 07/19/17 reflects incorrect extraordinary fee for petitioner.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **09/25/18**.

(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 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: 09/19/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700299

CASE NAME: EDWARD LEE ROSENBERRY

HEARING:

Hearing Re: Proof of Bond

COUNSEL:

ALYSSA RIGGS

(PET)...COSGROVE, CO SGROVE &

EDWARD LEE ROSENBERRY REVOCABL(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Proof of Bond

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

1. Rob Saslow, appointed successor trustee of the Edward Lee Rosenberry Revocable Trust dated June 13, 2008 for the Benefit of Alyssa Riggs on 08/14/17, \$355,000 bond.
2. Need proof of bond.

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: 09/19/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700394

CASE NAME: MTR OF DANIEL M CUSTODIO

HEARING:

Petition to determine succession to Real Property

COUNSEL:

DALANIA CUSTODIO (PET)...PRO/PER
DANIEL M CUSTODIO (DEC)...
DANIEL S CUSTODIO (PET)...PRO/PER

GENERAL INFORMATION

Continued from 07/25/17 for petitioner to clear notes.

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Daliana and Daniel S. Custodio, daughter and son.

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

1. Petitioners are seeking 100% percent interest in decedent's 100% interest in real and personal property. 50% to each petitioner according to the proposed order. **Supp. (07/25/17) indicates Petitioners are requesting 50% each of Decedent's 100 % interest. Petitioners proffer decedent's Holographic Will [LF, p.4]. Need typed copy of holographic will per Pr. C. §8002(b)(1) and proof of holographic instrument.**
2. **Will includes grandson, Briant, who is to receive 1/3rd of the estate but is not included in petition. Petition must be joined by all those who have succeeded to the real property under the decedent's will. Pr. C. §13151. Need amended petition.**
3. **Supp. (07/25/17) alleges guns and money were stolen and vehicles were removed so there is no other property other than the house [LF, p4].**
4. ~Proposed Form Order: 04/26/17.

RECOMMENDATION

Need amended petition.

(ww/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: 09/19/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700554

CASE NAME: Mary Hope Vasquez

HEARING:

Motion Re: APPLICATION FOR PRELIMINARY INJUNCTION MEMORANDUM

OF

POINTS AND AUTHORITIES Filed by Petitioner TINA MARIE VASQUEZ

COUNSEL:

MARY HOPE VASQUEZ (DEC)...

TINA MARIE VASQUEZ (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by TINA MARIE VASQUEZ is GRANTED

Currently under review by Legal Research.

(LR)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700694

CASE NAME: MTR OF JESUS RENDON

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

ESTEBAN RENDON (PET)... FORREST F WOLFE
JESUS RENDON (DEC)...

GENERAL INFORMATION

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

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

1. All heirs waive bond. Net estate value is \$250,000 in real property.
2. Duties and liabilities filed; however, form not dated by proposed personal representative. Need same.
3. ~Proposed Form Order: 07/13/17

RECOMMENDATION

RFA subject to note 2. Court's discretion re bond. If approved, set Accounting/Status Review for **11/27/18**. 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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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/19/17 TIME: 8:30 DEPT: S36P

CASE#: SPR SS04825

CASE NAME: ESTATE OF RUBY ANN NOLEN

SEE ALSO 9

HEARING:

Petition for LETTERS OF SUCCESSOR ADMINISTRATION

COUNSEL:

RUBY ANN NOLEN

(DEC)...

SANDRA THOMAS STELL

(PET)...C. L. FARRELL

VERNA GRASSO

(PET)...C.L. FARRELL

GENERAL INFORMATION

Continued from 04/26/17 and 07/25/17.

THIS CASE SET FOR HEARING ON Petition for Letters of **Successor** Administration with full authority under IAEA by Sandra Thomas Stell, great niece.

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

1. Letters of Administration with Will Annexed issued to Verna Grasso, paternal grandniece on 8/23/02, with funds held in blocked account in lieu of bond. Verna passed away on **12/29/16**.
2. As the will has already been admitted to probate, it appears to be a petition for successor administrator.
3. Petitioner requests bond of \$20,000; however, cash and real property appear to be valued at \$42,020. Court to require bond of \$42,020.
4. Notice to Petition to Administer Estate and proof of service filed 04/05/17. However, need Due Diligence Declarations as to heirs with unknown whereabouts.
5. Notice of Death of Administrator filed 04/05/17; need proof of service.
6. Proof of Publication filed 04/17/17 is not verified. Need amended Proof of Publication.
7. ~Proposed Form Order: 03/07/17.

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 for clarification of the notes only - **no legal or procedural advice will be given.**

RECOMMENDATION

Need to clear notes 4-6 then Court's discretion re bond. If approved, set Accounting/Status Review for **11/29/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/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 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: 09/19/17 TIME: 8:30 DEPT: S36P

CASE#: SPR SS04825

CASE NAME: ESTATE OF RUBY ANN NOLEN

SEE ALSO 8

HEARING:

SIXTH Account and Report of VERNA GRASSO and Petition for allowance of fees filed.

COUNSEL:

RUBY ANN NOLEN	(DEC)...
SANDRA THOMAS STELL	(PET)...C. L. FARRELL
VERNA GRASSO	(PET)...C.L. FARRELL

GENERAL INFORMATION:

Administrator Verna Grasso died on 12/29/16.

Continued from 07/25/17 to clear notes.

THIS CASE IS SET FOR HEARING ON Sixth and Final Account and Petition for Fees by Attorneys for Petitioner C.L. Farrell and as former Attorneys for the late Verna Grasso, Deceased Administrator.

