



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 09/25/17

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.

Nb0920/ww 0905

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: 09/25/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1401030

CASE NAME: THE MARIA SERVIN SPECIAL NEEDS TRUST

HEARING:

Accounting Review

COUNSEL:

SALVADOR SERVIN (PET)...BRUCE G FAGEL & ASSOCIATES

THE MARIA SERVIN SPECIALNEEDS (TRU)...

JULIA SERVIN (CTE)...BROCK, MARTIN & VOORHEES, PC

WELLS FARGO BANK (PET)...CHERI GREEN, TERESA RHYNE LAW G

MARIA SERVIN (TP)...JACK B OSBORN

XREF: CIVDS1311752 (*Servin –V- Dignity Health*); **GARSS1300088** (*Maria, Delilah and Damian Olivas*); **CONPS1400171**(*Maria De La Cruz Servin*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 1st **trust** Account for Wells Fargo Private Bank, N.A. approved on 12/05/16.
2. Need 2nd **trust** Account beginning with 08/01/16.

RECOMMENDATION

Inquire status of accounting.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500612

CASE NAME: JUANITA WILSON

HEARING:
Accounting Review

COUNSEL:
BARRON WILSON (PET)...MATTHEW D. KANIN
JUANITA WILSON (DEC)...

X-REF: CONPS0900140 (*Juanita Wilson*)

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 Barron Wilson, son, on 08/26/15 full authority, \$681,000 bond.
2. Partial Inventory and Appraisal filed on 03/23/16. **Need** final Inventory and Appraisal
3. Previous status report approved on 09/19/16.
 - a. **Need** order on status report.
 - b. **Need** updated surety rider reflecting reduced bond of \$270,000.
4. Need accounting or status report.

RECOMMENDATION

Need to clear notes 2-4.

(ww)

Future Hearing:

11/13/17: Report of Sale & Petition for Order Confirming Sale of Real Property

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.**

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

DATE: 09/25/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600401

CASE NAME: CHRISTOPHER L COCKRELL SR

HEARING:

FIRST AND FINAL Account and Report of TYLER L COCKRELL and
Petition for allowance of fees filed.

COUNSEL:

TYLER L COCKRELL (PET)...WILLIAM M NASSAR
CHRISTOPHER L COCKRELL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by Administrator, Tyler Cockrell ["Petitioner"-son].

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

1. All heirs, including attorney for the estate of Mary Rose P. Boggs, waive accounting. However, need waivers by guardian(s) of the estate and/or GAL of minor children.
2. Assets on Hand \$226,108.94 in cash.
3. Petitioner waives compensation.
4. Attorney requests statutory fees of \$12,058.75. However statutory fees are based on the value of the estate accounted for based on the total amount of the appraisal value of the property in the inventory, plus gains, plus receipts, less losses from the appraisal value on sales. Pr. C. § 10800 (b). Need verified supplement recalculating basis for fees.
5. Attorney requests extraordinary fees in the lessor amount of \$843.75 for services rendered in connection with the sale of real property; and coordinating with Wisconsin Courts and counsel. Billed at \$375/hour for an excess of 20 hours' time. Need itemization per CRC 7.702 indicating the specific amount requested for each category of service via verified supplement.
6. Proposed distribution purports to distribute post-deceased heir (DOD 05/01/16), Mary Rose P. Bogg's ¼ interest to her 2 minor issues, Rubilee Boggs (4) and Lucas Boggs (2 ½) via a blocked account as the parental relationship with Mary's husband was terminated and the two minor children are in Foster Care. However, there is no indication that a guardian has been appointed. It would appear that a guardian of

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- the estate would need to be appointed per Pr.C. §3401. Does Court also wish to appoint independent Guardian ad Litem for the minor children? JTD.
7. Need information of party who has legal/physical custody of the minors, for notice purposes, via verified supplement.
 8. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. §1064(a) (4). Need verified supplement.
 9. Need verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr.C. §1064(a) (5).
 10. Need statement regarding notice to California Victim and Compensation and Government Claims Board or notice per Pr. C. §9202(b).
 11. Need statement regarding notice to Franchise Tax Board or notice per Pr. C. §9202(c)(1).
 12. There is a creditor's claim from Toyota Motor Credit Corp for \$17,949.32 filed on 06/07/16 for a 2014 Camry not included in any of the filed inventories. However, there is no allowance or rejection notice regarding this claim. Need verified supplement confirming status of this claim.
 13. Question whether Decedent held any partnership interests as decedent was a local attorney? Need verified supplement.
 14. Notice filed 07/05/17 does not include guardian(s) of the estate and/or GAL of minor children or creditor Toyota Motor Credit Corp. Need proper service.
 15. Petitioner requests authorization to withhold the sum of \$2,000 as a reserve.
 16. Petitioner requests discharge upon filing of receipts. However, discharge is not granted until entry of final discharge order.
 17. Proposed Order 06/30/17 reflects incorrect judge; incorrect assets on hand at end of account period; incorrect distribution to minor heirs; incorrect statutory fees; does not include findings re: sole and separate property; known creditors, all taxes have been paid or reserve made for taxes.

RECOMMENDATION:

Need to clear notes 1, 4, 5, 7-14 then Court's discretion re: note 6. If approved, set next hearing for receipts and final discharge on **10/01/18**.
(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: 09/25/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600472

CASE NAME: ESTATE OF GARY DEE PINKERTON

HEARING:

Accounting Review

COUNSEL:

LEE JAY PINKERTON

(PET)...KEVIN M MAHAN

GARY DEE PINKERTON

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Lee Pinkerton, son, on 07/18/16; full authority, no bond.
2. Need final Inventory and Appraisal
3. Need accounting or status report.

RECOMMENDATION

Inquire status of accounting and Final Inventory and Appraisal.

