



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 09/20/17**

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.

08/22 ww/lc; 09/15/lh

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: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS0800133

CASE NAME: RICHARD P. WHITE

HEARING:

Hearing re Final Discharge

COUNSEL:

DARLA L. WHITE

(PET)...DANIEL C SEVER

RICHARD P. WHITE

(DEC)...

#### GENERAL INFORMATION

Final discharge continued from 2/19/14, 3/26/14, 5/14/14 and 6/25/14.

On 6/17/15 Court set OSC re Sanctions as there was no appearance or file required documents. Notice mailed. Nothing new filed.

Continued from 8/5/15 No appearance. Notice to be sent to correct address of counsel.

Matter was taken off calendar on 09/16/15 and reset. Court vacated Sanctions.

Administrator still making payments as to Creditor's Claims.

**Continued from 09/15/16. To file receipts of creditor claims.**

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Final distribution approved 5/28/13.
2. Need receipts of payment of creditor claims.
3. No receipt required from beneficiary as petitioner is the sole heir.
4. Need Ex-parte petition for final discharge order submitted with document recording information per Pr.C.§11753.

RECOMMENDATION:

Inquire status.

(gls/kra/lc/ww)

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500103

CASE NAME: Carl Arthur Kasak

HEARING:

WAIVER OF Account and Report of DOUGLAS KASAK and Petition for Allowance of fees filed.

COUNSEL:

DOUGLAS KASAK	(PET)...BROCK, MARTIN & VOORHEES, PC
CARL ARTHUR KASAK	(DEC)...
CARL KASAK	(PET)...BROCK, MARTIN & VOORHEES, PC
PHYLLIS A KRESS	(OBJ)...THE BIONDI LAW FIRM

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Douglas Kasak, son/sole heir.

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

1. Petitioner is sole heir, waives accounting and statutory compensation.
2. Attorney seeks statutory fees of \$16,998.73. Ok. However, need actual schedule of gains as this is a waiver per C.R.C 7.705(b).
3. Attorney seeks extraordinary fees of \$16,347.50 for 60 hours at \$115/325 per hour for paralegal and attorney services. Itemized [Acct. 06/26LFpg19-22].
4. No proposed order. Submit after hearing.

RECOMMENDATION

RFA subject to note 3 and Court's discretion re extraordinary fees. If approved, set hearing on the filing of receipts and final discharge for **09/25/18**.

(lc)

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500892

CASE NAME: ELIZABETH J WALDON

HEARING:

WVR OF ACCOUNT & FINAL REPORT OF ADMINISTRATOR Account and  
Report of HEIDI KOCALIS and Petition for allowance of fees

COUNSEL:

HEIDI KOCALIS (PET)...ROSE C ROSADO  
ELIZABETH J WALDON (DEC)...

GENERAL INFORMATION

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

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

1. All heirs waive accounting.
2. Petitioner and attorney seek statutory fees of \$5,665 each [**Supp. 09/05/17, LFpg8-9**].
3. Report states that balance on hand is \$74,221.39.16 [sic] in ¶12 and \$56,860.39 in ¶17 and in order. Need verified supplement explaining if amounts are post fees. **Supp. 09/05/17 \$74,221.39 were proceeds of sale deposited into attorney-client trust account. Balance of hand is \$56,860.39.**
4. Attorney seeks extraordinary fees of \$2,715 for 12.5 hours at \$150/300 per hour for paralegal and attorney services. Itemized [Acct. 06/21LFpg14-17]. JTD
5. Petitioner seeks approval to pay all six remaining Creditor's Claims totaling \$4,657.62.
6. Petitioner seeks a reserve of \$10,000. JTD
7. Proposed Order: 06/21/17; however, unclear if assets are pre or post fees in ¶8.

RECOMMENDATION

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

(lc/lh)

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1501110

CASE NAME: MTR OF CAROLINE LOUISE BUCKLEY

HEARING:  
Accounting Review

COUNSEL:

WILLIAM R BUCKLEY	(PET)...ROBERT A COHEN
CAROLINE LOUISE BUCKLEY	(DEC)...
ALANA MARCY ARMSTRONG	(MIN)...MITCHELL I ROTH
ALYSSA MAY ARMSTRONG	(MIN)...MITCHELL I ROTH
RUSSELL JONES	(PET)...SANDRA TURNER
CAROLYN GARCIA	(OBJ)...SANDRA TURNER

**XREF: VFLVS024891**(Caroline Buckley v William Buckley)  
**GARPS1600251**(William A Buckley et al)

GENERAL INFORMATION

**Continued from 07/12/17. Court clears note re Inventory & Appraisal.**

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 Russell Jones, fiancé, on 05/26/16; full authority, \$20,000 bond.
2. Final Inventory and Appraisal filed 06/28/16. Corrected Final Inventory and Appraisal filed on 07/12/17.
3. Need accounting or status report.

RECOMMENDATION

Inquire status of accounting.  
(lc/ww)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 09/20/17      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1600130

CASE NAME: MTR OF OSCAR DE JESUS PALACIOS

**VACATED**

HEARING:

Accounting Review

COUNSEL:

RICHARD L GOMEZ

(PET)...KELLY F RYAN

OSCAR DE JESUS PALACIOS

(DEC)...

Future hearing dates: 12/06/17 First and final account and report of Richard L Gomez

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600351

CASE NAME: ELEANOR VILLANUEVA MANIGBAS TRUST

**SEE ALSO 7 8**

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT/DISMISSAL

COUNSEL:

PACIFICO A. DIGMAN JR

ELEANOR VILLANUEVA MANIGBAS TRUST

CZAR IVAN MANIGBAS

(PET)...NEIL J DE LEON

(TRU)...

(OBJ)... CHRISLIP & HERVATIN

See notes on matter 8.

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600351

CASE NAME: ELEANOR VILLANUEVA MANIGBAS TRUST

**SEE ALSO 6 8**

HEARING:

Hearing Re: PETITION FOR INSTRUCTIONS TO COMPEL TRUSTEE ETC

COUNSEL:

PACIFICO A. DIGMAN JR

ELEANOR VILLANUEVA MANIGBAS TRUST

CZAR IVAN MANIGBAS

(PET)...NEIL J DE LEON

(TRU)...

(OBJ)... CHRISLIP & HERVATIN

Currently under review by legal research

(LR)

NOTICE:

1. Notice appears sufficient, including personal service.



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

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600351

CASE NAME: ELEANOR VILLANUEVA MANIGBAS TRUST

**SEE ALSO 6 7**

HEARING:

Petition for INSTRUCTIONS TO COMPEL TRUSTEE TO RENDER AN  
ACCOUNTING AND REMOVE TRUSTEE

COUNSEL:

PACIFICO A. DIGMAN JR	(PET)...NEIL J DE LEON
ELEANOR VILLANUEVA MANIGBAS TRUST	(TRU)...
CZAR IVAN MANIGBAS	(OBJ)... CHRISLIP & HERVATIN

GENERAL INFORMATION:

Continued from 06/07/16 at request of counsel. Currently in settlement discussions.  
Notice waived.

Continued from 09/13/16, 11/23/16 and 03/15/17. Stip and order filed 12/08/16. Counsel for petitioner stated there has been a breach in the settlement terms as the trustee has allegedly been collecting rents not accounted for and property taxes are delinquent for 2016. Petition for accounting/compel sale etc not yet in system as of 03/15/17.

**Continued from 05/24/17 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Petition for Instructions

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

1. Petitioner alleges that on 5/5/14, Eleanor Villanueva Manigbas executed the Eleanor Villanueva Manigbas Revocable Trust (the Trust). The beneficiaries of the trust are the settlor's child, Czar Ivan Manigbas and Petitioner who is a friend of the settlor.
2. Czar is the first successor trustee, Petitioner and Emelita Exconde is the second successor co-trustees.
3. The Settlor has died; the date of death is not stated. Czar has assumed the duties as successor trustee. On 11/9/15, petitioner requested that the trustee provide an accounting and an inventory of the trust assets.
4. The Trust provides that petitioner is to receive 30% of the settlor's interest in her personal residence located at 1793 Ambrosia Ave., Upland CA. and a 30% of Calix Drugs, a company in which the Settlor and petitioner were partners. Czar is to receive the remainder of the trust assets.

5. Petitioner further alleges that he has personal property in a safe deposit box owned by the settlor.
6. Petitioner alleges that Czar has not provided an accounting, has not distributed the trust assets and has failed to return petitioner's personal property. In addition, Czar has allegedly changed Calix Drugs from a sole proprietorship to a corporation in order to allow Czar to gain additional equity and to disenfranchise the petitioner.
7. Petitioner seeks to remove Czar as trustee. Petitioner further requests redress for Czar's breach of his fiduciary duty, damages for converting petitioner's personal property and the imposition of a constructive trust over the trust assets.
8. **Objection filed on 5/25/16. Objection by Czar Ivan Manigbas filed 05/10/17. Supplemental declaration in support of objections filed on 05/23/17.**
9. **Stip and order re settlement filed 12/08/16.**

RECOMMENDATION:

Court's discretion.