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

1. Accounting period 10/12/15 to 02/28/17.
2. Assets on Hand \$45,260.36 consisting of \$40,255.40 in cash and remaining in a ½ interest in unimproved real property.
3. Compensation is not requested.
4. Reimbursement for costs is not requested.
5. Petitioner requests an Order Authorizing the Estate to Abandon its Undivided one-half tenancy in common interest in the unimproved, vacant lot located in Newberry Springs, CA, having a 01/26/16 reappraised value of \$2,000 due to its demonstrated unmarketability, to conserve the Estate cash assets and enable the Estate assets to be distributed to its heirs at law and for the Estate to be brought to a close. Consents are not affixed as alleged. **Need same by all Nolen Estate Heirs.**
6. Need Notice of Hearing with proof of service.

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.**

7. Petitioner requests Attorney Farrell be authorized and directed to issue Final Distribution checks to the Nolen Heirs from the unblocked Community Bank Nolen Heirs Checking Account.
8. Petitioner requests an order authorizing and directing her to retain the sum of \$5,000 in the Community Bank Nolen Heirs Checking Account for closing costs.
9. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 5-6 then Court's discretion. If approved, set next hearing for receipts and final discharge for **09/25/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino Superior Court

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/19/17 TIME: 8:30 DEPT: S36P

CASE#: VPR VS01544

CASE NAME: ESTATE OF ISABEL ALEXANDER NIELSEN

HEARING:

Probate status report filed.

COUNSEL:

BRENT K NIELSEN	(PET)...PRO/PER
DOROTHY I NIELSEN	(PET)...LAW OFFICES OF LAYNE A
DOROTHY I NIELSEN	(PET)...PRO/PER
GARY NIELSEN	(PET)...PRO/PER
ISABEL ALEXANDER NIELSEN	(DEC)...
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Successor Administrator, Public Administrator ["Petitioner"].

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

1. Petitioner alleges the estate is not in a condition to be closed as there is still property in the State of Utah which is subject to an ancillary probate proceeding there.
2. Petitioner requests an additional 12 months to close the estate.
3. ~Proposed Order 06/07/17.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review on **09/25/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 09/19/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200272

CASE NAME: MTR OF RONALD MALLINGER

HEARING:

Third / Current Account and Report of TAWNY L COCKRUM and
Petition for allowance of fees filed.

COUNSEL:

RONALD MALLINGER

(CEP)...WALTER T. MOORE

TAWNY L COCKRUM

(CPE)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION:

Continued from 07/10/17. The Court authorizes \$5,024.00 in attorney fees. In addition, the Court would like more information regarding charges and withdrawals in Conservatee's account. The Court re-appoints Attorney Walter Moore as counsel for Ronald Mallinger

THIS CASE IS SET FOR HEARING ON Third Account Current and Petition for Fees by Conservator of the person and estate, Tawny L. Cockrum ["Petitioner"-friend].

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

1. Accounting period 01/01/15 to 12/31/15.
2. Assets on Hand \$61,131.91 in cash.
3. Current bond of \$208,000. Appears excessive. Suggest bond reduction by \$73,000 for a total new bond of \$135,000. JTD.
4. Petitioner requests fees of \$2,030.00. Billed at \$40/hour for 50.75 hours' time. Itemized [LF, pgs. 36-37]. JTD.
5. Attorney requests fees of \$6,980.00. Billed at \$150-\$350/hour for 17.95 hours' attorney time and \$95-110/hour for 38.1 hours' paralegal time. Itemized [LF, pgs. 39-55]. JTD.
6. Attorney requests reimbursement of costs advanced of \$610.43. Itemized [LF, p. 56].
7. **Need report of court-appointed counsel Walter T. Moore.**
8. Need written verification of rent per Pr.C. §2620(c)(5).
9. **Notice of Hearing filed 07/13/17 does not include conservatee. Need proper service.**

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.

10. Given the current balance of assets in the conservatee's estate, Conservator anticipates that such assets will be exhausted at some point in 2017. However, as the Conservatee is the beneficiary of the Ronald Mallinger SNT created by his father, trust paperwork is being filed concurrently; Conservator anticipates filing a final accounting and seeking to terminate the conservatorship of the estate to reflect the depletion of the conservatorship estate.
11. Petitioner has not used mandatory Summary of Account (GC-400/405) adopted 01/01/08. Court may wish to direct petitioner to use the mandatory form(s) on future accountings.
12. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 7-9 then Court's discretion re fees and bond. If approved, set next hearing for Accounting Review for **02/27/18**.

(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: 09/19/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600040

CASE NAME: LUGENE ROBINSON

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ROXANNE ROBINSON

COUNSEL:

LUGENE ROBINSON SR (CTP)...JAMES B CHURCH
ROXANNE ROBINSON (CP)...PRO/PER

GENERAL INFORMATION

Roxanne Robinson appointed conservator of the person on 06/30/16.

Continued from **02/06/17**. The conservator and counsel state that Lugene Robinson went to Las Vegas for a visit with some of her children and they now will not return her to the custody of the Roxanne Robinson. Court orders that Lugene Robinson to be returned to Roxanne Robinson immediately.

Continued from **02/21/17**. Conservator presents to court the Conservatorship Documents filed in Las Vegas by conservator. Counsel offers to assist conservator in her attempts to have conservatee returned to her.

Continued from **04/18/17**. Counsel represents there is a guardianship matter filed in Las Vegas, Clark County which has been granted. Referred to Court Investigator for investigation and report. The Court investigator is to make effort to contact Las Vegas (Clark County) as it appears the family members who took Lugene Robinson Sr. without the consent of the caregiver have filed for guardianship and guardianship has been granted.

Continued from 05/01/17. Matter is continued. Attorney Church is going to try to contact the District Attorney Elder Abuse unit regarding the conservatee

Continued from **05/16/17**. Attorney Church to look into other options to get the conservatee returned to conservator.