(ww)

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

DATE: 09/25/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600981

CASE NAME: RUBEN TAFOLLA ARANDA

HEARING:

Petition for INSTRUCTIONS AND SUSPENSION OF TRUSTEE POWERS

COUNSEL:

KARINA GOMEZ	(PET/OBJ)...PRO/PER
RUBEN TAFOLLA ARANDA	(DEC)...
MARIA DOLORES TAFOLLA	(PET)...GEORGINA LEPE

X-REF: FAMSS 1704094 9DVN); FAMSS 1610414 (DVN)

Currently under review by Legal Research.
(LR)

Notice:

Need Notice of Hearing with proof of service to purported Co-Trustees and beneficiaries, Ruben Tafolla, Jr.; Chris Tofolla (sons); and to Maria D. Tafolla (wife).
(nb)

Future Hearings:

02/05/18: Accounting Review
09/10/18: Readiness Calendar,
10/09/18-10/11/17: Court Trial

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700641

CASE NAME: Ofelia Cordero Carrillo

HEARING:

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

COUNSEL:

FERNANDO CARRILLO (PET)...CARLO AURE, ESQ

OFELIA CORDERO CARRILLO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Fernando Carrillo, son

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

1. Bond in the amount of \$313,000 is being requested. Ok.
2. **Need Notice of Petition to Administer Estate with proof of service to adult grandchildren, Veronica Salazar; Yvonne Hernandez; and Amy Rodriguez.**
3. **Proof of publication filed.**
4. ~Proposed Form Order: 06/30/17

RECOMMENDATION

Need to clear note 2. If approved, set Accounting/Status Review for **12/03/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700643

CASE NAME: MTR OF RICKY ALLEN SMITH

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ALLEN SMITH

(PET)...CHANDLER LAW FIRM

RICKY ALLEN SMITH

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Allen Smith, father

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

1. Petitioner seeks 100% interest in decedent's 100% interest in real property per intestate succession
2. Dianna Smith, mother, assigns and transfers her interest to Allen Smith. [LF pg 5]
3. Proposed Form Order:06/30/17

RECOMMENDATION

RFA.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 09/25/17 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000092

CASE NAME: Jennifer Sue Vieyra

HEARING:

Accounting Review

COUNSEL:

JOHN B VIEYRA

(CTE/CE)... MESERVE MUMPER & HUGH

ANTHONY W VIEYRA

(CPE)... MESERVE MUMPER & HUGHES

MARGARET (PEGGY) HARMON

(CTP/CPE)... MESERVE MUMPER & HUGH

JENNIFER SUE VIEYRA

(CEP)...MARK J. ANDR EW FLORY

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. On 09/26/16, Court approved Waiver of account for period ending 08/01/16.
2. Need an accounting or waiver of account.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PUBLIC GUARDIAN**

DATE: 09/25/17 TIME: 10:00 DEPT: S35P

CASE#: CON DS1000113

CASE NAME: RICHARD CAMPBELL

VACATED

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

RICHARD CAMPBELL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired 05/29/17

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Fourth account entered 03/09/15 for period 07/30/13-07/15/15; Fifth Account Current now due.
2. No account or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS0700037

CASE NAME: CHRISTINE HARMON

VACATED

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

CHRISTINE S HARMON

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 10/21/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present First Account entered 01/26/15 for period ending 11/20/13.
2. Need Second Account Current or Waiver.

RECOMMENDATION:

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300162

CASE NAME: DARIN J. WEBER

VACATED

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN
DARIN JOHN WEBER

(CPE)...COUNTY COUNSEL
(CEP)...HARTNELL LAW GROUP

XREF: PROPS1700383

GENERAL INFORMATION

Letters expire 08/04/18.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Second Account entered 09/19/16 for period ending 12/31/15.
2. Need Third Account Current or Waiver.

RECOMMENDATION:

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500186

CASE NAME: ARTHUR D KEMP

VACATED

HEARING:

Petition for COURT ORDER AUTHORIZING SALE OF CONSERVATEE'S
PERSONAL RESIDENCE

COUNSEL:

ARTHUR D SELLERS	(CPE)...PRO/PER
ARTHUR D KEMP	(CTE/CEE)...
PUBLIC GUARDAIN	(TC/PET)...COUNTY COUNSEL

GENERAL INFORMATION:

Continued from 11/21/16 and 02/27/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition for Court Order Authorizing Sale of Conservatee's Personal Residence [PR. C. § 2540(b)].

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

1. Public Guardian proposes to sell the Conservatee's former personal residence, located at 3803 West Diabase Drive, Golden Valley, Arizona 86413; and 2007 CMH Manufacturing West, Inc. Mobile Home located at 3803 West Diabase Drive, Golden Valley, Arizona.
2. Petitioner alleges Conservatee's condition and inability to care for himself, prevents her from living in his residence and other alternatives are not available based on his needs for 24 hour supervision in a board and care facility.
3. Petitioner indicates that the sale is necessary in order to provide funds to pay ongoing expenses related to the care of the Conservatee and believes it is in the best interests of the conservatorship estate to sell the property.
4. Petitioner indicates the Conservatee has been informed that his residence will be sold and he does not object to the proposed sale. Does the Court wish to require CI to discuss the proposed sale with Conservatee? JTD.
5. Notice given.
6. Proposed Order 09/22/16 does not include Mobile Home.

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 points and authorities as to this Court's authority over out-of-state property located in Golden Valley, Arizona. Pr.C. §§2400(b), 2401.1.

(nb)

Future Hearing:

12/18/17: Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS01149

CASE NAME: IN THE MATTER OF PEYTON SAUNDERS

HEARING:

Fifth and Final Account and Report of PUBLIC GUARDIAN and
Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
PEYTON SAUNDERS (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Conservatee passed away on 03/03/13.

THIS CASE IS SET FOR HEARING ON Fifth and Final Account and Petition for Fees by
Conservator of the Person and Estate, Public Guardian ["Petitioner"].

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

1. Accounting period 11/01/12 to 12/11/14 (pre & post-death).
2. Assets on Hand \$6,575.56 in cash.
3. Public Guardian and County Counsel requests compensation and fees of \$1,250.00, each. Generally described. JTD.
4. Petitioner requests that it be ordered to turn over the balance on hand to the Public Administrator to administer decedent's estate without further court supervision pursuant to Pr. C. § 7660(a)(2).
5. Proposed Order 05/25/17 reflects incorrect balance at end of accounting and discharges petition upon filing of documents.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipt and final discharge for
10/01/18.

(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: 09/25/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02262

CASE NAME: MTR OF BRANDON ELLIS

VACATED

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

JULIE ELLIS

BRANDON M ELLIS

(CPE)...COUNTY COUNSEL

(CPE)...PRO/PER

(CEP/CEE)...HARTNELL LAW GROUP

XREF: VCVS00149

GENERAL INFORMATION

Letters expire 11/10/17

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present First Account entered 01/09/17 for period ending 07/31/15.
2. Need Second Account Current or Waiver.

RECOMMENDATION:

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02879

CASE NAME: MTR RE MARIO DE ANGELIS

VACATED

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

DEPARTMENT OF CHILDREN'S SERVICES (CPE)...COUNTY COUNSEL

MARIO DE ANGELIS

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 08/18/18.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Second Account entered 07/26/17 for period ending 01/31/16.
2. Need Third Account Current or Waiver.

RECOMMENDATION:

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS5960

CASE NAME: IN THE MATTER OF CAROL CARRILLO

VACATED

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN
CAROL CARRILLO

(CPE)...COUNTY COUNSEL
(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 04/07/18.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Seventh Account entered 01/16/15 for period ending 11/30/14.
2. Need Eighth Account Current or Waiver.