(oc/lc/lh/ww)

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600761  
CASE NAME: THE SHROYER FAMILY TRUST  
HEARING: Account and Report of JERRY LEISURE JR and Petition for allowance of fees

COUNSEL:

JERRY LEISURE JR (PET)...MARIVEL M ZIALCITA  
SHROYER FAMILY TRUST (TRU)...

GENERAL INFORMATION

**Continued from 04/26/17 and 06/14/17 for supplement to address probate notes regarding the credit card debt and the issue of defects on proposed order. Verified supplement to be filed by 4pm on August 21, 2017.**

THIS CASE SET FOR HEARING ON Account and Request for Appointment of Successor Trustee Jerry Leisure by David Almquist prior Trustee per Pr.C. § 17200

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

1. Petitioner, David Almquist is listed as the Successor Trustee of the Restatement Trust, Article 7.2. He signed a resignation ["effective immediately"] on July 24, 2016, allegedly without marshalling Trust assets. Jerry Leisure, Jr appointed successor Trustee on 01/05/17 with \$520,000.
2. Accounting period 06/23/16 – 07/31/16.
3. Assets on hand: \$515,327.06; "approximate value after encumbrances"; however, supplemental summary of account indicates \$811,682; all real property.
4. Caption of petition requests appointment of successor; ***however, it appears that issue has been satisfied as Jerry Leisure was appointed.***
5. No schedules attached; however, there does not appear to be any receipts or disbursements listed in summary.
6. Petitioner states there was only real property and that there appears to be outstanding credit card balances. [Acct.02/28 LFpg7]. Question how the trust has such liabilities and how are the credit card accounts titled? **Supp09/12/17 Petitioner states all known debt is mortgage balance of \$257,429.07 and credit card debt incurred prior to decedent's death in the name of decedent.**
7. Proposed order submitted 03/09/17; however, appears to be ambiguous as to accounting submitted within petition. Court to clarify the requests of petitioner as both David and counsel for Jerry signed accounting/petition filed 02/28/17. **No new proposed Order submitted.**

RECOMMENDATION

Court's discretion.

(lc/ww/lh) Future Hearing: 01/11/18: Accounting Of *Jerry Leisure Jr*

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600913

CASE NAME: BEN C LUNA REVOCABLE TRUST

**SEE ALSO 11**

HEARING:

Petition for PET BY TRUSTEES FOR AN ORDR TO TRANSFER TITLE &  
POSSESSION TO REAL PROPERTY ETC

COUNSEL:

THERESA BELTRAN (PET)...LAW OFFICES OF AARON F GARCIA  
CAROLINE LUNA KRIEGER (PET)...LAW OFFICES OF AARON F GARCIA  
BEN C LUNA REVOCABLE TRUST (TRU)...  
STELLA JAURIGUE (OBJ)...MICHAEL C MADDUX  
REGINA MARIE LUNA (MICHAEL C MADDUX)

Currently under review by legal research

(LR)

Future hearing dates:

10/16/17 Hearing re: Court Trial (1<sup>st</sup> day)  
10/17/17 Hearing re: Court Trial (2<sup>nd</sup> day)  
10/18/17 Hearing re: Court Trial (3<sup>rd</sup> day)  
10/19/17 Hearing re: Court Trial (4<sup>th</sup> day)  
10/20/17 Hearing re: Court Trial (5<sup>th</sup> day)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 09/20/17      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1600913

CASE NAME: BEN C LUNA REVOCABLE TRUST

**SEE ALSO 10**

HEARING:

Readiness Calendar

COUNSEL:

THERESA BELTRAN                      (PET)...LAW OFFICES OF AARON F GARCIA

CAROLINE LUNA KRIEGER (PET)...LAW OFFICES OF AARON F GARCIA

BEN C LUNA REVOCABLE TRUST      (TRU)...

STELLA JAURIGUE                      (OBJ)...MICHAEL C MADDUX

REGINA MARIE LUNA                      (MICHAEL C MADDUX)

No Notes-Readiness. JTD.

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700622

CASE NAME: KARIN BOOTH

HEARING:

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

COUNSEL:

MAXINE BUSCEMI (PET)...DIANA J CARLONI  
KARIN BOOTH (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Maxine Buscemi, daughter/executor

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

1. All beneficiaries waive bond. Net value of the estate consists of \$97,000 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(c).
2. No proposed order. Submit order after hearing.

#### RECOMMENDATION

RFA. Court's discretion re bond If approved, set Accounting/Status Review for **11/28/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700630

CASE NAME: MTR OF ELLINOR E. CLOTHIER

HEARING:

Petition to determine succession to Real Property

COUNSEL:

BRIAN REVERDY CLOTHIER	(PET)...PRO/PER
ELLINOR E CLOTHIER	(DEC)...
NADINE RUTH ZOLLNER	(PET)...PRO/PER
BRENT M OPAROWSKI	(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Brian Clothier, Nadine Zollner and Brent Oparowski; children.

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

1. Petitioners seeks 100% interest in decedent's 100% interest; in real and personal property per the will; **Declaration filed 09/13/17 indicates heirs to 1/3 each.**
2. If Glenn Zollner is an heir he must be listed in attachment 14. Court to Clarify his relationship; alternatively, need verified supplement.
3. ~Proposed form Order: 09/13/17

RECOMMENDATION

Court's discretion re note 2.

(ww/lc/lh)



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

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: SPR SS06182

CASE NAME: MTR OF DAVE TONY DOMINGUEZ

HEARING:  
Accounting Review

COUNSEL:

LUIS A TRUJILLO	(PET)...EVA HOLCOMB-MALHOTRA
DAVE TONY DOMINGUEZ	(DEC)...
ROSEMARY C DOMINGUEZ	(PET)...HARTNELL LAW GROUP
DEPT OF HEALTH CARE SRVCS	(TP )...
ALAN SHEPPARD	(PRO/PER)

GENERAL INFORMATION

**Continued from 01/18/17.**

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Successor Administration issued to Rosemary Dominguez, daughter, on 12/02/07; full authority, no bond.
2. Previous status report approved on 07/21/16.
3. Need accounting or status report.

RECOMMENDATION

Inquire status.  
(lc/ww)

Future Hearings:

10/04/17: Hearing Re: Status,  
6/20/18: Petition to Confer Title of Real Property to the Estate & to Cancel Documents etc,  
6/20/18 Readiness Calendar  
7/16/18-7/20/18: Court Trial

Superior Court of Calif, County of San Bernardino

Page: 14A add-on

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700542

CASE NAME: JOHN EDWARD MUNSON III

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

STEPHANIE N MUNSON (PET)...ZACHARY R. HAGENBUCH  
JOHN EDWARD MUNSON III (DEC)...

#### GENERAL INFORMATION

Temporary letters of administration issued to Stephanie Munson, daughter, on 07/11/17, limited IAEA, no bond.

**Continued from 08/23/17. Lanalgree Richard indicates that there is a related civil case CIVDS1714978.**

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

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

1. All heirs waive bond; however, **need** bond waivers by guardian for K'Mya and Dajohnie Munson as they are the children of the predeceased brother, John Munson IV. The estate value is undetermined. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(c).
2. Section 2b of the petition as to the proposed administrator is blank but it is clear that Stephanie Munson is the petitioner. Court's discretion.
3. ~Proposed Form Order: 06/01/17

#### RECOMMENDATION

Need to clear note 1 . Court's discretion re bond and note 2. If approved, set Accounting/Status Review for **11/28/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lh/ww)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIPS**

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DATE: 09/20/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1500272

CASE NAME: MTR OF CHELSEA STOYKOVICH

**SEE ALSO 16**

HEARING:

OSC re: Dismissal

COUNSEL:

MERLINA BURTON

(PET)...PRO/PER

CHELSEA STOYKOVICH

(PCE)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from **11/19/15**, **04/14/16** and **5/20/16**, at MSC: Court goes on the record and indicates a temporary agreement is reached wherein the Court will *appoint Merlina Burton as Temporary Limited Conservator of person only* with medical decision making powers. Conservatee shall immediately be enrolled in school and the conservatee shall be home by 9:00pm each evening at her residence located at 20891 Thunderbird Road, Apple Valley, Ca 92307. Conservator shall immediately reapply for services with IRC.

**Continued from 08/10/16 and 08/22/16.** The court directs petitioner to make an appointment with IRC today and to demand an IEP with the school to discuss Chelsea's educational needs. Court orders this case to remain in S36. Case is not to be reassigned to a different department.

Continued from **11/22/16**. Oral motion to dismiss petition by Attorney Roth is denied.

Citation issued to Merlina Burton who is cited and required to appear at OSC on 02/21/17. Court notifies PG for possible appointment.

Continued from **02/21/17**. Petitioner admonished for facility to complete first intake packet from IRC. New packet will be mailed and a hearing re receipt of packet will be set. File will be forwarded to Public Guardian.