Continued from 08/01/17. Counsel to submit an order to the Railroad to freeze payments and provide the payee's address.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

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

- 1 Notification of Conservatee's Rights filed 02/03/17, section 5 to proof of mailing is blank. Question if the Order Appointing Probate Conservator was also provided? JTD.
- 2 Need Statement of Care Plan in accord with Pr.C.§2352.5.
- 3 Determination of Conservatee's Appropriate Level of Care filed.
- 4 CI report filed 04/19/17.
- 5 **Need order as directed by Court on 08/01/17.**

RECOMMENDATION:

Inquire status.

(nb/lh/nb)

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

DATE: 09/19/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600094

CASE NAME: MTR OF CHARLES J KOSKY

HEARING:

Petition for order fixing and allowing attorney fees and reimbursement for costs

COUNSEL:

CHARLES J. KOSKY	(CEP)...MAUREEN MURATORE
DESIREE M FORSBERG	(CPE)...LAYNE A BARTHOLOMEW
ERIC B FORSBERG	(CPE)...LAYNE A BARTHOLOMEW
JOANNA AVERETT	(CPE)...DONNASUE ORTIZ
JOANNA AVERETT	(CPE)...MAUREEN MURATORE
MADELYN M. KOSKY	(CEP)...MAUREEN MURATORE

XREF: PROPS1600095

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for fees and compensation by Layne Bartholomew, Attorney for prior Trustee, DesireeM. Forsberg (daughter) and Eric B. Forsberg (son-in-law) ["Petitioners"].

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

2. Petitioners allege that counsel has rendered services for which counsel has not been compensated for the period 03/15/16 to 07/31/17.
3. Attorney requests fees and costs totaling \$8,387.00. Billed at \$350/hour for 19 hours' attorney time and \$120/hour for 10.6 hours' paralegal time. Itemized [LF, pgs. 8-11]. JTD.
4. Petitioner request reimbursement of costs advanced of \$930.00. Itemized.
5. ~Proposed Order 08/11/17.

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

11/16/17 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 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: 09/19/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700006

CASE NAME: JOSEPH ALEXIS VERA

SEE ALSO 15

HEARING:

Hearing Re: Suspension of Temporary Powers

COUNSEL:

HECTOR GERARDO VERA (CP)...PRO/PER

JOSEPH ALEXIS VERA (CTP)...PRO/PER

Request for Waiver of Court Fees and Costs filed by JOSEPH ALEXIS VERA is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Suspension of Temporary Powers

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

1. Matter set at hearing held on 07/18/17 due to non-appearance of Hector Gerardo Vera; and failure to file required documents.
2. Citation issued and Hector ordered to appear. **Proof of Service of Citation filed.**

RECOMMENDATION:

Court's discretion

(nb)

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

DATE: 09/19/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700006

CASE NAME: JOSEPH ALEXIS VERA

SEE ALSO 14

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HECTOR GERARDO VERA (CP)...PRO/PER
JOSEPH ALEXIS VERA (CTP)...PRO/PER

GENERAL INFORMATION

Continued from **02/21/17**. Ex Parte orders granted. Due to the disposition of a pending criminal matter, all prior estate powers are revoked. The guardian ad litem will work with the proposed conservator to clear the probate notes. Notice given by guardian ad litem, Roth.

Continued from **05/02/17**. Hector Vera is allowed to apply and obtain a passport for Joseph Alexis Vera. It is noted that dementia powers are not being requested for Joseph Vera. All existing temporary orders shall remain in full force and effect until 071817. Temporary letters to continue in full force and effect.

Continued from 07/18/17. Non-appearance by Hector Gerardo Vera not has required documents been filed. The court directs the temporary conservator, Hector Vera to bring the proposed conservatee Joseph Vera to court on 09/19/17.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person by father.

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

1. No bond – person only.
2. Petition, sections 3f re due diligence is incomplete and missing attachments; section 5c indicates proposed conservatee suffers from dementia, but supplemental information indicates proposed conservatee suffers from schizophrenia; and CI referral indicates proposed conservatee is currently incarcerated. Need further clarification via verified supplement.
3. Petitioner seeks medical powers. Need Medical Capacity Declaration with Dementia Attachments.

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.**

4. Petitioner requests dementia powers; Need appointment of counsel and report by same.
5. Confidential Supplemental Information form, sections 5f (other alternatives); 6a(2) and 6a(3) re social services and estate management services are incomplete. Need verified supplement.
6. Notification to Court of Conservatorship Address, "Completed By" Section is incomplete. Need complete form.
7. Court Investigator's Report filed 02/15/17
8. Report by GAL, Mitchell I Roth, filed 02/21/17.
9. Need return of Citation.
10. Need Notice of Hearing with proof of service.
11. Certificate of Completion re Conservatorship Class filed 01/10/17.
12. ~Proposed Form Order 01/09/17.

RECOMMENDATION:

Court to appoint counsel and clear notes. If approved, set hearing for Compliance Review for **04/24/18** 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)

Superior Court of Calif, County of San Bernardino
Page: 15A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/19/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700224
CASE NAME: MTR OF MELISSA G BATTEAU
HEARING:
Petition for Appointment of Conservator

COUNSEL:

MAE ELLA BATTEAU (CP)...PRO/PER
MARK ALAN BATTEAU (CP)...PRO/PER
MELISSA G BATTEAU (CTP)...JEANNE KENNEDY

GENERAL INFORMATION

Ex Parte orders granted 07/05/17.

Continued from **07/18/17**. Oral motion made to grant a temporary conservatorship with medical powers was granted by Court. Mae Ella and Mark Alan Batteau appointed Temporary Co-Conservators.

Continued from 09/05/17 for GAL to explore LPS options.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person by mother, Mae Ella Batteau and brother, Mark A. Batteau ["Petitioners"].