RECOMMENDATION:

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS6564

CASE NAME: MTR OF BILLIE JEAN MORARIU

VACATED

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

BILLIE JEANNE MORARIU

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 06/10/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Fourth Account entered 01/05/15 for period 09/25/14.
2. Need Fifth Account Current or Waiver.

RECOMMENDATION:

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS8277

CASE NAME: IN THE MTR OF LISA GAYLORD

VACATED

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

LISA GAYLORD

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired 05/11/17.

Continued from 08/22/16 and 03/13/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Eleventh Account entered 08/22/14 for period 07/07/14
2. Need Twelfth Account Current or Waiver.

RECOMMENDATION:

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **MISC.**

DATE: 09/25/17 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

VACATED

HEARING:

Hearing Re: Court Trial (1st day)

COUNSEL:

JULIE STEWART

(PET)...DUANE P BOOTH

CAROLYN JACOBSON

(DEC)...

STATE OF CALIFORNIA FRANCHISE TAX BOARD (TP)...

JONI JACOBSON

(LAW OFFICES OF TIMOTHY L MCCAN)

KATHERINE HALL

(PRO/PER)

AJC TRUE GRIT LLC

BAKER P.M.J.,L.P.

PROJECT PROPERTY NUMBER FIVE

XREF: CIVBS1200309 (*ACJ True Grit –V- Scott Martin, Et Al*)

Court trial—no notes—JTD

Future Hearings: 9/26/17-9/29/17: Court Trial

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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: 09/25/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300965

CASE NAME: ROSETTA MIX

HEARING:

Hearing re Final Discharge

COUNSEL:

EVERETT R MIXX

(PET)...GEORGE H CHANT III

JACQUELINE MIMMS

(PET)...GEORGE H CHANT III

ROSETTA MIX

(DEC)...

GENERAL INFORMATION:

Continued from 03/06/17 and 04/24/17 (no appearance). Everett R. Mixx, Jacqueline Mimms and counsel are ordered to appear. Notice by Judicial Assistant.

Continued from 07/10/17. Additional time needed to submit Ex Parte Petition/Order for Final Discharge. Counsel further represents he has been trying to coordinate his clients to sign documents needed for discharge. Court orders Everett R Mixx, Jacqueline Mimms and counsel to appear at next hearing.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling Final Accounting entered 05/13/16.
2. Receipts filed.
3. Need Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(nb/lh)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org 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: 09/25/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600195

CASE NAME: MTR OF JOSE GONZALES ALCALA

HEARING:

Probate status report filed.

COUNSEL:

STEVEN C ALCALA	(PET)...PATTERSON LAW FIRM, APC
JOSE GONZALES ALCALA	(DEC)...
SURETEC INSURANCE COMPANY	(TP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Administrator of Estate, Steven C Alcala

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

1. Petitioner alleges the estate is not in a condition to be closed. Decedent's estate will receive a portion of the estate of Gloria Eleanor Garcia (pre-deceased wife) filed in Los Angeles County. As the estate of Gloria Eleanor Garcia is still pending, petitioner requests an additional 12 months to finalize.
2. Partial Inventory and Appraisal filed 06/13/17. Need final Inventory and Appraisal.
3. Need Notice of Hearing and proof of service in accord with Pr.C. § 12201.
Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**

RECOMMENDATION:

Require notice then Court's discretion. If approved, set next hearing for Accounting Review on **10/01/18**.

(nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600254

CASE NAME: IN THE MTR OF GEORGE A SANCHEZ

HEARING:
Accounting Review

COUNSEL:

LUIS E SANCHEZ (PET)...PAUL HORN
GEORGE A SANCHEZ (DEC)...
STATE OF CALIFORNIA FRANCHISE TAX BOARD (TP)...PRO/PER

GENERAL INFORMATION:

Continued from 07/17/17. Counsel states that the property is in escrow. Counsel requests a continuance for accounting to be prepared.

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 Luis Sanchez, brother, on 05/12/16; full authority, no bond.
2. Final Inventory and Appraisal filed.
3. Declaration of Paul Horn in re status of administration filed 07/14/17 but no fee was taken and no hearing set.
4. Need accounting or status report.

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

DATE: 09/25/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600636

CASE NAME: GLORIA ANN YOUNG

HEARING:

FIRST AND FINAL Account and Report of MARK R YOUNG and Petition
for allowance of fees filed.

COUNSEL:

MARK R YOUNG (PET)...GEORGINA LEPE
GLORIA ANN YOUNG (DEC)...

GENERAL INFORMATION:

Continued from **04/24/17** on Court's motion. Counsel represents a supplemental
declaration was filed.

Continued from 07/10/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by sole beneficiary, Mark R. Young.

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

1. Inventory and Appraisal filed 02/01/17 affixes bank statement ending 06/30/16.
However, need corrected inventory with bank statement supporting date of death
(DOD 05/23/16) balance of \$102,087.03 and ending balance of \$93,175.60.
**Corrected Inventory and Appraisal filed 08/22/17 is missing Declaration of
Probate Referee at Page 2. However, inventories filed on 02/01/17 do include
probate referee appraisals. Does Court wish to require one, complete
inventory and appraisal or accept inventories filed in counterparts? JTD.**
2. Sole beneficiary waives accounting.
3. Accounting period 08/22/16 to 01/30/17.
4. Assets on hand consist of \$78,495.95 cash and remaining in real and personal
property.
5. Petitioner waives compensation.
6. Petitioner requests reimbursement of costs advanced of \$1,420.00. Itemized.
7. Attorney requests statutory compensation of \$17,201.55. Calculated.
8. Petitioner requests authority to withhold \$1,500 for closing costs.
9. Proposed Order 06/29/17 is not complete in and of itself per Local Rule 20-614.
Includes wrong hearing date and judge. Needs findings re: sole and separate

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.

property; re: known creditors; re: all taxes have been paid, or reserve made for taxes, address of beneficiary/heir receiving real property.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for final discharge on **07/16/18**.
(nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700234

CASE NAME: THE JOANNA SABLE REVOCABLE TRUST

HEARING:

OSC re: FTA/FAILURE TO FILE AN ACCOUNTING filed by THE
NATIONALHUMANE EDUCATION SOCIETY

COUNSEL:

NATIONAL HUMANE EDUCATION SOCIETY (PET)...HOLSTROM BLOCK & PAR
JOANNA SABLE REVOCABLE TRUST (TRU)...
DAVID M. WILSON (STE)...PRO/PER

GENERAL INFORMATION:

Continued from 07/17/17. Citation not served. Court re-issues citation as to Eerin Schumway. Notice to be given by Attorney Craig Weinstein.