**OSC set on 07/05/17. Counsel represents IRC status letter was previously filed on 07/03/17 and requests a dismissal due to petitioner's third non-appearance. Letters for temporary conservator vacated. Mitchell Roth to prepare order.**

THIS CASE SET FOR HEARING ON **OSC re: dismissal of** Petition for Appointment of Limited Conservator person only by Merlina Burton mother.

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

1. Petitioner seeks medical powers. Capacity Declaration filed 10/07/15 and 4/28/16.
2. Petitioner is requesting powers re habilitation, treatment, training, medical etc. JTD

3. Petitioner is requesting civil rights not be limited without court order. JTD
4. Certificate of Completion of the Conservatorship Training Class filed 11/05/15.
5. Need return of citation.
6. Proposed conservatee is developmentally disabled. **Letter from IRC filed 03/03/17 indicating packet was not completed re eligibility by petitioner. Confidential Intake status letter from IRC filed on 07/03/17. Need report.**
7. Report of counsel, Mitchell Roth, filed 02/09/15.
8. Court Investigator report filed 10/21/15.
9. ~Proposed Form Order: 10/07/15.

#### RECOMMENDATION

Court's discretion re OSC. Need to clear notes 5 -6. If approved, set hearing for Compliance Review for **04/26/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); and Level of Care and Care Plan per Pr.C.§2352.5.

(lc/a/lc/sa/nb/lh/lc/ww/lc)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 09/20/17      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1500272

CASE NAME: MTR OF CHELSEA STOYKOVICH

**SEE ALSO 15**

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MERLINA BURTON

(PET)...PRO/PER

CHELSEA STOYKOVICH

(PCE)...MITCHELL I ROTH

See notes on matter 15.

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1600142

CASE NAME: MTR OF BERNICE GRISSOM

HEARING: FIRST AND FINAL Account and Report of LOYCE WILLIS and Petition  
for allowance of fees filed.

COUNSEL:

LOYCE WILLIS (CPE)...LAW OFFICES OF EUGENE S. ALKAN  
BERNICE GRISSOM (CEP)...CRAIG M PARKER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of 1<sup>st</sup> and Final Account, Waiver of Inventory  
and Appraisal, and Petition for Allowance of Fees by Loyce Willis, daughter.

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

1. Accounting period not stated. Accounting period shall begin at temporary  
appointment to death; 01/02/17 and post death accounting Pr.C. § 2620(b).
2. Assets on hand not stated. Need same.
3. Petitioner seeks waiver of accounting as petitioner is sole distributee as  
administrator in probate case in Los Angeles 17STPB00775; however, this is not  
sufficient cause to waive a conservatorship accounting as the estate does not  
qualify for a waiver. Estate assets are approximately \$580,000 per bond and  
blocked accounts.
4. Need bank statements covering period prior to and end of accounting period.
5. Petitioner seeks waiver of Inventory and Appraisal as petitioner resides in Texas.  
However, this is not sufficient cause for a waiver. Need final Inventory & Appraisal  
per Pr.C. § 2610. Court has discretion not to require Inventory and Appraisal and  
require an accounting covering only those assets of the estate which Conservator  
has possession of Pr.C. § 2633. JTD
6. No proposed order.

RECOMMENDATION

Need proper accounting. If approved, set hearing on the filing of receipts and final  
discharge for **09/26/18**.

(lc)

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

-----  
DATE: 09/20/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700192

CASE NAME: CARLOS GIRON

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
MARIA G GIRON (CP)...PRO/PER  
CARLOS GIRON (CTP)...PRO/PER

#### GENERAL INFORMATION

**Continued from 07/19/17 \*Interpreter\*. Siblings are deceased.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Maria Giron, spouse.

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

1. Petitioner seeks medical powers. Capacity Declaration filed 05/23/17.
2. Confidential Screening form is incomplete as to time petitioner has known conservatee. Court to clarify. Alternatively, require updated form.
3. **Return of Citation with proof of personal service filed 09/11/17; however need proper service to include at least 15 days 'notice.**
4. Need Notice of Hearing and Proof of Service.
5. Need updated list of required contacts (Local form SB-12224) as children are not listed as in section 11 of petition.
6. Certificate of Completion of the Conservatorship Training Class filed 07/06/17.
7. CI Report filed 07/12/17.
8. ~Proposed Form Order: 05/23/17.

#### RECOMMENDATION

Need to clear notes 3-5 and Court's discretion re note 2. If approved, set hearing for Compliance Review for **04/25/18** 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.

(lc/lh/ww/lc/lh)

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700193  
CASE NAME: JOSEPH M KERN  
HEARING: Petition for Appointment of Conservator  
COUNSEL:  
ANDRES O PADILLA (PET)...PRO/PER  
JOSEPH M KERN (CTP)...MITCHELL I ROTH

GENERAL INFORMATION

**Continued from 07/19/17. Mitchell Roth appointed counsel.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Andres Padilla, guardian.

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

1. Petitioner was allegedly appointed guardian through Juvenile Court in 1998. Parent's rights were allegedly terminated; however, no order is submitted.
2. Petitioner alleges all relatives are unknown. Does court wish to require due diligence declarations for parents and all grandparents? JTD
3. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
4. Petitioner seeks civil rights not be limited without court order. JTD
5. Petitioner seeks medical powers. Capacity Declaration filed 05/23/17; however, section 4 is incomplete as to when conservatee was last seen. However, is a patient under continuing treatment. Does court wish to require an updated Capacity Declaration? JTD
6. Proposed conservatee is developmentally disabled. Mitchell Roth appointed to represent conservatee. Report of Counsel Mitchell Roth filed 08/22/17.
7. Proposed conservatee is developmentally disabled. Need IRC report.
8. Need Confidential Screening Form.
9. Need return of citation.
10. Need notice of hearing and proof of 30 days' notice to IRC per Pr.C. § 1822(e).
11. Certificate of Completion of the Conservatorship Training Class filed 07/11/17.
12. **CI Report filed 07/12/17 and special report on 08/07/17.**
13. ~Proposed Form Order: 05/23/17.

RECOMMENDATION

Need to clear notes 7-10, Court's discretion re remaining notes. If approved, set hearing for Compliance Review for **04/25/18** 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. (lc/lh/ww/lc)



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

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DATE: 09/20/17 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700243

CASE NAME: Mariah Carroll

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
BRANDY GARBA (PET)...PRO/PER  
MARIAH CARROLL (CEP)...LENITA A SKORETZ

GENERAL INFORMATION

**Continued from 08/09/17 Court does not require notice to IRC or report. Lenita Skoretz appointed counsel.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Brandy Garba, mother.

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

1. Petitioner does not medical powers; however, states in section 9 that proposed conservatee lacks capacity to give medical consent. Capacity Declaration filed 06/26/17.
2. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
3. Petitioner seeks civil rights not be limited without court order. JTD
4. Proof of Completion of the Conservatorship Training Class filed 07/31/17.
5. Return of citation filed 07/21/17.
6. Proposed conservatee is developmentally disabled. Need report of Counsel Skoretz.
7. CI report filed on 08/03/17.
8. ~Proposed Form Order: 06/26/17.

RECOMMENDATION

Need report of counsel. If approved, set hearing for Compliance Review for **04/25/18** 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.  
(lc/lh/ww/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

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DATE: 09/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO DS1000295

CASE NAME: THE JACK A. JOHNSON TRUST

HEARING:

Accounting Review

COUNSEL:

WELLS FARGO BANK (PET/TEE)...THE GROSSMAN LAW FIRM  
THE JACK A. JOHNSON TRUST (TRU)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 5<sup>th</sup> trust account for Wells Fargo Bank approved on 01/20/16.
2. Need 6<sup>th</sup> Account beginning with 07/01/15.

#### RECOMMENDATION

Inquire status of accounting.

(ww)

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1200275

CASE NAME: FREDERICO QUIJADA, JR. SPECIAL NEEDS TRUST

HEARING:

SIXTH Account and Report of CITIZENS BUSINESS BANK and Petition  
for allowance of fees filed.

COUNSEL:

CITIZENS BUSINESS BANK (PET)...RANDOLPH M SHARON  
FREDERICO QUIJADA, JR. SPECIAL NEEDS TRUST (TRU)...  
GLADYS QUIJADA (PET)...VELASCO LAW GROUP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 6<sup>th</sup> Account Current, Petition for Authorization for  
Modifications and Allowance of Fees by Citizens Business Bank, Trustee.