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

- 1 No bond – person only.
- 2 Petitioners seek medical powers. Need Medical Capacity Declaration.
- 3 Need return of Citation.
- 4 Need Certificates of Completion re: Conservatorship Class.
- 5 Need Notice of Hearing and proof of service.
- 6 Report of Counsel, Jeanne Kennedy, filed 07/14/17.
- 7 Court Investigator's Report filed 07/14/17.
- 8 ~Proposed Form Order/Letters 06/14/17

RECOMMENDATION:

Need to clear notes 2-5. If approved, set hearing for Compliance Review for **04/10/18** 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)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700244

CASE NAME: MTR OF BERTHA BOYD

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BERTHA BOYD (CTP)...LENITA A SKORETZ
ERNEST HAYES (CP)...PRO/PER

GENERAL INFORMATION

Continued from 08/08/17. Attorney Lenita Skoretz appointed for Bertha Boyd. Matter is continued for a possible temporary conservatorship.

Continued form 08/14/17. Ex parte orders granted. Ernest Hayes appointed Temporary Conservator.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Ernest Hayes (brother)

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

1. Petitioner seeks medical powers. Capacity Declaration filed 08/14/17.
2. Petitioner seeks dementia powers. Report of Counsel Lenita Skoretz filed 08/14/17.
3. CI report filed 08/03/17.
4. Proof of completion of Conservatorship Training Class filed 07/06/17.
5. Return of Citation with Proof of Personal Service filed 07/19/17.
6. ~Proposed Form Order: 06/28/17

RECOMMENDATION

Court's discretion. If approved, set hearing for Compliance Review for **03/13/18** 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)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/19/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700294

CASE NAME: SUTTER D ZIELINSKI

HEARING:

PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

MICHAEL J ZIELINSKI (CP)...PRO/PER

SUTTER D ZIELINSKI (CTP)...

VALERIE A ZIELINSKI (CP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Conservatorship Management Conference

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

1. Michael and Valerie Zielinski appointed limited co-conservators of the person only on 11/03/14 in Orange County.
2. Case ordered transferred to San Bernardino County Court on 06/27/17 as the Conservator resides and intends to continue to reside in San Bernardino County.
3. Need post move notice per CRC 7.1063(c).
4. Need amended Letters to reflect this county.
5. Does court wish to require a Court Investigator report per Pr.C. § 2217(b)(3)?

RECOMMENDATION:

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/19/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700295

CASE NAME: MTR OF BILLIE HARGROVE BROWN

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BILLIE HARGROVE BROWN (CEP)...JAMES B CHURCH

GREGORY L BROWN (CPE)...MCCLELLAN & WILSON

GENERAL INFORMATION

Ex parte hearing held 08/16/17. No appearance. Attorney James B Church appointed for Billie Hargrove Brown.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Gregory L. Brown (son)

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

1. Petitioner seeks bond of \$244,200. Appears sufficient.
2. Petitioner seeks medical powers. Need Capacity Declaration.
3. Petitioner seeks dementia powers. **Report of Counsel James B Church filed.**
4. **Court Investigator report filed.**
5. Need Certificate of Completion of the Conservatorship Training Class.
6. **Citation returned served.**
7. ~Proposed Form Order: 08/01/17

RECOMMENDATION

Need to clear notes 2 & 5. If approved, set hearing for Compliance Review for **04/24/18** for the filing of the required documents and hearing re Accounting Review for **11/27/18** Any accounting to be filed 30 days in advance.

(lh/nb)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org 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: 09/19/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1600264

CASE NAME: ANTHONY P GAYTAN
SEE ALSO 20, 21

HEARING:
Hearing Re: COURT TRIAL

COUNSEL:
ANNA LYNNETTE GAYTAN (PET)... SALLY ANNE COX
ANTHONY P GAYTAN (DEC)...
DAVID GAYTAN (OBJ)...PRO/PER

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

No notes – Court Trial.
(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: 09/19/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1600264

CASE NAME: ANTHONY P GAYTAN

SEE ALSO 19, 21

HEARING:

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

COUNSEL:

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

GENERAL INFORMATION:

Continued from 06/19/17, 08/21/17 and 09/07/17.

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

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

1. Petitioner requests bond of \$135,000 be fixed. Appears sufficient.
2. Holographic Will does not nominate executor. However, petitioner is surviving spouse with priority of appointment per Pr. C. § 8461.
3. Holographic Will has 2 differing years, same month and day. Proof of Holographic Instrument filed 08/21/17.
4. ~Proposed Form Order 03/23/17
5. **Objections filed 08/15/17 by David Gaytan. Need proof of service.**

RECOMMENDATION: Matter is contested.

Court's discretion, \$135,000 bond. If approved, set future hearing for Accounting/Status Review on **11/15/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww/nb/lc/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 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: 09/19/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1600264

CASE NAME: ANTHONY P GAYTAN

SEE ALSO 19, 20

HEARING:

Spousal Property Petition hearing.

COUNSEL:

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

GENERAL INFORMATION

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

Continued from 06/01/17 and 08/21/17. Matter contested. Court trial requested.

THIS CASE SET FOR HEARING ON Spousal Property Petition

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

1. Petitioner, Anna Lynnette Gaytan, is seeking confirmation of her half of community property left by decedent to pass to petitioner and determination of decedent's half interest in the community property passing to petitioner.
2. Petitioner alleges that she and decedent were married on 06/27/00 and the property was quitclaimed to both petitioner and decedent on 01/29/03. However, the quitclaim deed dated 01/29/03 was recorded on 11/20/06, titled in decedent's name only. Later a deed of trust was titled in **Jean D.** Gaytan and Anthony Gaytan's name. Another quit claim deed was titled to petitioner only on 07/06/10, signed on 05/20/16 and recorded on 06/26/16; **post death. Note:** decedent died on 07/14/10. The dates and chain of title do not appear to coincide with petition. It is unclear who Jean is if petitioner and decedent were married in 2000, and as Anna is petitioning as spouse. See deeds attached to supplement filed 09/19/16. **Due to time restraints the supplement is not fully referenced. Court to clarify deed information, parties and dates. Request for Judicial notice filed 08/21/17: Anna and Anthony were married 06/24/00. Criminal records also attached.**

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.