THIS CASE IS SET FOR HEARING ON OSC re FTA/Failure to File Accounting

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

1. Matter set at 05/22/17 hearing, wherein, the Court removed Eerin Shumway as trustee and appointed David Wilson as Successor Trustee.
2. Citation issued as to Eerin Shumway who has failed to appear or file and accounting as ordered by the court.
3. Need return of citation. **Proof of Unsuccessful Service filed.**

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: JAMES MICHAEL WELCH

DATE: 09/25/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700335

CASE NAME: CONRAD OMECTIN, JR.

HEARING:

Petition for LETTERS OF ADMINISTRATION W/ FULL IAEA

COUNSEL:

CONRAD JOHN OMECTIN (PET)...PRO/PER
CONRAD OMECTIN JR (DEC)...

GENERAL INFORMATION:

Continued from 07/10/17. Robert Omectin is also a son of the decedent. Walter Moore appointed as GAL for Robert who is incapacitated and at a board and care in Long Beach.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by son, Conrad John Omectin ["Petitioner"].

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

1. Petition alleges all heirs waive bond. Need Mandatory Waivers of Bond by Heir or Beneficiary, form DE-142/DE-111 **by GAL for sibling, Robert Omectin.** Alternatively, suggest minimum bond of \$20,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c). JTD.
2. **Proof of publication filed.**
3. **Notice of Petition to Administer Estate with proof of service filed 09/08/17 does not include all those named in section 8 to petition. Need proper service.**
4. ~Proposed Form Order/Letters 04/10/17.

RECOMMENDATION:

Need to clear note 3 then Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **12/03/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

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

DATE: 09/25/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700364

CASE NAME: MTR OF ROBERT EDWARD FLAMINIO

HEARING:

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

COUNSEL:

RAYMOND IMIG (PET)...STEPHEN A SINDONI
ROBERT EDWARD FLAMINIO (DEC)...

GENERAL INFORMATION:

Continued from 07/17/17 to clear notes.

THIS CASE IS SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Raymond Imig (friend/executor)

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

1. Will waives bond. However, petitioner is a non-resident; the court may require bond if the proposed personal representative resides outside California per Pr. C. § 8571. Court also has discretion to require bond per Pr. C. § 8481(b). Estimated net value of estate is \$300,000. JTD
2. Petition, item #3g, is incomplete as to appointment of personal representative. However, petitioner is the proposed executor named in will.
3. ~Proposed form Order: 04/07/17

RECOMMENDATION:

RFA subject to Court's discretion re bond If approved, set future hearing for Accounting/Status Review on **12/03/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh/ww)

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.**

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

DATE: 09/25/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700714

CASE NAME: MTR OF CHERIE E VACKAR

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ANTHONY R VACKAR (PET)...PRO/PER

CHERIE E VACKAR (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property
by Anthony Vackar, spouse

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

1. Petitioner Anthony Vackar, spouse, seeks 100% interest in decedent's 50% interest in real property per intestate succession.
2. The Inventory and Appraisal is incomplete and incorrect as it is a partial inventory and the property must be appraised by a San Bernardino County Probate Referee. Need corrected Final Inventory and Appraisal.
3. Attachment 11 is incomplete as to decedent's interest in property and facts of character of property; however copy of grant deed from 1996 is attached reflecting that the property is community property of which he owns the other 50%. JTD
4. Attachment 14 is missing; however, petition alleges that there are no other surviving family members besides him. JTD
5. ~Proposed Form Order: 07/19/17

RECOMMENDATION

Need to clear note 2. Court's discretion re notes 3 and 4.

(ww)

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

DATE: 09/25/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700715
CASE NAME: DAVID ROLLER

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

COUNSEL:

LISA DAVIS UNGER (PET)...MARK W REGUS
DAVID ROLLER (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Lisa Davis Unger, step-daughter

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

1. Will waives bond. The estate consists of \$1,760,000 of which \$1,260,000 is personal property.
2. Section 8 fails to provide the ages of all listed. Need verified supplement.
3. Need declination to act by named co-executor Elaine Kendrick.
4. Need Notice to Petition to Administer Estate and proof of service.
5. Need proof of publication
6. Supplemental petition filed same date requests that Lisa be appointed as the sole executor.
 - a. Exhibit A is not attached.
 - b. No fee was taken or hearing set for the petition. Court may wish to require that fee be submitted and hearing set.
7. ~Proposed Form Order: 07/19/17

RECOMMENDATION

Need to clear notes 2-5. Court's discretion re bond and note 6. If approved, set Accounting/Status Review for **12/03/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 09/25/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400108

CASE NAME: Catherine Tina Meitle

HEARING:

Accounting Review

COUNSEL:

CYNTHIA ANN MEITLE (PCR)...PRO/PER

CATHERINE TINA MEITLE (CEP/CEE)... LAW OFFICE OF DAVID PHILIPSON

GENERAL INFORMATION

Continued from 04/17/17. Court has some concerns from the document that was submitted regarding conservator paying post-death expenses, distributions and filing of a 13100 petition. Court recommends the conservator seek legal advice. Notice by Judicial Assistant.

Continued from 07/17/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

- 1 Order Settling First Account entered 04/11/16; second account now due.
- 2 No account or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb/lh)

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

DATE: 09/25/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700045

CASE NAME: CHINA NIKEL ARKADIE

HEARING:

Petition for Appointment of Conservator

COUNSEL:

NICOLE L ARKADIE	(PET)...PRO/PER
ORLANDO ARKADIE	(PET)...PRO/PER
CHINA NIKEL ARKADIE	(CTP)...E JOAN NELMS

GENERAL INFORMATION:

Continued from **03/20/17**. The return of the citation is not required as China Arkadie was present in court today. Attorney E Joan Nelms appointed.

Continued from 06/05/17 for notice to the 14 year old sibling and for Attorney Nelms to complete her investigation and report.

Continued from 07/17/17. Matter is continued for the sibling over the age of 12 to be properly served.

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by parents, Nicole and Orlando Arkadie.

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. Report by court-appointed counsel, E Joan Nelms, filed.
3. Medical Capacity Declaration filed.
4. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to consent or withhold consent to marriage or entrance into registered domestic partnership; make or withhold all medical decisions for the proposed limited conservatee.
5. Court Investigator Report filed 03/14/17

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.

6. Inland Regional Center Report filed.
7. Certificates of Completion re Conservatorship Class filed.
8. ~Proposed Form Order/Letters 02/08/17.

RECOMMENDATION:

Court's discretion. If approved, set hearing for Compliance Review for **04/30/18** 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)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/25/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700054

CASE NAME: JAMES DOUGLAS WALDEN

VACATED

HEARING:

Hearing Re: Proof of Lodged Trust

COUNSEL:

RICHARD SCOTT WALDEN (PET)...PRO/PER
JAMES DOUGLAS WALDEN (CTP)...MITCHELL I ROTH

VACATE – amended letters and trust filed.