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

1. Accounting period 06/01/16 – 03/31/17.
2. Assets on hand \$1,041,181.21 of which \$95,755.17 is cash.
3. Trustee seeks court ratify fees already taken of \$7,419.79 calculated at a 1.5% x a pro ration factor [Acct.06/02 LFpg58-59 &61].
4. Randolph M. Sharon, attorney for trustee, seeks reduced fees of \$3,330 and costs of \$230. **Supp. 09/12 [LFpg7-8], itemization of 9.7 hours at \$450/hour totaling \$4,365.00, reduced to \$3,300. JTD**
5. Attorney Misty L. Colwell, attorney for limited conservator, seeks \$1,686 for attorney and paralegal services at \$395/\$190 per hour, plus costs. **[Supp. 08/31/17, itemized, LFpg5]. JTD**
6. Trustee seeks extraordinary fees of \$5,900 and \$4,454 re sale of properties. Need itemization per local rule 20-904. **Supp. 09/12/17 [LFpg4-6] Citizens Business Bank does not keep time records on trust matters, rather institution receives fees based on percentage of assets. Trustee requests fee equivalent to 1% of sales/purchase price. JTD**
7. Petitioner seeks authorization to spend \$35,000 to modify Winchester Property to accommodate beneficiary. The modification includes a retaining wall, patio and slope for wheelchair needs. Estimates [Acct.06/02 LFpg65 et seq].
8. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **06/20/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/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: 09/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1300095

**VACATED**

CASE NAME: ANTHONY BRUSCA

**SEE ALSO 5**

HEARING:

Hearing re Final Discharge

COUNSEL:

BRIAN BRUSCA	(PET)...LAW OFFICE OF SIDNEY L ALEGRE
ANTHONY BRUSCA	(DEC)...
MITCHELL I ROTH	(TP )...MITCHELL I ROTH
BRANDON BRUSCA	(LAW OFFICE OF STEVEN F. CARVEL)

**XREF: PROPS1401104** (*The Anthony Brusca Revocable Living Trust*)

Final discharge filed on 01/06/17.

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 09/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1400674

CASE NAME: BOBBY LEE KIRCHNER

HEARING:  
Accounting Review

COUNSEL:  
MATTHEW GLENN KIRCHNER (PET)...IGNAZIO FICARA  
BOBBY LEE KIRCHNER (DEC)...  
SUSAN M HEDGECK-KIRCHNER (TP )...

#### GENERAL INFORMATION

**Continued from 10/26/16, 03/01/17 and 06/14/17.**

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 Matthew Kirchner, son, on 09/23/14; full authority, \$20,000 bond, additional bond of \$120,800 filed on 11/29/16.
2. Previous status report approved on 10/27/15.
3. Need accounting or status report.

#### RECOMMENDATION

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. Clerk may notice bond company.  
(lc/ww)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 09/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1401104

CASE NAME: The Anthony Brusca Revocable Living Trust

**SEE ALSO 3**

HEARING:

Hearing Re: ACCOUNT/STATUS REPORT

COUNSEL:

BRANDON BRUSCA (PET/TP)...STEVEN F CARVEL  
ANTHONY BRUSCA REVOCABLE LIVING TRUST (TRU)...  
BRIAN BRUSCA (PET)...SIDNEY L ALEGRE

**XREF: PROPS1300095** (Anthony Brusca)

GENERAL INFORMATION

Continued from 12/14/16. 02/22/17 and 05/10/17. Court ordered the CPA to be present at next hearing.

**Continued from 07/26/17. Counsel stated that the informal accounting was prepared and given to all the beneficiaries. Counsel is waiting for the receipts. Counsel to submit the stipulation and order signed 09/21/16 in regards to this case and PROPS1300095.**

THIS CASE SET FOR HEARING ON Accounting Review

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

1. Court set hearing on 09/21/16 for an abbreviated accounting for the \$50,000 reserve by Brian Brusca, Trustee.
2. Need a copy of the Stipulation and Order that was signed on 09/21/2016.
3. Need abbreviated accounting.

RECOMMENDATION

Need to clear notes 2 & 3. 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.

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1500064

CASE NAME: Carolina Gutierrez Gonzales

HEARING:  
Hearing re Final Discharge

COUNSEL:  
PATRICK HERMAN GONZALES (PET)...PRO/PER  
CAROLINA GUTIERREZ GONZALES (DEC)...

GENERAL INFORMATION:

**Continued from 07/26/17 No appearance. Patrick Gonzales is ordered to be present if discharge not filed.**

THIS CASE IS SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Patrick Gonzales, son/sole heir, approved on 07/20/16.
2. No receipt required, petitioner is sole heir.
3. Need Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b).

RECOMMENDATION:  
Inquire status of order.

(lc/ww/lc)



Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1500385

**VACATED- First and final accounting approved 08/22/17.**

CASE NAME: Andrea Lynn Ontiveros

HEARING:  
Accounting Review

COUNSEL:

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

**XREF: PROPS1601147** (Leslie Ontiveros)

Future hearing dates: 08/28/18 final discharge

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 09/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1500764

CASE NAME: JASON DAVIS SPECIAL NEEDS TRUST

**SEE ALSO 25**

HEARING:

First/Current Account and Report of CAROL ROBERTS and Petition  
for allowance of fees filed.

COUNSEL:

JASON DAVIS SPECIAL NEEDS TRUST (TRU)...  
JASON DAVIS (BEN)...  
CAROL ROBERTS (PET/TEE)...GOMEZ LAW GROUP

**XREF: CONPS1600318** (*Jason Dean Davis*)

GENERAL INFORMATION

**Continued from 05/10/17 and 07/26/17. Supplement filed to be reviewed. Need proper notice.**

THIS CASE SET FOR HEARING ON 1<sup>st</sup> Account Current by Carol Roberts, mother.

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

1. Assets on hand \$53,647.34.
2. Accounting period 03/29/16 – 02/14/17. It appears order was signed on 12/07/15. Accounting period should begin at date of order.
3. Need proof of funding of trust.
4. There appear to be no disbursements. However, there is no report per Pr.C.§16063. Need same.
5. Schedules of assets indicate “closed” accounts [LF7/21pgs5-6]. Question what account is holding the funds? Need verified supplement.
6. Need bank statement per local rule 20-908 covering **02/14/17**.
7. Current bond is \$59,000.

RECOMMENDATION

Need to clear notes 2-6. If approved, set Accounting/Status Review for **05/16/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 09/20/17      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1501044

CASE NAME: DAVID M. BROWN

**VACATED**

HEARING:

Accounting Review

COUNSEL:

VICKI G BROWN

(PET)...SUZANNE M GRAVES

MATISON R BROWN

(PET)...SUZANNE M GRAVES

DAVID M BROWN

(DEC)...

Future hearing dates: 11/29/17 Probate Status Report Filed.

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600326

CASE NAME: MTR OF DAVID CYLE BERGESON

HEARING:

WAIVER OF ACCT & PETITION FOR ALLOWANCE Account and Report of  
KIMBERLY SARREAL and Petition for allowance of fees filed.

COUNSEL:

KIMBERLY SARREAL (PET)...DAVID A BECK  
DAVID CYLE BERGESON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees and Extraordinary Fees by Kimberly Sarreal, sister.

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

1. All heirs waive accounting; however, it appears there is one sole heir; father Gunnar Bergeson.
2. Petitioner and attorney seek statutory fees of \$10,330.19 each. Calculation not provided per Pr.C. § 10800. Need same.
3. Final Inventory and Appraisal filed 12/09/16; however,
  - a. Section 5 is incomplete as to property tax certificate.
  - b. Need bank statement to support date of death balance.
4. Title of petition indicates request for extraordinary fees; however, there does not appear to be a request.
5. ~Proposed Order: 08/07/17.

RECOMMENDATION

Need to clear notes 2-3. If approved, set hearing on the filing of receipts and final discharge for **09/26/18**.

(lc)

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700564

CASE NAME: ERNEST MICHAEL WILLIAMS

HEARING:

Petition for letters of administration w/ full iaea

COUNSEL:

JACQUELINE WILLIAMS (PET)...PRO/PER  
ERNEST MICHAEL WILLIAMS (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Jacqueline Williams, spouse

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

1. All heirs waive bond; however, Quinton (14), son cannot waive bond; only a legal representative can. Court can appoint GAL per Pr.C. § 1003. The estate consists of \$50,000 in personal property. JTD
2. Petitioner mentions settlement funds owed to decedent. Court to inquire if there is a related case, or in alternative, need verified supplement. JTD
3. Need Notice to Petition to Administer Estate and proof of service.
4. Need proof of publication
5. ~Proposed Form Order: 06/08/17

#### RECOMMENDATION

Need to clear notes 2-4. Court's discretion re bond. If approved, set Accounting/Status Review for **11/28/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lc)

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: RPR RS01164

CASE NAME: MATTER OF THE JENNIFER MAE MARIE ALLEN SPECIAL

HEARING:  
Accounting Review

COUNSEL:  
LINDA MAXWELL (PET)...BUXBAUM & CHAKMAK  
JENNIFER MAE MARIE ALLEN SPECIAL NEEDS TRUST

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 11<sup>th</sup> trust account for Linda Maxwell, PPF, approved on 11/05/15.
2. Need 12<sup>th</sup> trust account beginning with 07/01/15.

#### RECOMMENDATION

Inquire status of accounting.