3. Petitioner checked Section 8 to indicate that there is a written agreement between decedent and petitioner providing for a non-pro rata division of community property but then petitioner attaches a Power of Attorney that does not speak to that issue. Court to inquire.
4. **Amended Objections filed by David Gaytan, son on 07/15/16.**
5. **Petitioner alleges that objector was evicted from the real property several months ago; UDFS1602339.**
6. ~Proposed form Order: 03/23/16

RECOMMENDATION:

Matter is contested.

(dl/lc/nb/lc/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO DS1000887

CASE NAME: EBRAHIM NADER KHALILI

HEARING:

Accounting Review

COUNSEL:

CAL-EARTH, INC

(PET)...KEYSTONE LAW GROUP

CALIFORNIA INSTITUTE OF EARTH

(PET)...SHAWN S KERENDIAN

DASTAN KHALILI

(PET)...KERENDIAN & ASSOCIATES

DASTAN KHALILI

(PET)...KEYSTONE LAW GROUP

EBRAHIM NADER KHALILI

(DEC)...

ILIONA O KHALILI

(PET)...WILLIAM J. ROGERS

ILIONA O. KHALILI

(PET)...GARCIA & REED

SHEEFTAH KHALILI

(PET)...SHAWN S KERENDIAN

SHEEFTEH KHALILI

(RES)...KEYSTONE LAW GROUP

VACATE – Waiver of Account filed and set for 12/28/17.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1200077

CASE NAME: ESTATE OF SHIRLEY MAE DARLING

HEARING:

Accounting Review

COUNSEL:

APRIL RENE DARLING (PET)...CRAIG M PARKER

APRIL RENE DARLING (PET)...DIXIE J ALLISON

SHIRLEY MAE DARLING (DEC)...

VACATE – Status Report filed and set for 12/19/17

(cs/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300719

CASE NAME: The Martinez Family Trust**MASTER FILE**

SEE ALSO 4

HEARING:

Petition for ORDER APPROVING EXTRAORDINARY ATTORNEY FEES AND
FOR COURT TO RETAIN JURISDICTION ETC

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(PET)...SHERRI L KASTILAHN
DAVID MARTINEZ	(PET)...ROBERT J SPITZ
DAVID MARTINEZ	(PLA)...ROBERT J SPITZ
FRANK MARTINEZ	(JAMES B CHURCH
FRANK MARTINEZ	(PLA)...H.G. LONG
FRANK MARTINEZ	(STE)...BROWN WHITE & OSBORN
HOSSEIN YAZDANI	(JOHN L BAILEY
MARTINEZ FAMILY TRUST	(TRU)...PRO/PER
PAUL MARTINEZ	(PET)...ROBERT J SPITZ
PAUL MARTINEZ	(PLA)...ROBERT J SPITZ
PAUL MARTINEZ SR	(PRO/PER
ROBERT J SPITZ	(PET)...ROBERT J SPITZ
THE MARTINEZ FAMILY TRUST	(TRU)...
YAZDANI PROPERTIES, LLC	(JOHN L BAILEY

Request for Waiver of Court Fees and Costs filed by PAUL MARTINEZ SR is GRANTED

Currently under review by Legal Research.
(LR)

Notice:

Need Notice of Hearing with proof of service to Christina Erickson-Taube, Successor Trustee; and Mark Flory, Attorney for Frank Martinez.

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

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300719

CASE NAME: The Martinez Family Trust**MASTER FILE**

SEE ALSO 3

HEARING:

Accounting Review

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(PET)...SHERRI L KASTILAHN
DAVID MARTINEZ	(PET)...ROBERT J SPITZ
DAVID MARTINEZ	(PLA)...ROBERT J SPITZ
FRANK MARTINEZ	(JAMES B CHURCH
FRANK MARTINEZ	(PLA)...H.G. LONG
FRANK MARTINEZ	(STE)...BROWN WHITE & OSBORN
HOSSEIN YAZDANI	(JOHN L BAILEY
MARTINEZ FAMILY TRUST	(TRU)...PRO/PER
PAUL MARTINEZ	(PET)...ROBERT J SPITZ
PAUL MARTINEZ	(PLA)...ROBERT J SPITZ
PAUL MARTINEZ SR	(PRO/PER
ROBERT J SPITZ	(PET)...ROBERT J SPITZ
THE MARTINEZ FAMILY TRUST	(TRU)...
YAZDANI PROPERTIES, LLC	(JOHN L BAILEY

GENERAL INFORMATION

Continued from **03/02/17 and 05/03/17**. Mr. Spitz reports he has received the documents ordered released in the in-camera review last Thursday. The Court clarifies there has been no double billing. Matter continued for counsel to review documents. Trailing other hearings set.

Continued from 06/06/17 on Court's motion. Issues have resolved, accounting to be filed.

Continued from 07/18/18 at request of counsel to trail hearing currently set for same date.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. On 11/10/14, Frank Martinez resigned as Trustee and Christina Erickson Taube was appointed successor with \$350,000 bond.

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.

2. Need accounting by Christina Erickson Taube.

RECOMMENDATION

Inquire status.

(lc/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500780

CASE NAME: HELENA B MCCRAW

HEARING:

FIRST AND FINAL Account and Report of SCOTT MCCRAW and Petition
for allowance of fees filed.

COUNSEL:

HELENA B MCCRAW (DEC)...
SCOTT MCCRAW (PET)...JOSEPHINE A. RICH

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for
Feesby Executor, Scott H. McCraw ["Petitioner"- husband].