(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: 09/25/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700194

CASE NAME: JASMINE WILCOX

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ANGELA WILCOX (PET)...JAMES L HEYWOOD AND ASSOCIATES
JASMINE WILCOX (CTP)...ROSE C ROSADO

GENERAL INFORMATION:

Continued from 07/03/17. Attorney Rose C Rosado appointed for Jasmine Wilcox.

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

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. **Need report of Counsel Rose C Rosado.**
3. Need return of Citation.
4. This petition is for general, and not limited, conservatorship, an IRC report is, therefore, optional per Pr.C. 1827.5(b). Does court wish to require? JTD.
5. Need Certificate of Completion re Conservatorship Class.
6. Need Medical Capacity Declaration.
7. Notice of Hearing filed 06/28/17. **Need proper service to include 30 days' notice to Inland Regional Center, and include copy of petition with notice to all parties.**
8. CI report filed 08/29/17.
9. Petitioners request Pr. C. § 2351.5 powers to limit the proposed conservatee's right to marry; and limit the conservatee's rights to receive visitors, telephone calls, and personal mail; control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed conservatee.
10. ~Proposed Form Order/Letters 05/23/17.

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

RECOMMENDATION:

Court to appoint counsel then need to clear notes 2-7. If approved, set hearing for Compliance Review for **04/30/18** 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)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700216

CASE NAME: MTR OF DAVID C HARRINGTON

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BLANE A HARRINGTON (CP)...GISSELLE M AMINI
JUDITH G HARRINGTON (CP)...GISSELLE M AMINI
DAVID C HARRINGTON (CTP)...LAW OFFICES OF SANDY TURNER

GENERAL INFORMATION

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

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Blane and Judith Harrington (parents)

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

1. Petition appears to be premature as proposed conservatee has not yet reached age of majority. Court to confirm.
2. Petitioners seek orders related to powers under Pr. C. §2351.5 to fix residence, access confidential records, consent/withhold consent to marriage, control right to contract, consent/withhold medical consent, control social/sexual contacts, and make educational decisions. JTD
3. Petitioner seeks civil rights not be limited without court order. JTD
4. Petitioner seeks medical powers. Capacity Declaration filed 06/01/17.
5. Proposed conservatee is developmentally disabled. Report by Counsel Sandy Turner, filed.
6. Proposed conservatee is developmentally disabled. IRC request for 30 day extension filed 07/13/17. **Need IRC report.**
7. Proof of completion of Conservatorship Training Class by Blane and Judith Harrington filed 07/28/17.
8. Return of Citation with proof of personal service filed 07/06/17.
9. ~Proposed Form Order: 06/01/17

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

RECOMMENDATION

Need to clear note 6. If approved, set hearing for Compliance Review for **04/30/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.
(lh/nb/lh)

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.**

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

DATE: 09/25/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700284

CASE NAME: MTR OF CHRISTINA ROSE LINDSLEY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MARY LINDSLEY (CP)...LAW OFFICES OF J. ALAN PLOTT,
CHRISTINA ROSE LINDSLEY (CTP)...
COREY ANN ROBB (CP)...LAW OFFICES OF J. ALAN PLOTT,

GENERAL INFORMATION

Ex parte orders denied on 08/31/17. Attorney Sherri Kastilahn appointed for Christina Rose Lindsley.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Mary Lindlsey to appoint Mary Linsdley (mother) and Corey Ann Robb (sister)

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

1. Proposed conservatee is developmentally disabled. It appears a petition for limited conservatorship is appropriate.
 - a. An IRC report is optional per Pr.C. 1827.5(b). Does court wish to require?
JTD
2. Petitioner requests Court order that proposed conservatee lacks capacity to enter into valid marriage per Pr. C. §1901. JTD
3. Petitioner seeks medical powers. **Capacity Declaration filed 09/12/17 is not dated on first page and not initialed at section 7b. Need complete capacity declaration.**
4. Need report of appointed Counsel Sherri Kastilahn.
5. **Court Investigator report filed**
6. Need Confidential Supplemental Information.
7. Need Duties form.
8. Need return of citation.
9. Need notice of hearing and proof of service.
10. Proof of Completion of the Conservatorship Training Class filed 07/31/17.
11. No proposed Order submitted.

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

RECOMMENDATION

Need to clear notes 4-10. If approved, set hearing for Compliance Review for **04/30/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5
(lh/nb)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org 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: 09/25/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700305

CASE NAME: PRESHUS HANNAH CASTORILLO

HEARING:

Petition for Appointment of Conservator

COUNSEL:

SOPHIA T CASTORILLO

(CPE)...PRO/PER

PRESHUS HANNAH CASTORILLO

(CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Sophia Castorillo (mother)

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

1. Petitioner requests \$0 bond.
2. Petitioner requests estate powers and requests orders under Pr. C. §2591; however, it does not appear proposed conservatee has any income or property. Question need for estate powers?
3. Petition indicates proposed conservatee is receiving or entitled to receive benefits from US Dept of Veteran Affairs, with \$0 estimate. Court to inquire.
4. Proposed conservatee is developmentally disabled. It appears a limited conservatorship is appropriate.
 - a. As this is not a petition for Limited Conservatorship, Court may wish to appoint counsel and require report for proposed conservatee per Pr.C. §1470. JTD
 - b. As this is not a petition for Limited Conservatorship, an IRC report is optional per Pr.C. 1827.5(b). Does court wish to require? JTD
5. Petitioner seeks medical powers. Capacity Declaration filed 08/16/17.
- 6. Court Investigator report filed.**
7. Need List of Required Contact Information (Local form SB-12224).
8. Need Duties of Conservatorship form.
- 9. Certificate of Completion of the Conservatorship Training Class filed**
10. Need return of Citation.
11. Need Notice of Hearing and Proof of Service.
12. ~Proposed Form Order: 08/16/17

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 7-8, 10-11. If approved, set hearing for Compliance Review for **04/25/18** for the filing of the required documents and hearing re Accounting Review for **12/03/18** 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.**

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

DATE: 09/25/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700306
CASE NAME: MTR OF APRIL GUZMAN
HEARING:
Petition for Appointment of Conservator

COUNSEL:

MARIA E GUZMAN (CP)...PRO/PER
APRIL GUZMAN (CTP)...ROSE C ROSADO

X-REF: CIVVS 1700353
GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Maria Guzman, mother

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 08/18/17 indicates purpose of form is determine whether proposed conservatee has dementia. JTD
4. Proposed conservatee is developmentally disabled. Need report of Rose C Rosado.
5. Proposed conservatee is developmentally disabled. Need IRC report.
- 6. Court Investigator report filed.**
7. Confidential Screening Form filed 08/16/17 is incomplete at item 6 as to whether petitioner owes money to proposed conservatee. Need verified supplement.
- 8. Certificate of Completion of the Conservatorship Training Class filed.**
9. Need return of Citation.
10. ~Proposed Form Order: 08/16/17

RECOMMENDATION

Need to clear notes 4, 5, 7 & 9. If approved, set hearing for Compliance Review for **04/30/17** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5. (lh/nb)

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org 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: 09/25/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

SEE ALSO 19 20 21

VACATED

HEARING:

Court Trial set for PETITION TO ESTABLISH TRUST of THE MICHAEL J PEPITONE TRUST DATED SEPTEMBER

COUNSEL:

THE MICHAEL J PEPITONE TRUST

(TRU)...