(ww)

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 8:35 DEPT: S36P  
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CASE#: PRO PS1601060

CASE NAME: THANIA BELEN CONTRERAS SPECIAL NEEDS TRUST

HEARING:

Hearing Re: Proof of Amended Trust

COUNSEL:

WESTAMERICA BANK (PET)...RANDOLPH M SHARON  
THANIA BELEN CONTRERAS SPECIAL NEEDS TRUST (TRU)...MARK J. FLORY

#### GENERAL INFORMATION

**Continued from 07/26/17 Court orders all parties to appear at the next hearing unless proof of amended trust is filed.**

THIS CASE SET FOR HEARING ON Proof of Amended Trust

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

1. On 05/10/17 the Petition to Amend Special Needs Trust to Correct Error in Named Beneficiary was granted and the court set this hearing to receive proof that the trust was amended.
2. Need proof of amended trust.

#### RECOMMENDATION

Inquire status.

(ww)

Future Hearing: 11/30/17 Second Account and Report of Westamerica Bank and Petition for allowance of fees

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**CONSERVATORSHIPS**

-----  
DATE: 09/20/17      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS0900248

CASE NAME: MICHAEL WYHOWANEC

**SEE ALSO 15**

HEARING:

Petition for ATTORNEY'S FEES

COUNSEL:

KIMBERLY L. TRAUT

(PCR/CPE)... HARTNELL LAW GROUP

MICHAEL WYHOWANEC

(PCE/CEP)...MARK J. FLORY

MARK J ANDREW FLORY

(PET)...MARK J. ANDREW FLORY

LIBERTY MUTUAL INSURANCE COMPANY (TP )...PRO/PER

GENERAL INFORMATION

**Continued from 07/12/17.**

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Mark Flory.

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

1. Petitioner, Mark Flory, was appointed counsel on 12/17/09.
2. Petitioner requests fees of \$3,335.04 for 9.9 hours and 3 additional hours at \$105/350 per hour for paralegal and attorney services. Itemized [Pet. 06/09/17 LFpg6-8].
3. ~Proposed Order: 06/09/17.

RECOMMENDATION

Court's discretion.

(lc/ww)



Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 09/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS0900248

CASE NAME: MICHAEL WYHOWANEC

**SEE ALSO 14**

HEARING:

Accounting Review

COUNSEL:

KIMBERLY L. TRAUT (PCR/CPE)... HARTNELL LAW GROUP  
MICHAEL WYHOWANEC (PCE/CEP)...MARK J. FLORY  
MARK J ANDREW FLORY (PET)...MARK J. ANDREW FLORY  
LIBERTY MUTUAL INSURANCE COMPANY (TP )...PRO/PER//

GENERAL INFORMATION

**Continued from 06/22/17 and 07/12/17.**

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 5<sup>th</sup> Waiver of Account for Tracy West, mother, approved on 10/19/16.
2. Need 6<sup>th</sup> Account beginning with 01/10/16.

RECOMMENDATION

Inquire status of accounting.

(lc/ww)

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

-----  
DATE: 09/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1200284

CASE NAME: MTR OF WILLIS KADE ALAN STOKES

HEARING: THIRD Account and Report of CRAIG E STOKES and Petition for allowance of fees filed.

COUNSEL:

CRAIG E STOKES (CPE)...DAVID P COLELLA  
WILLIS KADE ALAN STOKES (CEP)...JACK B OSBORN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 3<sup>rd</sup> Account Current and Petition for Allowance of Fees by Craig Stokes, father.

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

1. Accounting period 12/15/14 – 12/14/16.
2. Assets on hand \$303,368.68 of which \$118,324.88 is cash.
3. Petitioner does not seek compensation.
4. Attorney requests fees of \$7,730 and costs totaling \$8,236.50. for 53.45 hours at \$110/375 per hour for paralegal and attorney services. Itemized [Acct. 08/09LFpg20-26].
5. Current bond is \$347,000. Ok.
6. **If** beneficiary receives services from Director of Developmental Services; need notice Pr.C. § 2621.
7. Need bank statements per local rule 20-908.
8. ~Proposed Order: 08/10/17.

RECOMMENDATION

Need to clear note7 and clarify note 6. If approved, set hearing on the next accounting review for **03/28/18** (if one year) or **03/27/19** (if two years). Accounting to be filed 30 days in advance.

(lc)

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

-----  
DATE: 09/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1500290  
CASE NAME: SILVIA MORAN

**SEE ALSO 18**

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of ANTONIO A MORAN

COUNSEL:

ANTONIO A MORAN (PET)...PRO/PER  
SILVIA MORAN (PCE)...MELVIN L FRIEDLAND

GENERAL INFORMATION

OSC set on 12/14/16 and continued from 02/22/17. No appearances. Court imposed sanctions of \$150 each for petitioner and counsel. Matter will be referred to PG.

**Continued from 05/10/17 and 07/19/17.**

THIS CASE SET FOR HEARING ON Compliance Review/Accounting review.

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

1. Antonio Moran, spouse, appointed conservator of the estate only on 05/25/16, \$20,000 bond.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 06/23/16.
3. Need Care Plan in accord with Pr.C. § 2352.5.
4. Final Inventory and Appraisal filed 07/03/17. Need corrected.
  - a. Need appraisal by probate referee for attachment 2 and bank statement for Chase account.
  - b. Court to inquire as community property is not subject to conservatorship estate Pr.C. § 3051(b)(2).
5. Proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§ 2610 filed 07/12/17. However, new proof of service will be required when corrected Inventory and Appraisal is filed.
6. Summary of account filed 07/12/17 is not proper. Need accounting. Court may wish to inquire if petitioner can file exparte petition to dispense accounting (local form).
7. The conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.
8. Report from Counsel Melvin Friedland filed 04/14/17.

RECOMMENDATION

Need to clear notes 3-7.

(lc/lh/lc/lh/ww/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 09/20/17      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1500290

CASE NAME: SILVIA MORAN

**SEE ALSO 17**

HEARING:

Accounting Review

COUNSEL:

ANTONIO A MORAN

SILVIA MORAN

(PET)...PRO/PER

(PCE)...MELVIN L FRIEDLAND

See notes on matter 17.

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1500346

CASE NAME: NEO ESPIRITU ORENDAIN

HEARING:

Petition for PAYMENT OF ATTORNEY FEES TO COURT APPOINTED  
COUNSEL FOR NEO ORENDAIN

COUNSEL:

NENITA MACIAS ORENDAIN (CP)...MARSHALL L. BRUBACHER, ESQ  
NEO ESPIRITU ORENDAIN (CTP)...  
COMMNTY CONVALESCENT CNTR (PET)...SANDERS REHASTE STERNSHEI

**XREF: CIVDS1616441**(Community Convalescent –V- Orendain)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition For Attorney Fees by Sandy Turner.

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

1. Petitioner, Sandy Turner, was appointed counsel for conservatee on 02/03/16 .
2. Petitioner requests fees of \$21,805 for 62.8 hours at \$350 per hour. Itemized [Pet. 08/17/17LFpg9-15 ].
3. Conservatee was noticed through Counsel Moore.
4. **Objection by Nenita Orendain with proof of service filed 09/13/17.**
5. ~Proposed Order: 08/17/17.

RECOMMENDATION

Matter is contested.

(lc/lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600045  
CASE NAME: DAVID ROBERT REYES

HEARING: Petition for Conservatorship of the Person

COUNSEL:

OLGA BURROLA (CP)...PRO/PER  
DAVID ROBERT REYES (CTP)...EDWARD B FISCHEL

GENERAL INFORMATION:

Continued from **4/18/16** Attorney Edward Fischel appointed.

Continued from 6/8/16 Temporary orders granted.

**OSC set on 09/07/16.**

Continued from 11/16/16, OSC dismissed. David is not a client or IRC.

Continued from 02/08/17 and 04/26/17. Additional time needed to file Capacity Declaration.

**Continued from 07/19/17. No appearance. Referred to Public Guardian as both Court Investigator and appointed counsel stated conservatorship is necessary.**

THIS CASE IS SET FOR HEARING ON Petition for conservatorship, person only, by Olga Burrola, mother

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

1. **Need** notice of hearing with proof of service.
2. Petitioner requests medical powers. **Need** capacity declaration.
3. Petitioner alleges that proposed conservatee is a patient of Dept. of Developmental Services. Proposed conservatee is not a patient of IRC.
4. Proof of completion of conservatorship training class filed 05/09/16.
5. Citation returned served
6. Court Investigator report filed 04/12/16.
7. Report of Counsel Ed Fischel filed 11/28/16.
8. ~Proposed form order and Letters 2/29/16.

RECOMMENDATION

Need to clear notes 1 & 2. If approved, set hearing for Compliance Review for **04/25/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); and Level of Care and Care Plan per Pr.C.§2352.5.

(ds/lc/sa/lc/ww)

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600050

CASE NAME: ALYSSA MONIQUE ALCARAZ

**SEE ALSO 22**

HEARING:

Hearing Re: SUSPENSION OF TEMPORARY POWERS

COUNSEL:

AMANDA N CARREON (PET)...PRO/PER  
ALYSSA MONIQUE ALCARAZ (CEE)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Suspension of temporary powers

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

1. Hearing set by Court on 07/19/17 when Amanda Carreon, petitioner, failed to appear or clear probate notes.
2. Case referred to Public Guardian as the conservatorship is necessary.
3. It appears that temporary powers were not awarded.