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

1. Sole beneficiary waives accounting.
2. Assets on Hand \$1,034,388.52 consisting of stocks, bonds and mutuals.
3. Statutory fees of \$19,346.00 requested. Calculated.
4. The will conditionally incorporates decedent's Trust. **Certification of trust filed.**
5. Need copies of bank/financial statements in support of date of death balances per Local Rule 20-908 for **Wells Fargo Savings Acct # XXX1813; and UBS Bank USA, acct. # XXX2306.**
6. ~Proposed Order 06/30/17.

RECOMMENDATION:

Need to clear notes 5 then Court's discretion. If approved, set next hearing for receipts
and final discharge for **09/25/18.**

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501047

CASE NAME: MTR OF GUILLERMO BUSTAMANTE

HEARING:
Accounting Review

COUNSEL:

FRANCISCO BUSTAMANTE	(PET)...JENNIFER M DANIEL
GUILLERMO BUSTAMANTE	(DEC)...
SOCORRO BUSTAMANTE	(PET)... LUIS E LOPEZ
STATE OF CA FRANCHISE TAX BOAR	(TP)...PRO/PER

XREF: FAMSS1305823

GENERAL INFORMATION:

Continued from **04/04/17** at request of counsel to file accounting.

Continued from 07/11/17 at request of petitioner to clear notes.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued 01/26/16, full authority, no bond.
2. No accounting or status report of administration. Need same.

RECOMMENDATION:

Inquire status.

(nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501187

CASE NAME: MTR OF MARY HELEN RAMIREZ

HEARING:

First and Final Account and Report of ROBERT RICK RAMIREZ and
Petition for allowance of fees filed.

COUNSEL:

MARY HELEN RAMIREZ (DEC)...
ROBERT RICK RAMIREZ (PET)...ROBBINS & HOLDAWAY

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Report and Petition for Fees by
Administrator, Robert. E. Ramirez ["Petitioner"- son].

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

1. Accounting period 07/12/15 to 06/30/17.
2. Assets on Hand \$701,223.39 consisting of \$667,806.02 cash and remaining in
receivables from Sandra Gonzales.
3. Statutory compensation of \$18,115.46 requested. Calculated.
4. Attorney requests extraordinary fees of \$3,430.00 for services rendered in
connection with the sale of real property and unlawful detainer proceedings.
Billed at \$350/hour for a total of 9.80 hours' attorney time. Generally described.
Need itemization per CRC 7.702 indicating the specific amount requested for
each category of service via verified supplement.
5. Petitioner requests reimbursement of costs advanced of \$12,816.73. Itemized
[LF, pgs. 28-30].
6. Attorney requests reimbursement of costs advanced of \$2,744.00. Itemized
[LF, p13].
7. Petitioner requests authority to withhold \$30,000 as a reserve for unpaid income
taxes and bond premium. JTD.
8. Petitioner states receivables in the amount of \$33,417.37 are owed by daughter,
Sandra Gonzales for unlawful detainer proceedings; unpaid rents; and removal
of personal property. Petition indicates Sandra's distribution will be reduced by
this amount.

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.**

9. Proposed Order 06/30/17 reflects a different amount for cash on hand and does not include omnibus clause.

RECOMMENDATION:

Need to clear note 4 then Court's discretion. If approved, set next hearing for receipts and final discharge for **09/25/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600047

CASE NAME: MTR OF LELA I REYNOLDS

HEARING:

FIRST AND FINAL Account and Report of CHERIE Y LUNGREN and
Petition for allowance of fees filed.

COUNSEL:

CHERIE Y LUNGREN (PET)...DIANA J CARLONI
LELA I REYNOLDS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees
by Personal Representative, Cherie Lungren ["Petitioner"].

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

1. Accounting period 10/31/15 to 05/31/17.
2. Assets on Hand \$367,012.79 consisting of cash.
3. Statutory fees of \$11,005.89 requested. Calculated.
4. Petitioner requests reimbursement of costs advanced totaling \$20,179.32.
Itemized [LF, pgs. 6, 10, 21].
 - a. Includes Creditor's Claim filed 07/06/17 in the amount of \$18,209.30 for
burial expenses.
5. Attorney requests reimbursement of costs advanced of \$769.80. Itemized [LF,
p6].
6. Petitioner requests authority to withhold the sum of \$600.00 as a reserve.
7. Petitioner requests discharge upon filing receipts instead of upon entry of final
discharge order.
8. ~Proposed Order 09/12/17

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for
09/18/18.

(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 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: TARA REILLY

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600388

CASE NAME: FAMILY TRUST OF JAMES AND OLGA JOHNSON

SEE ALSO 10

HEARING:

Petition for REMOVAL OF TRUSTEE; TO COMPEL ACCOUNTING BY TRUSTEE AND TO COMPEL TRUSTEE ETC

COUNSEL:

CYNTHIA J JOHNSON

(OBJ)...AMANDA A STEWART

FAMILY TRUST OF JAMES JOHNSON A

(TRU)...

MARK S JOHNSON

(PET)...THOMAS W DOMINICK

Currently under review by Legal Research.
(LR)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600388

CASE NAME: FAMILY TRUST OF JAMES AND OLGA JOHNSON

SEE ALSO 9

HEARING:

FIRST Account and Report of CYNTHIA J JOHNSON and Petition for allowance of fees filed.

COUNSEL:

CYNTHIA J JOHNSON

(OBJ)...AMANDA A STEWART

FAMILY TRUST OF JAMES JOHNSON A

(TRU)...

MARK S JOHNSON

(PET)...THOMAS W DOMINICK

GENERAL INFORMATION:

Continued from **11/01/16 and 03/14/17**. Request for statutory compensation is denied. Reasonable compensation may be awarded if appropriate request is filed.

The Court also denies request for funds paid to a legal document assistant service and fee to Nicholas Schouten. If attorney bill from Nicholas Schouten is submitted, the Court will reconsider the request. Counsel reports discovery is underway and issues may settle when discovery is complete.