DIANE BARBAGALLO

(PET)...BARNETT & RUBIN

WILLIAM J. SIMON

(PET)...HARTNELL LAW GROUP

WM J SIMON

(STE)...HARTNELL LAW GROUP

No notes – Court Trial.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/25/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

SEE ALSO 18 20 21

VACATED

HEARING:

Petition for INSTRUCTIONS AND FOR AN ORDER AUTHORIZING SURCHARG
EOF LEO WINER'S INTEREST ETC

COUNSEL:

THE MICHAEL J PEPITONE TRUST

(TRU)...

DIANE BARBAGALLO

(PET)...BARNETT & RUBIN

WILLIAM J. SIMON

(PET)...HARTNELL LAW GROUP

WM J SIMON

(STE)...HARTNELL LAW GROUP

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: JAMES MICHAEL WELCH

DATE: 09/25/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

SEE ALSO 18 19 21

VACATED

HEARING:

Petition for REMOVAL OF DIANE BARBAGALLO AS TRUSTEE FOR BREACH
OF HER FIDUCIARY DUTIES ETC

COUNSEL:

THE MICHAEL J PEPITONE TRUST

(TRU)...

DIANE BARBAGALLO

(PET)...BARNETT & RUBIN

WILLIAM J. SIMON

(PET)...HARTNELL LAW GROUP

WM J SIMON

(STE)...HARTNELL LAW GROUP

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: JAMES MICHAEL WELCH

DATE: 09/25/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

SEE ALSO 18 19 20

VACATED

HEARING:

First and Final Account and Report of WM J SIMON and Petition
for allowance of fees filed.

COUNSEL:

THE MICHAEL J PEPITONE TRUST	(TRU)...
DIANE BARBAGALLO	(PET)...BARNETT & RUBIN
WILLIAM J. SIMON	(PET)...HARTNELL LAW GROUP
WM J SIMON	(STE)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Continued from **03/27/17**. Parties state that mediation was not successful.

Continued from 06/12/17 and 07/31/17. Court orders Attorney Bryan Hartnell to submit a verified list to Attorney Barnett within 10 days or court will impose sanctions in the amount of \$250 as to Attorney Hartnell. Court states that if William Simon does not appear on the deposition scheduled for 08/10/17 he will be subject to sanctions. Matter is contested; court trial requested.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by William J. Simon, personal representative of Leo Winer [DOD: 09/06/14], the deceased Successor Trustee of the Michael J. Pepitone Revocable Trust dated 09/15/97, as amended.

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

1. Accounting period 04/02/12 to 09/06/14.
2. Account does not comply with Pr. C. § 1060 et seq.; appears to be cumulative; and does not include beginning assets on hand. Suggest Court require a proper Inventory and Appraisal. JTD.
3. Assets on Hand \$359,215.31 consisting of cash.
4. Petitioner requests the issue of compensation to personal representative and counsel to be reserved.

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. Disbursements – Schedule B [LF, pgs. 18-20] include travel expenses; various “unknown” items from different bank accounts; credit card expenses and do not identify or specify identity of the payor, the date of receipts, the nature and amount of the deposit. Further, disbursements do not include the identity of the payee, date of disbursement and the amount and specific purpose of the same. Need amended accounting.
6. Cash Disbursements made totaling \$1,781,342.69 [LF, pgs. 20-21].
7. Need bank statements per Local Rule 20-908.
8. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4). Need verified supplement.
9. **Objections filed 01/30/17 by Trustee, Diane Barbagallo.**
10. **Verified list of documents (202 pages) filed 08/10/17.**
11. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

This accounting does not appear to be a true and complete accounting of the trust and should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting period. Need proper accounting per Pr. C. S 1064 et seq. Set on first check calendar no sooner than **11/06/17.**

(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: 09/25/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400459

CASE NAME: PAULA JACOBO

HEARING:

Hearing re Final Discharge

COUNSEL:

DENISE PETERSON

(PET)...LAW OFFICES OF LEAH L. DIXON

PAULA JACOBO

(DEC)...

STACY JACOBO

(MIN/BEN)...MITCHELL I ROTH

W.A. HLAVATY

(PET)...LAW OFFICES OF LEAH L. DIXON

MITCHELL ROTH

(GAL)...MITCHELL I ROTH

ANN VALADEZ

(TEE)...

GENERAL INFORMATION:

Continued from 04/25/17 and 07/10/17 at request of petitioner.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Stipulation and Order for Final Distribution entered 11/22/16.
2. Need receipts.
3. Need Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400898

CASE NAME: MATTHEW ANDREW CLAYPOOL

HEARING:

Hearing Re: PROBATE STATUS REPORT

COUNSEL:

MICAH CLAYPOOL (PET)...JACK B OSBORN
MATTHEW ANDREW CLAYPOOL (DEC)...

GENERAL INFORMATION

Continued from 08/11/16, 12/19/16, 03/20/17 and 06/12/17 at request of counsel.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Micah Claypool, nephew, on 12/02/15, full authority, no bond.
2. Final I&A filed 6/15/15.
3. Petitioner requests an additional 90 days to close the estate in order to obtain additional bank statements.
4. ~Proposed Order: 06/20/16

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **08/23/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500468

CASE NAME: NANCY A STRAWN

HEARING:
Accounting Review

COUNSEL:
MARK STRAWN (PET)...LAW OFFICE OF MINDY BISH
CINDY HOVATER (PET)...LAW OFFICE OF MINDY BISH
NANCY A STRAWN (DEC)...

GENERAL INFORMATION:

Continued from **10/18/16** and **01/30/17**. There being no appearance, the Court orders Mark Strawn and/or Mindy Bish to appear at the next hearing.
Continued from **04/24/17** and **07/10/17**.

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 Mark Strawn and Cindy Hovater, son and daughter, on 08/13/15; full authority, no bond.
2. Final Inventory and Appraisal filed.
3. Need accounting or status report.