RECOMMENDATION

Court may wish to take off calendar as no temporary powers were given.

(ww)

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600050

CASE NAME: ALYSSA MONIQUE ALCARAZ

**SEE ALSO 21**

HEARING:

OSC re: Dismissal of Guardianship Petition filed by AMANDA N  
CARREON

COUNSEL:

AMANDA N CARREON (PET)...PRO/PER  
ALYSSA MONIQUE ALCARAZ (CEE)...JAMES B CHURCH

GENERAL INFORMATION:

Continued from **4/25/16** Court notes that conservatee is non-responsive to question re interest in voting. Attorney James Church appointed.

Continued from 7/6/16 and 09/14/16. Citation not needed as conservatee appeared.

OSC set on 11/23/16 when there was no appearance or notes cleared.

**OSC continued from 02/08/17 and 05/10/17 for notice and for petitioner Amanda Carreon to appear.**

**OSC continued from 07/19/17 Court appoints Attorney David Horspool as the GAL for Alyssa Monique Alcaez. Court requests that the IRC case worker be present at the next hearing. Attorney Church states the case worker is Marcia Diaz and the program manager is Cynthia Alexander. Referred to PG as conservatorship is necessary.**

THIS CASE SET FOR HEARING ON **OSC re Dismissal of** Petition for Appointment of Limited Conservator person only by Amanda Carreon, mother.

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

1. Report of appointed counsel, James Church filed 09/23/16.
2. Petitioner is requesting powers re habilitation, treatment, training, medical etc. JTD
3. Petitioner is requesting civil rights not be limited without court order. JTD
4. Proposed conservatee is developmentally disabled. IRC report filed 09/12/17
5. Petitioner seeks medical powers. Need Capacity Declaration.
6. List of required contacts is missing persons listed in section 11 of the petition. Need same.
7. Need notice of hearing and proof of service.
8. Certificate of completion of the conservatorship class filed 6/17/16.



9. Court Investigator report filed 03/15/16.
10. ~Proposed Form Order: 03/03/16.

#### RECOMMENDATION

Need to clear notes 5-7. If approved, set hearing for Compliance Review for **04/25/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§ 1830(c); and Level of Care and Care Plan per Pr.C.§ 2352.5.

(lc/sa/lc/ww/lc/lh)

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600286  
CASE NAME: ANGELICA D JUAREZ

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of JIM F JUAREZ

COUNSEL:

JIM F JUAREZ (CPE)...PRO/PER  
ANGELES JUAREZ (CEP)...PRO/PER  
ANGELICA D JUAREZ (PCE)...JEANNE E KENNEDY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Jim Juarez and Angeles, parents, appointed as co-conservator of the person only on 02/15/17.
  - a. Need amended order as order appointing conservator filed on 02/15/17 has discrepancies as follows:
    - i. Order only reflects that Jim Juarez was appointed when minutes state that Jim and Angeles were appointed.
    - ii. 2351-2358 powers were **not** granted.
    - iii. 2355 powers **were** granted.
      - a. **Amended order received as sent to Dept. for signature on 09/12/17.**
  - b. No letters have issued. Need letters for conservatorship of the person only with both Jim and Angeles and the correct powers marked.
    - i. **Proposed letters received on 09/05/17.**
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed; however, **need** notice also mailed to Luis Juarez (grandfather), Lino and Sirila Perea (grandparents), and Luis Juarez (brother).
3. Determination of Conservatee's Appropriate Level of Care form GC-355 filed 09/23/16 and corrected form on 09/05/17.
4. Care Plan filed 09/23/16 and 09/05/17.

RECOMMENDATION

Need to clear notes 2.

(ww)

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600315

CASE NAME: MTR OF KRISTIAN FELIPE CASTILLO

HEARING:

Conservatorship Compliance Review Hearing on PETIITON FOR  
CONSERVATORSHIP of KRISTINA L CASTILLO

COUNSEL:

KRISTINA L CASTILLO (CP)...PRO/PER  
CHARLES CASTILLO (CP)...PRO/PER  
KRISTIAN FELIPE CASTILLO (CTP)...WALTER T. MOORE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Kristina and Charles Castillo, parents, appointed limited co-conservators of the person only, on 02/15/17.
2. Need Notification of Conservatee's rights per Pr.C.§ 1830(c).
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§ 2352.5 filed 02/15/17.

RECOMMENDATION

Need to clear note 2.

(ww)

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600318

CASE NAME: MTR OF JASON DEAN DAVIS

**SEE ALSO 8**

HEARING: Status/CI Report/Amended Letters

COUNSEL:

JOHN D DAVIS	(CP )...J. DAVID HORSPOOL
CAROL J DAVIS	(CP )...PRO/PER
SABRINA WORTH	(CP )...PRO/PER
JASON DEAN DAVIS	(CTP)...J. DAVID HORSPOOL

**XREF: PROPS1500764** (*Jason Davis Special Needs Trust*)

GENERAL INFORMATION

Continued from **12/21/16**. Counsel reports that Judge Ludvigsen requested that this matter be heard with PROPS1500764 which is assigned to Judge Ludvigsen.

Continued from **01/09/17**. No appearance. Notice by Judicial Assistant.

Continued from **03/27/17**. Counsel to file notice of related case and amended letters. Referred to CI.

Continued from **05/10/17**. Court orders Carol Davis and Sabrina Worth to be present if the order and letters have not been filed/issued. John Davis is deceased.

**Continued from 07/26/17. Court does not need an amended order for conservatorship, court needs an order stating Carol Davis has changed her name to Carol J Roberts. New letters to also issue.**

THIS CASE SET FOR HEARING ON Status/ CI Report/Amended Letters

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

1. John & Carol Davis, Sabrina Worth; parents and sister, appointed limited co-Conservators on 11/08/90 in Orange County. John Davis passed away.
2. Case ordered transferred from Orange County on 10/17/16.
3. CI report filed 04/25/17.
4. Report of Court appointed counsel David Horspool filed on 08/01/17.
5. Amended letters issued on 07/31/17.

RECOMMENDATION

None.

(lc/lh/nb/lc/lh/ww/lc)

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700296

CASE NAME: MTR OF JUDITH ANN JARAMILLO  
HEARING: Petition for Appointment of Conservator

COUNSEL:

RICHARD ARVIZU (CPE)...PRO/PER  
JUDITH ANN JARAMILLO (CEP)...JENNIFER M DANIEL

GENERAL INFORMATION

Jennifer Daniel appointed counsel on 08/16/17. Temporary guardianship set 08/30/17.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Richard Arvizu, son.

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

1. Petitioner seeks no bond due to minimal assets. Assets state pension of \$900; real property \$320,000. Court may wish to require minimum bond until Inventory and Appraisal can be filed. JTD
2. Petitioner requests Pr. C. § 2590 powers to make decisions regarding conservatee's health, care, welfare, housing and finances due to dementia. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 08/08/17; however, need dementia attachment GC-335A.
4. Petitioner seeks dementia powers. Need dementia attachment to petition GC-313.
5. Petitioner seeks dementia powers. Need report of Counsel Jennifer Daniel.
6. Section 11 does not listed petitioner in relatives section. However, it is clear petitioner is son.
7. Need list of required contacts (Local form SB-12224).
8. Need return of citation.
9. Certificate of Completion of the Conservatorship Training Class filed 09/07/17.
10. CI report filed 08/31/17.
11. **Note: Amended Petition by Richard Arvizu filed 08/24/17 appears to be an amendment re item #1e request for Orders relating to capacity; however, Attachment 1e not included; also includes real property totaling \$320,000. JTD**
12. No proposed order submitted for general conservatorship.

## RECOMMENDATION

Need to clear notes 3-8. If approved, set hearing for Compliance Review for **04/25/18** for the filing of the required documents and hearing re Accounting Review for **11/28/18**. Any accounting to be filed 30 days in advance.

(lc/lh)

### **Future Hearing:**

**10/10/17 - Amended Petition for Conservatorship of Person/Estate by Richard Arvizu**

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

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DATE: 09/20/17      TIME: 8:30      DEPT: S37P  
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CASE#: PRO DS1000818

CASE NAME: MTR OF JOAN A TORBETT

HEARING:

Trial Setting Conference

COUNSEL:

LINDA S GAXIOLA

(PET)...HARTNELL LAW GROUP

JOAN A TORBETT

(DEC)...

TSC – No notes – JTD

Future Hearings: 10/19/17: Hearing Re Final Discharge, Court Trial for Petition for Probate,  
Hearing Re: Surcharge on Administration of \$505,181.50, 10/26/17: Hearing Re Final Discharge,

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1300267

**VACATED**

CASE NAME: MTR OF ANGELA DIAZ

HEARING:  
Accounting Review

COUNSEL:  
MARIA LEIVA (PET)...DIANE E ROBBINS  
ANGELA DIAZ (DEC)...

Future hearing dates: 01/02/18 Probate Status Report Filed.



Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1300598  
CASE NAME: Loretta Ruth Gire  
HEARING: FIRST AND FINAL Account and Report of LAVADA FOSTER and  
Petition for allowance of fees filed.

COUNSEL:

LAVADA FOSTER (PET)...HORSPOOL & HORSPOOL  
LORETTA RUTH GIRE (DEC)...

GENERAL INFORMATION

**Continued from 07/26/17. Statutory fees in the amount of \$13,164.86 approved and extraordinary fees in reduced amount of \$23,543. Waiver from Casilean Schaffer to be filed.**

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

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

1. Petitioner waives statutory compensation.
2. Attorney requests statutory fees of \$13,164.86.
3. Attorney requests extraordinary fees of \$28,138.50 for 107.9 hours at \$250/315 per hour for attorney services. Itemized [Acct. 05/08 LF pg 11-27]. JTD \$23,543 allowed.
4. All heirs waive accounting. **Waiver by Casilean filed on 07/31/17.**
5. **Order on First and Final Account filed on 07/31/17 prior to continued hearing date and Probate Examiner review; however, waiver for Casilean Schaffer was filed as ordered. However, order appears ok.**

RECOMMENDATION

Set hearing on the filing of receipts and final discharge for **08/01/18**.  
(lc/lh/ww/lc)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1400008

CASE NAME: George Contreras, Sr.

HEARING:  
Hearing re Final Discharge

COUNSEL:

JESS CONTRERAS (PET)...KELLY L PEXTON  
GEORGE CONTRERAS Sr. (DEC)...

***XREF: PROPS1100601 (George Contreras) PROPS1300500 (George Contreras Sr.)***

GENERAL INFORMATION

Continued from **10/19/16** and **12/21/16**. No appearance. Jess Contreras ordered to be present if notes not cleared.

**Continued from 03/15/17, 05/24/17 and 07/26/17.**

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Jess Contreras approved on 10/27/15.
2. Need receipts for George and Georgette.
3. Need Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§ 11753(b).

RECOMMENDATION

Inquire status of receipts and discharge. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with C.C.P. §§ 128 & 1209.

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500028

CASE NAME: ANGELA GAIL MATTHEWS

HEARING:  
Accounting Review

COUNSEL:  
CHRISTOPHER K MATTHEWS (PET)...JOHN M WOODBURN  
ANGELA GAIL MATTHEWS (DEC)...

#### GENERAL INFORMATION

Continued from **5/3/16** Court is informed that the Civil Case has been settled and a Minor's Compromise case filed.

Continued from **08/15/16, 10/26/16, 01/04/17, 03/15/17** and **05/24/17**. Waiver to be filed.

**Continued from 07/26/17 Christopher Matthews and/or Counsel is ordered to appear if accounting or status report not filed with the court.**

THIS CASE IS SET FOR HEARING ON Accounting/Status Review

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

1. Letters of Administration with Limited IAEA issued to Christopher Matthews, spouse on 3/10/15, \$20,000 bond.
2. Need an accounting or status report.

#### RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. *Clerk may notice bond company*

(sa/lc/ww/lc)

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

-----  
DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500757

CASE NAME: ROBERT CHARLES LAMAR

HEARING:  
Accounting Review

COUNSEL:  
MARJORIE LAMAR (PET)...LAW OFFICE OF SCOTT S STREED  
ROBERT CHARLES LAMAR (DEC)...

#### GENERAL INFORMATION

Continued from **11/30/16** and **03/29/17**. Waiting for Inventory and Appraisal to come back from referee.

**Continued from 06/07/17.**

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Marjorie Lamar, daughter, on 12/09/15; full authority \$95,000 bond.
2. Partial Inventory and Appraisal filed; need bank statements per local rule 20-908.
3. Need final Inventory and Appraisal
4. Need accounting or status report.

#### RECOMMENDATION

Need to clear notes 2-4. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. *Clerk may notice bond company*

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500769

CASE NAME: MTR OF FELIPE CURIEL

**SEE ALSO 8**

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT

COUNSEL:

ROBERT SCHNIEDERS	(PET)...RODNUNSKY & ASSOCIATES
FELIPE CURIEL	(DEC)...
ANA ISABEL SANCHEZ	(PET/TP)...LAW OFFICE OF MARIO D VEGA
CURIEL MINORS	(MIN)...WALTER T MOORE (GAL)
GLORIA CURIEL	(GREGORY J. LEDERMAN)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Receipt of Settlement

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

1. Matter set on 06/21/17 when it was reported that settlement was underway.
2. Need settlement agreement.

RECOMMENDATION

Inquire status of settlement.

(ww/lc)

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

-----  
DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500769

CASE NAME: MTR OF FELIPE CURIEL

**SEE ALSO 7**

HEARING:

Spousal Property Petition hearing.

COUNSEL:

ROBERT SCHNIEDERS	(PET)...RODNUNSKY & ASSOCIATES
FELIPE CURIEL	(DEC)...
ANA ISABEL SANCHEZ	(PET/TP)...LAW OFFICE OF MARIO D VEGA
CURIEL MINORS	(MIN)...WALTER T MOORE (GAL)
GLORIA CURIEL	(GREGORY J. LEDERMAN)

GENERAL INFORMATION:

Continued from **2/3/16, 3/30/16, 7/14/16** and **10/05/16**. Minors are in Mexico and mother in US. Mother has retained an immigration attorney and is working on getting minors visas. Walter Moore appointed GAL. Mr. Ruiz to file written explanation for the family allowance, copy of settlement and declaration re where the minors are residing and progress with immigration.

Continued from **12/14/16** and **03/22/17** to engage in private mediation.

**Continued from 06/21/17 Parties attempting settlement.**

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Ana Isabel Sanchez.

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

1. Decedent died 3/1/15 and is survived by a spouse and 6 children.
2. PPF Robert Schnieders was appointed administrator on 11/5/15. (Note: no Orders or Letters filed/issued.)
3. Petitioner, Ana Isabel Sanchez, requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
4. **Supp 10/04/16:** Petitioner alleges that she and the decedent acquired the property after marriage and the personal injury action arose during the marriage.
5. Need report of GAL.
6. ~Proposed form order: 12/18/15

RECOMMENDATION:

Need report.

(sa/lc/lh/lc/ww)

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600279

**VACATED**

CASE NAME: RAYMOND VELOZ RUIZ

HEARING:

Accounting Review

COUNSEL:

PETER GUILLERMO RUIZ (PET)...AMY YORK GARRETT  
RAYMOND VELOZ RUIZ (DEC)...  
DEPARTMENT OF HEALTH CARE SERVICES (TP )...PRO/PER

Future hearing dates: 11/29/17 First and Final account and report of Peter Guillermo Ruiz

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1601229

CASE NAME: MTR OF JOHN BYRON JONES

HEARING:

FIRST & FINAL Account and Report of BRANDON JONES and Petition  
for allowance of fees filed.

COUNSEL:

BRANDON JONES (PET)...ROBERTA L. TAYLOR & ASSOCIATES  
JOHN BYRON JONES (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Brandon Jones, son/sole heir.

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

1. Petitioner is sole heir, waives accounting and statutory compensation.
2. Attorney seeks statutory fees of \$4,150. Ok.
3. Attorney seeks reimbursement of costs of \$1,328. Itemized [Acct. 06/28 LFPg8].
4. ~Proposed Order: 06/28/17.

#### RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **09/25/18**.

(lc)



Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700399

CASE NAME: EDUMENIO A MARTINEZ

HEARING:

Hearing Re: REQUEST FOR PERMANENT INJUNCTION

COUNSEL:

SUZETTE L HOLT	(PET)...PAUL HORN
EDUMENIO A MARTINEZ	(DEC)...
ANTHONY LEE MARTINEZ	(PET)...PRO/PER
NATIONSTAR MORTGAGE LLC	(RES)...BARRETT, DAFFIN, FRAPPIER, TR

No notes – JTD

(LR)

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700659

CASE NAME: FRANCISCO FRANCO MUNOZ

HEARING:

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

COUNSEL:

ELIZABETH JEANNETE MUNOZ (PET)...PRO/PER  
FRANCISCO FRANCO MUNOZ (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate of will for Letters of Administration WWA with Full Authority under IAEA by Elizabeth Munoz, daughter

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

1. Will waives bond. The estate consists of \$285,000 of which \$10,000 is personal property.
2. Will is not self-proving as there is no statement that the will was not procured under duress etc. or signed under penalty and perjury of the laws of California. Need proof of subscribing witness. (DE-131).
3. Section 8 of the petition fails to list all persons mentioned in the will. Need verified supplement as to Brenda Francine Morales.
4. Petition is marked as letters of administration with will annexed but petitioner is named as the executor. Does Court wish for an amended petition be filed? JTD
5. Need Notice to Petition to Administer Estate and proof of service as to Brenda Francine Morales.
6. Need proof of publication
7. ~Proposed Form Order: 07/06/17

RECOMMENDATION

Need to clear notes 2-6. If approved, set Accounting/Status Review for **11/28/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

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DATE: 09/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: SC SS01938

CASE NAME: MTR RE JENNIFER LISA REECE

HEARING:

Petition for TERMINATION OF CONSERVATORSHIP

COUNSEL:

DEBORAH A HAYNES (CPE)...JOHN M HUGHES  
SUSAN CRAMTON JOHNSON (CPE)...JOHN M HUGHES  
JENNIFER LISA REECE (CEP/CTP)... HARTNELL, LISTER & MOORE  
INLAND COUNTIES REGIONAL CENTR (PET)...BRUNICK, MCELHANEY, BECK

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Termination of Conservatorship by Sherri Kastilahn, counsel for conservatee.