Continued from 07/11/17 by stipulation of counsel through email prior to hearing. Notice waived.

THIS CASE IS SET FOR HEARING ON First Account Current by Co-Trustee, Cynthia J. Johnson.

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

- 1 Account period 06/18/14 to 07/31/16.
- 2 Assets on Hand \$82,000 consisting of \$2,000 in cash and remaining in real property located in Nevada.
- 3 Petitioner requests statutory compensation of \$25,916.92. However, Part 3 - Comprehensive Provisions, Compensation-Reasonable [LF, p. 52-53 of trust filed 04/21/16] states the trustee may pay itself reasonable compensation from the trust estate during each calendar year for all ordinary services.
Supp. (01/06/17) indicates Petitioner is seeking a determination by this Court as to a preliminary statutory compensation determination.
Petitioner would like to retain the property and alleges a determination

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.

- now will allow the Petitioner to make an equalization payment to allow this Co-Trustee to retain the Laughlin property. JTD.**
- 4 Petitioner requests reimbursement of costs advanced of \$11,133.44. Itemized [LF, p.3 to supp. filed 08/22].
- a. Petitioner requests legal compensation of \$837.00 for funds paid to a legal document assistant service. Itemized [LF, p. 29-30 to supp. filed 08/22/16]. JTD.
- b. Request includes attorney's fees of \$750 to Nicholas Schouten. [See supp. filed 08/22/16, LF, p. 31]. JTD.
- 5 Need copies of bank/financial statements to trust account per Local Rule 20-908. **Supp. (01/06/17) does not include bank statements for beginning or end of account period. Need same.**
- 6 Notice given.
- 7 **Objections filed 01/09/17 by Mark S. Johnson alleges Ms. Johnson has failed to include a number of bank accounts; has failed to account for all Trust income received for the period of the account; and objects to allowance of reimbursements for expenses; trustee and attorney fees.**
- 8 No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear note 5 then set for contested hearing. If approved set next hearing for Accounting Review on **10/03/17**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 10A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600688

CASE NAME: MTR OF RAUL MIRANDA

HEARING:

Ex parte hearing re: PETITION FOR PRELIMINARY INJUNCTION
ENJOINING SALE

COUNSEL:

HEATHER MIRANDA (PET)...JACK B. OSBORN
RAUL MIRANDA (DEC)...

XREF: GARPS1600219

Currently under review by Legal Research.
(LR)

Future Hearing:
10/05/17 Spousal property petition
01/25/18 Accounting Review.

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

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600738

CASE NAME: PAUL BARCELONA SPECIAL NEEDS TRUST

HEARING:

Petition for AUTHORIZATION TO PURCHASE RESIDENCE

COUNSEL:

CLARISSE VILLALPANDO	(PET)...MICHELS & LEW
PAUL BARCELONA	(MIN)...
PAUL BARCELONA SPECIAL NEEDS T	(TRU)...
WESTAMERICA BANK	(PET)...RANDOLPH M SHARON

XREF: CIVDS1506803

Currently under review by Legal Research.
(LR)

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

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 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: TARA REILLY

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600989

CASE NAME: MTR OF ROBERT E GEE JR

HEARING:

Petition for PROBATE OF WILL W/ LETTERS OF TEST W/ FULL AUTH
UNDER THE IAEA

COUNSEL:

DAVID E GEE (PET)...PRO/PER
ROBERT E GEE JR (DEC)...

GENERAL INFORMATION

Continued from **12/7/16**. Petitioner reports matter is filed in San Bernardino as the property is here.

Continued from **02/15/17**.

Continued from **04/18/17**. Court determines that decedent lived in Orange County for only 10 days while he was in hospice. Court requests that a good faith effort be made to notice Robert Gee III. Court will accept a declaration of due diligence. Proof of Publication to be filed.

Continued from 06/20/17 on Court's motion.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by David E Gee, son

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

1. Will waives bond. Net value of estate is \$280,000.
2. Petition, item #8, is missing Robert Gee III, son, is an heir as is entitled to notice per Pr.C. § 8110. **Due Diligence filed. JTD.**
3. **Proof of Publication filed.**
4. ~Proposed Form Order: 10/04/16.

RECOMMENDATION

Court's discretion re: due diligence. If approved, set Accounting/Status Review for **11/27/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/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 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: TARA REILLY

DATE: 09/19/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700648

CASE NAME: Carmen Marquez

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

CARMEN MARQUEZ (DEC)...
SARA SHERMAN (PET)...DAVID M HUYNH

GENERAL INFORMATION

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

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

1. All heirs waive bond. Petition indicates personal and real property are unknown.
2. Petitioner submitted an outdated form (2008). JTD
3. ~Proposed Form Order: 07/26/17

RECOMMENDATION

RFA, Courts discretion re bond. If approved, set Accounting/Status Review for **11/27/18**. 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
Page: 13A ADD ON
CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/19/17 TIME: 9:30 DEPT: S37P

CASE#: CIF DS1700088

CASE NAME: SARVER -V- HAMMONS

HEARING:
Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:
OTHA ALVIS SARVER (PET)...PRO/PER
RONALD DEAN HAMMONS (RES)...

Notice:

Need proof of mailed service on wife, Wanda Mae Sarver.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 09/19/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1100118

CASE NAME: ROGELIO ORTIZ JR

HEARING:

Accounting Review

COUNSEL:

MARTHA ORTIZ

(CP)...PRO/PER

ROGELIO ORTIZ JR

(CTP)...CRAIG M PARKER

VACATE – Ex Parte Petition to Dispense with Accounting and Order entered
08/23/17.

(nb)

FUTURE HEARING DATES:

09/13/18 Accounting Review

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/19/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300209

CASE NAME: Carol Ann Gerola

HEARING:

Accounting Review

COUNSEL:

BRIAN WATSON

(CPE)...LENITA A SKORETZ

BRIAN WATSON

(CPE)...PAUL R HORNAK

CAROL ANN GEROLA

(CEP)...