RECOMMENDATION:

Inquire status of accounting.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700054

CASE NAME: MTR OF THE ANTONINA DARAFEEV LIVING TRUST

HEARING:

Petition for 1.REMOVE TRUESEE MICHAEL DARAFEEV; 2.APPOINT
SUCCESSOR TRUEE; 3. COMPEL SURRENDER OF TRUST

COUNSEL:

PAUL DARAFEEV	(PET)...PRO/PER
GEORGE DARAFEEV	(PET)...PRO/PER
THE ANTONINA DARAFEEV LIVING TRUST	(TRU)...
W.A. HLAVATY	(PET)...THOMPSON & COLEGATE
MICHAEL DARAFEEV	(OBJ)...RAYMOND G ROBINSON

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: 09/25/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700649

CASE NAME: MTR OF EDWARD JOSEPH JR

HEARING:

Spousal Property Petition hearing.

COUNSEL:

MARY EMMA JOSEPH (PET)...PRO/PER
EDWARD JOSEPH JR (DEC)...

Waiver of Court Fees and Costs filed by MARY EMMA JOSEPH is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Mary Emma Joseph ["Petitioner"].

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

1. Petitioner requests a determination of real property passing to the surviving spouse as community property. Specifically, real property located at Rancho Cucamonga in San Bernardino County. Furthermore, petitioner does not set forth facts sufficient to establish a community property interest in the California real property. When were petitioner and decedent married? How was the property interest acquired – with community funds, etc? Need verified supplement.
2. Section 9 to petition [LF, p3] does not include names, relationship, age or mailing address of issue(s). Need same via verified supplement.
3. Attachment 1 [LF, p. 3] does not include common address of subject real property. Need verified supplement.
4. Need Notice of Hearing with proof of service to decedent's issue(s).
5. Court to review sticky note at LF, p.4.
6. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 1-4 then Court's discretion.

(nb)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org 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: 09/25/17 TIME: 8:30 DEPT: S37P

CASE#: SC SS00580

CASE NAME: NTR OF STACY ANN GEBHART

HEARING:
Accounting Review

COUNSEL:

STACY ANN GEBHART (CEP/BEN)...
JUDY ANN CHRISTENSEN (CPE)...ROGER VON KAESBORG
JAMES MICHAEL GEBHART SR (CPE)...JOHN M RAGER
INLAND COUNTIES REGIONAL CENTER (PET)...STEVEN J BECKETT
JUDY A CAMAIONI-MYHRE (PET)...ROGER VON KAESBORG

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 6th **trust** Account for IRC approved on 02/27/17.
2. Need 7th **trust** Account beginning with 08/01/16.

RECOMMENDATION

Inquire status of accounting.

(ww)

Superior Court of Calif, County of San Bernardino
Page: 6A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/25/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700378

CASE NAME: MTR OF WILLIAM ROBERT BATES

HEARING:
Spousal Property Petition hearing.

COUNSEL:
GABRIELA BATES (PET)...PRO/PER
WILLIAM ROBERT BATES (DEC)...

GENERAL INFORMATION:
Continued from 07/03/17 and 09/11/17 at request of petitioner.

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Gabriela Bates ["Petitioner"].

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

1. Petitioner requests a determination of property passing to the surviving spouse as community property. Specifically, real property at Fontana, CA, in San Bernardino County. However, petitioner does not set forth facts sufficient to establish a community property interest in the California real property. When were petitioner and decedent married? How was the property interest acquired – with community funds, etc? Need verified supplement.
2. Section 7b to petition is marked instead of section 7a. Also, need complete legal description for subject real property. Need corrected petition.
3. Need Notice of Hearing with proof of service.
4. Decedent died intestate with 1 issue who would also share a 50% distribution in the estate per Pr.C. §6401 if the real property is separate property of decedent.
5. ~Proposed Form Order 04/20/17.

RECOMMENDATION:
Need to clear notes 1-3 then Court's discretion
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 09/25/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1200319

CASE NAME: BARBARA EMALINE HUNTER

HEARING:

Accounting Review

COUNSEL:

BARBARA EMALINE HUNTER

(CTE)...

SALLY VAN HOFWEGEN

(CE)...JACK B OSBORN

J. BENJAMIN SELTERS III

(TP)...J. BENJAMIN SELTERS III

XREF: PROPS1200417 (John W & Barbara E Hunter)

GENERAL INFORMATION

Continued from 03/27/17 and 06/19/17. Counsel reports conservatee has passed away. Accounting to date of death to be filed.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 2nd and current Account for Sally Van Hofwegen, daughter, approved on 03/03/16.
2. **Notice of Conservatee's Death filed on 07/03/17. Conservatee passed on 05/18/17.**
3. Need Final accounting including pre and post death statements beginning with 01/07/15.

RECOMMENDATION:

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

(ww)

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

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

DATE: 09/25/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300147

CASE NAME: MARY F CARROLL

SEE ALSO 9 10

HEARING:

Conservatorship Compliance Review Hearing on SUPPLEMENTAL
PETITION FOR CONSERVATORSHIP of NATALIE BLICKENSTAFF

COUNSEL:

LALANEYA D STAIGLE	(PET)...HARTNELL LAW GROUP
PUBLIC GUARDIAN	(SC)...DENNIS M SANDOVAL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
MARY CARROLL	(CEP)...MITCHELL I ROTH
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
ALAN CARROLL	(SC/OBJ)...PAMELA Y VALENCIA

GENERAL INFORMATION

Order Appointing Natalie Blickenstaff as Successor Conservator of the Person and Estate entered 09/02/16, \$155,000 bond.

Continued from 02/27/17 at request of counsel. Mitchell Roth relieved as counsel of record for conservatee.

Continued from 05/15/17 at request of Counsel to clear notes. Inventory and Appraisal to be filed and served by 06/30/17. Accounting to be filed and served by 07/31/17.

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

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

1. Notification of Conservatee's Rights filed 09/12/16.
2. **Conservatee passed away on 11/13/16.**
3. Need final Inventory & Appraisal per Pr.C.§2610.
4. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
5. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.
6. **Need Final Accounting for pre-death and post-death accounting periods per Pr. C. §2620.**

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 3-6. Suggest Accounting Review set for 09/25/17 be vacated and re-set in 60 days for pre and post death accounting.

(nb/lh)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org 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: 09/25/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300147

CASE NAME: MARY F CARROLL

SEE ALSO 8 10

HEARING:

Accounting Review

COUNSEL:

LALANEYA D STAIGLE	(PET)...HARTNELL LAW GROUP
PUBLIC GUARDIAN	(SC)...DENNIS M SANDOVAL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
MARY CARROLL	(CEP)...MITCHELL I ROTH
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
ALAN CARROLL	(SC/OBJ)...PAMELA Y VALENCIA

See notes on prior matter #8.