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

1. Deborah Haynes and Susan Johnson, aunts, appointed Conservators of the person and estate on 10/19/01.
2. Petitioner, Sherri Kastilahn, seeks termination on the basis that conservatee believes she can live independently.
3. It appears the SNT will continue through IRC.
4. Report of counsel filed 07/26/17.
5. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion.

(lc)

Future hearing dates: 11/16/17 Accounting review re SNT.

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**CONSERVATORSHIPS**

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DATE: 09/20/17      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS0900118

CASE NAME: CHARLES D. KNOPF

HEARING:

Accounting Review

COUNSEL:

THERESA BROWN

(CPE)...JOSEPHINE A. RICH

CHARLES D. KNOPF

(PCR/CEP)...

BETTY ASHBAKER

(CPE)...HORSPOOL & HORSPOOL

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 9<sup>th</sup> Account for Betty Ashbaker, niece, approved on 11/23/16.
2. Need 10<sup>th</sup> Account beginning with 07/01/16.

#### RECOMMENDATION

Inquire status of accounting.

(ww/lc)

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600280  
CASE NAME: DION BENTLEY

**SEE ALSO 16**

HEARING: Petition for APPOINTMENT OF CONSERVATOR OF THE PERSON

COUNSEL:

DEPT OF DEVELOPMENTAL SERVICES (PET)...DEPT OF DEVELOPMENTAL S  
DAISY BENTLEY (CP )...PRO/PER  
DION BENTLEY (CEE)...E JOAN NELMS

GENERAL INFORMATION

Continued from **11/23/16**. Joan Nelms appointed counsel.

Continued from **01/25/17**. Daisy Bentley, mother, present. Mother to file written objections by 02/28/17. Mother wants to move conservatee out of the state in the future.

Conservatee to remain in current placement unless IRC moves conservatee.

Continued from **04/19/17**. Conservatee is doing well and attending day programs.

Confidential Information in lieu of confidential supplemental information has been filed.

Continued from **06/21/17**. Court accepted no other relatives were found. Referred to CI for report as to Daisy Bentley's petition. Sandy Turner appointed as GAL for Dion Bentley.

**Continued from 07/26/17. Reports by GAL and CI received. Court's tentative to grant petition by DDS.**

THIS CASE SET FOR HEARING ON

- Petition 1 - Petition for Appointment of **Limited** Conservator person only by **Department of Developmental Services**.
- Petition 2 - Petition for Appointment of Conservator person only by **Daisy Bentley, mother**.

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

**Petitioner 1 –DDS.**

1. Petitioner does not seek medical powers. However, Capacity Declaration filed on 09/06/16.
2. Petitioner is nominated by Counsel for IRC.
3. Proposed conservatee is developmentally disabled. IRC report filed 09/06/16 and 11/217/16.
4. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
5. Petitioner seeks civil rights not be limited without court order. JTD

6. Proposed conservatee is developmentally disabled. Report of Counsel Nelms filed 01/24/17.
7. Return of Citation filed 11/16/16.
8. Court Investigator report filed 10/03/16.
9. **Objections filed by Daisy Bentley, mother, on 04/19/17. No verification. Court may wish to verify on record.**
10. Report of GAL Sandy Turner filed on 07/24/17.
11. ~Proposed Form Order: 02/07/17.

**Petitioner 2 – Daisy Bentley, mother.**

12. Petitioner appears to have initially petitioned for herself and proposed conservatee's sister. However, crossed out co-petitioner Latonya's name.
13. Proposed conservatee is developmentally disabled; however, petitioner does not seek **limited** conservatorship. Does court wish to require updated report by Counsel Nelms? JTD
14. Petitioner attached brief summary in support of conservatorship [Pet. 06/15/17 LFpg11-12].
15. Petitioner does not indicate whether conservatee has ability to attend hearing. Need verified supplement.
16. Petitioner does not seek medical powers; however, section 9 indicates that proposed conservatee lacks the capacity to give medical consent. Need Capacity Declaration.
17. Section 11 of petition does not list relationships of relatives. Need verified supplement.
18. Need return of citation.
19. Need notice of hearing and proof of service.
20. Certificate of Completion of the Conservatorship Training Class filed 09/11/17
21. Court Investigator report filed 07/24/17.
22. Report of GAL Sandy Turner filed on 07/24/17.
23. ~Proposed Form Order: 06/15/17.

**RECOMMENDATION**

Need to clear notes 15-19. If approved, set hearing for Compliance Review for **04/25/18** 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.

(lc/lh/lc/lh/lc/ww)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 09/20/17      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS1600280

CASE NAME: DION BENTLEY

**SEE ALSO 15**

HEARING:

Petition for Appointment of Conservator

COUNSEL:

DEPT OF DEVELOPMENTAL SERVICES (PET)...DEPT OF DEVELOPMENTAL S

DAISY BENTLEY

(CP )...PRO/PER

DION BENTLEY

(CEE)...E JOAN NELMS

See notes on matter 15

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 09/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: VC VS00251

CASE NAME: MTR OF LORENA SARAI BENITEZ

HEARING:

Hearing Re: STATUS OF CIVIL LITIGATION

COUNSEL:

ANGEL L BENITEZ	(PET)...	BEATRICE L LAWSON
BERTHA A BENITEZ	(PET)...	BEATRICE L LAWSON
LORENA SARAI BENITEZ	(CEP)...	DONNASUE ORTIZ
PUBLIC GUARDIAN	(TC/CPE )...	COUNTY COUNSEL
GWENDOLYN BENITEZ	(MIN)...	CALDWELL, KENNEDY & PORTER, A.
ROBERT C. BENITEZ JR	(SC/OBJ )...	STANLEY W HODGE
ROBERTO CARLOS BENITEZ	(CPE)...	PRO/PER
ROBERTA L TAYLOR	(PET)...	ROBERTA L TAYLOR
JEANNE KENNEDY	(PET)...	JEANNE E KENNEDY
VIOLETA TOPETE	(CPE)...	PATRICIA A LOBELLO
ROBERT BENITEZ IRREVOCABLE TRUST (TRU)	...	PRO/PER
GWENDOLYN BENITEZ IRREVOCABLE (TRU)	...	PRO/PER
DONNASUE SMITH ORTIZ	(PET)...	DONNASUE ORTIZ

Status-No Notes- JTD.

Future Hearing: 12/19/17: Accounting Review



Superior Court of Calif, County of San Bernardino

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

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DATE: 09/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: CIF DS1700089

CASE NAME: STALEY VS. GARZA

HEARING:

Hearing Re: PTN FOR ELDER ABUSE

COUNSEL:

ELVIA STALEY (PP)...AMBER GARZA  
ALBERT SERGIO GARZA (RP)...

Notice to Sergio Albert Garza, respondent, filed on 09/06/17.

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 09/20/17 TIME: 9:35 DEPT: S37P  
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CASE#: CON PS1200088

CASE NAME: LESLEY EGAN

HEARING: FIRST Account and Report of CHRISTINA RIEKER and Petition for allowance of fees filed.

COUNSEL:

ROBERT STACKHOUSE (CPE/TEE)...JENNIFER M DANIEL  
CHRISTINA RIEKER (CPE/CP)...JENNIFER M DANIEL  
LESLEY EGAN (CEP)...  
KARIN E HORSPOOL (PET)...KARIN E HORSPOOL  
THE LESLEY EGAN SPECIAL NEEDS TRUST (TRU)...

**XREF: SBFSS81126** (*John Egan vs Lesley Egan*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1<sup>st</sup> SNT Account and Petition for Allowance of Fees by Successor Trustee Christina Rieker, sister.

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

1. Accounting period 02/04/16 – 04/30/17.
2. Assets on hand \$109,941.34 of which \$67,183.49 is cash.
3. Attorney seeks fees and costs totaling \$7,117.50 for 22.5 hours at \$275 per hour, reduced from \$325. Itemized [Acct. 07/18 LFpg25-30]. JTD
4. Petitioner seeks a reduction of bond from \$150,000 to \$120,000. However, with annual income it appears bond is sufficient. **No bond calculation provided.**
5. **Need beneficiary and residual beneficiary list; Rule 7.902.**
6. Proposed order 09/07/17; however, bond calculation was not provided.

RECOMMENDATION

Need to clarify note 4, clear note 5. If approved, set Accounting/Status Review for **08/15/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/lh)