CHELSE WATSON

(PRO/PER

HENRY J. GEROLA

(TP)...PRISCILLA C SOLARIO

PAUL R. HORNAK

(PET)...RAUSCHL P.C. & HORNAK

Request for Waiver of Court Fees and Costs filed by CHELSE WATSON is GRANTED

VACATE – Second and Final Account filed and set for 10/18/17.

(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 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: TARA REILLY

DATE: 09/19/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600248

CASE NAME: CONNIE R ROWLAND

SEE ALSO 17

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CHERYL ANDERSON

COUNSEL:

CHERYL ANDERSON

(PET)...PRO/PER

CONNIE R ROWLAND

(PCE)...J. DAVID HORSPOOL

ROBERT C GARNETT JR

(OBJ)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Cheryl Anderson appointed Conservatee of the person and estate on 06/27/17, no bond.
2. Notification of Conservatee's rights filed 06/29/17.
3. Need a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
4. Need Care Plan in accord with Pr. C. §2352.5.
5. Need final Inventory and Appraisal per Pr. C. §2610.
6. Need proof of service Inventory and Appraisal including Instructions for Objections per Pr. C. §2610.

RECOMMENDATION

Inquire status.

(lh)

Future Hearing:

09/04/18 Accounting Review.

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/19/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600248

CASE NAME: CONNIE R ROWLAND

SEE ALSO 16

HEARING:

Hearing Re: INFORMAL ACCTG RE: MISSING MONIES (MR. GARNETT)

COUNSEL:

CHERYL ANDERSON

(PET)...PRO/PER

CONNIE R ROWLAND

(PCE)...J. DAVID HORSPOOL

ROBERT C GARNETT JR

(OBJ)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Informal Accounting re Missing Monies (Mr. Garnett).

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

1. Matter set at 06/27/17 hearing, wherein, Mr. Horspool reports Mr. Garnett did turn over bank statements and cash in the amount of \$5,785. Counsel further reports that leaves approximately \$8,800 money missing from the sale of the mobile home and the car. Mr. Horspool requested Mr. Garnett provide a list of receipts showing that the missing monies were spent for the benefit of Connie Rowland. Need same.
2. Robert Garnett Jr is cited to be present at next hearing. Need return of citation.

RECOMMENDATION:

Need to clear notes.

(nb)

Future Hearing:

09/04/18 Accounting Review.

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

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700107

CASE NAME: TIMOTHY J RENSTROM

HEARING:
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

MICHAEL KRUGER	(PET)...PRO/PER
RAYMOND JOHN RENSTROM	(PET)...PRO/PER
SANDRA RENSTROM	(PET)...PRO/PER
TIMOTHY G RENSTROM	(PET)...DENNIS D ALBRIGHT
TIMOTHY J RENSTROM	(CTP)...

XREF: VCVS00022

GENERAL INFORMATION:

Michael Kruger appointed Successor Conservator of the person, on 03/30/15.

Continued from 05/09/17. Referred to Court Investigator for investigation and report.

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

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

1. Need updated letters.
- 2. CI report filed.**
- 3. Post-Move Notice of Change of Address filed.**

RECOMMENDATION:

Need to clear notes.

(nb)

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

DATE: 09/19/17 TIME: 9:30 DEPT: S37P

CASE#: SG SS3997

CASE NAME: IN THE MATTER OF PATSY JANE RYAN

HEARING:

FIFTEENTH OF CONSERVATOR WITH WAIVER OF Account and Report of
LAWRENCE A DEAN II and Petition for allowance of fees filed.

COUNSEL:

LAWRENCE A DEAN II	(CPE)...HORSPOOL & H ORSPOOL
MELODIE Z SCOTT	(PRO/PER
PATSY JANE RYAN	(CEP)...PRO/PER
PATSY JANE RYAN	(INC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Fifteenth Account Current on Waiver of
Account and Petition for Fees by Conservator of the Person and Estate; Petition for
OSC re: Payment of Obligations of Conservatee by Lawrence A. Dean, II ["Petitioner"].

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

1. Petitioner alleges that during this accounting period the estate assets did not exceed \$15,000 exclusive of residence and the estate's income was less than \$2,000 exclusive of public benefits. Thus, the estate qualifies for a waiver of account per Pr.C.§2628.
2. Accounting period 01/01/15 to 12/31/16.
3. Need balance and description of the assets on hand, specifically noting the amount of cash included in said balance (Local Rule 20-614c).
4. Petitioner requests fees of \$5,162.15. Billed at \$65-\$105/hour. Itemized [8/15/17 Accounting LF p.9-13]. JTD.
5. Attorney requests fees of \$3,634.00 billed at \$395/hour for 9.20 hours. Itemized [8/15/17 Accounting LF p.14-15].
6. In the Order Settling Fourteenth Account Current, Pamela Wachholz (VA Representative Payee) was ordered to pay court-approved fees for Petitioner in the amount of \$3,934.10 and to Horspool & Horspool, his attorney's fees in the amount of \$1,600.00. Petitioner alleges in spite of several demands, Ms. Wachholz has failed and refuse and continues to fail and refuse, to pay the

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.**

sums ordered by the Court's previous order. Petitioner requests that this Court set an OSC directing Ms. Wachholz to appear and show cause why she continues to ignore the prior court order and whether or not she will obey the subsequent Order to be issued by this Court.

7. Proposed order 08/15/17 does not include balance and description of the assets on hand, specifically noting the amount of cash included in said balance (Local Rule 20-614c).

RECOMMENDATION:

Need to clear note 3 then Court's discretion. If approved, set hearing re next Accounting Review for **02/27/18** (if one year) or **02/26/19** (if two years). Account to be filed 30 days in advance.

(nb)