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

DATE: 09/25/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300147

CASE NAME: MARY F CARROLL

SEE ALSO 8 9

HEARING:

Accounting Review

COUNSEL:

LALANEYA D STAIGLE	(PET)...HARTNELL LAW GROUP
PUBLIC GUARDIAN	(SC)...DENNIS M SANDOVAL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
MARY CARROLL	(CEP)...MITCHELL I ROTH
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
ALAN CARROLL	(SC/OBJ)...PAMELA Y VALENCIA

GENERAL INFORMATION

Conservatee passed away on 11/13/16.

THIS CASE IS SET FOR HEARING ON Accounting Review (by N. Blickenstaff)

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

- 1 Order Appointing Natalie Blickenstaff as Successor Conservator of the Person and Estate entered 09/02/16, \$155,000 bond.
- 2 Need First and Final Account to include pre and post death account periods per Pr. C. § 2620.

RECOMMENDATION:

Inquire status.

(nb)

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

DATE: 09/25/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500338

CASE NAME: SUSAN R. KOVACEVICH

HEARING:

FIRST CURRENT Account and Report of DENNIS SHOGREN and Petition
for allowance of fees filed.

COUNSEL:

DENNIS SHOGREN (CPE)...HARTNELL LAW GROUP
SUSAN R. KOVACEVICH (CEP)...

GENERAL INFORMATION:

Continued from 07/10/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by
Successor Conservator of the Person and Estate, Dennis Shogren ["Petitioner"].

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

1. Accounting period 12/03/15 to 12/02/16.
2. Assets on Hand \$19,742.75 consisting of cash.
3. Current bond of \$30,715.00. Petitioner alleges bond appears excessive and requests bond be decreased by \$10,612.50 to a minimum bond of \$20,000. However, receipts include Cal Strs Retirement, Social Security and CalPers LTC benefit payments. Question whether these benefits will continue to be received? If so, suggest bond of \$143,000 (includes recovery). Need verified supplement.
4. Petitioner requests fees of \$18,838.00. Billed at \$135/hour for 120.8 hours' time. Itemized [LF, p. 25]. JTD.
5. Attorney requests fees of \$10,612.50. Billed at \$250-\$450/hour for 25.7 hour's attorney time and \$75-\$125/hour for 25.98 hours' paralegal time. Itemized [LF, pgs. 27-33]. JTD.
6. Statement for Pacific Premier Account No. XXX8519 does not reflect Cash Assets on Hand at End of Account Period reflected on Schedule E [LF, p. 23]. Need reconciliation via verified supplement.
7. Need bank statements for Provident Bank Account No.'s XXX4631842 and 532580 as reflected on Notice of Opening filed 02/23/16.

8. During the accounting period, petitioner paid Home Care Assistance of Riverside and Parent Care Management Services for home care assistance. Need verified declarations for acknowledgment of receipt of fees per Local Rule 20-1406(c).
9. ~Proposed Order 06/01/17

RECOMMENDATION:

Need to clear notes 3, 6-8, then Court's discretion. If approved, set hearing on the next Accounting Review for **02/05/18** (if one year) or **02/04/19** (if two years). Accounting to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(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: 09/25/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600018

CASE NAME: MTR OF MARCOS ORTIZ BARRERA

SEE ALSO 13

HEARING:

Hearing Re: SIGNING OF ORDER FOR CONSERVATORSHIP

COUNSEL:

MARIA PETRA BARRERA	(PET)...PRO/PER
RUTLIO ORTIZ	(PET)...PRO/PER
MARCOS ORTIZ BARRERA	(PCE)...WALTER T. MOORE

Waiver of Court Fees and Costs filed by MARCOS ORTIZ BARRERA is GRANTED

XREF: CONPS1700085

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Signing of Order for Conservatorship.

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

1. Matter set at 07/10/17 hearing, wherein, the Court appointed siblings, Maria P. Barrera and Rutilio Ortiz, Co-Conservators of the person.
2. Need Order Appointing Conservators and subsequent letters.

RECOMMENDATION:

Need to clear note 2.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700085

CASE NAME: DIANA JUDITH ORTIZ BARRERA

SEE ALSO 12

HEARING:

Petition for Appointment of Conservator

COUNSEL:

DIANA JUDITH ORTIZ BARRERA	(CTP)...WALTER T MOORE
MARIA PETRA BARRERA	(CP)...PRO/PER
RUTILO ORTIZ	(CP)...PRO/PER

XREF: CONPS1600018

GENERAL INFORMATION:

Ex Parte orders denied 03/22/17.

Continued from 04/17/17. Court is in need of an Inland Regional Center report. Note 2 is cleared on the record - the proposed conservatee does not have the capacity to make this nomination.

Continued from 07/10/17 for IRC report to be filed and to clear probate notes.

THIS CASE IS SET FOR HEARING ON Petition for Conservatorship, person only, by parents, Maria Petra Barrera and Rutilo Ortiz.

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

1. No bond – person only.
2. Section 11b to petition [LF, p. 8] does not include name and relationships to conservatee. **Need** verified supplement.
3. Proposed conservatee is developmentally disabled. **Report of Counsel Walter Moore filed 07/10/17.**
4. This petition is for general, and not limited, conservatorship. An IRC report is therefore optional per Pr.C. 1827.5(b). **Need IRC report..**
5. **Capacity Declaration filed 08/24/17 is incomplete at item 3 as to declarant's profession. Need completed form.**
6. **Need** Certificates of Completion re Conservatorship Class.
7. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited

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.

conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.

8. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
9. **Citation returned served.**
10. Court Investigator Report filed 04/04/17.
11. ~Proposed Form Order/Letters 03/15/17

RECOMMENDATION:

Need to clear notes 2-6. If approved, set hearing for Compliance Review for **04/30/18** 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)

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

DATE: 09/25/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700198

CASE NAME: LOUIS PRADO

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ORFELINDA SALAS

(CP)...PRO/PER

LOUIS PRADO

(CTP)...BRYAN C. HARTNELL

GENERAL INFORMATION:

Continued from 07/03/17. Counsel's report, Citation and notice filed in Court.

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

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. Report by appointed counsel Bryan Hartnell filed 07/03/17.
3. **Medical Capacity Declaration filed 07/10/17.**
4. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
5. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
6. Court Investigator Report filed.
7. IRC report filed 06/27/17.
8. **Return of Citation filed 07/03/17** did not include 15' days' notice to proposed conservatee. However, proposed conservatee Louis Pardo was present at last hearing on 07/03/17. Does Court wish to waive Citation?
9. Certificate of Completion re Conservatorship 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.

10. ~Proposed Form Order/Letters 05/26/17.

RECOMMENDATION:

Need to clear note 8. If approved, set hearing for Compliance Review for **04/30/18** 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)