



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 10/23/17

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.

09/29 ww/1004nb/1007

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: 10/23/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400492

CASE NAME: The Jack Whitey Clair Revocable Trust

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE/RESULTS OF DR APPT

COUNSEL:

HEIDI ELFSTROM	(PET)...JOEL R BRYANT
WESLEY CLAIR	(PET)...JOEL R BRYANT
JACKIE NUTTING	(PET)...JOEL R BRYANT
THE JACK WHITEY CLAIR REVOCABLE TRUST(TRU)...	
HOLLY N WOOD	(PET/OBJ)...PRO/PER

TSC/Results of Dr Appt- No notes- JTD

Future hearing dates:

10/26/17 Motion re: Order for deposit into a blocked account filed by Petitioner Heidi Elfstrom, Westley Claire, Jackie Nutting

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

DATE: 10/23/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400622

CASE NAME: Robert Joseph Vinson

HEARING:

Hearing Re: PROOF OF PROCEEDS INTO BLOCKED ACCOUNT

COUNSEL:

JANNINA K. MALEK (PET/TP)...FULLERTON LEMANN SCHAEFER & DO
ROBERT JOSEPH VINSON SR (DEC)...
FREDERICK LAFATE VINSON (PET)...PRO/PER
SURETEC INSURANCE COMPANY (WOLKIN CURRAN LLP)
STATE OF CALIFORNIA FRANCHISE TAX BOARD

GENERAL INFORMATION:

Continued from **08/21/17** at request of counsel. Escrow is being finalized.

Continued from 09/18/17. Accounting to be filed by 4pm January 26, 2018.

Accounting review reset from 11/13/17 to 02/26/18.

THIS CASE IS SET FOR HEARING ON Proof of Proceeds into Blocked Account

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

1. Matter set at 06/19/17 hearing, wherein, the Court ordered that the proceeds of sale of property to be placed into blocked account.
2. Receipt and Acknowledgement of Order for the Deposit of Money into Blocked Account filed 09/18/17; however, the copy of the order is not attached, the court address is incorrect and the printed name of the bank representative is missing.
JTD

RECOMMENDATION:

Court's discretion.

(nb/ww)

Future Hearing:

2/26/18: 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: 10/23/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400720

CASE NAME: JOSEPH LEE ROSANO

SEE ALSO 4

VACATED

HEARING:

Hearing re Final Discharge

COUNSEL:

ROBERT W ROSANO

(PET)... WEITZEN, PHILLIPS & WEINBERG

JOSEPH LEE ROSANO

(DEC)...

GENERAL INFORMATION:

Continued from **07/17/17**. No appearances. Notice by Judicial Assistant.

Continued from 08/14/17. No appearances. Notice by Judicial Assistant.

Continued from 09/11/17. Counsel and petitioner Robert W. Rosan are ordered to personally present at hearing on 10/23/17.

THIS CASE IS SET FOR HEARING ON Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-1.

- Order Approving Fist and Final Account entered 07/11/16.
2. No receipt. Need same.
3. Need Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400720

CASE NAME: JOSEPH LEE ROSANO

SEE ALSO 3

HEARING:

Hearing Re: OSC RE SURCHARGE ON ROBERT W ROSANO

COUNSEL:

ROBERT W ROSANO (PET)... WEITZEN, PHILLIPS & WEINBERG
JOSEPH LEE ROSANO (DEC)...

GENERAL INFORMATION:

Continued from 09/11/17. On petition for will and letters testamentary of Robert W Rosano Order to Show Cause Hearing Held (Probate). The Court does not accept CourtCall appearance by counsel for petitioner Robert W. Rosano. Petitioner was ordered to be personally present at this court hearing. **Due to non-appearance of petitioner Robert W. Rosano, the surcharge is now \$1,500. Court orders attorney and petitioner to personally appear at next hearing on 10/23/17.**

THIS CASE IS SET FOR HEARING ON OSC re Surcharge on Robert W. Rosano.

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

1. Matter set at 08/14/17 hearing, due to non-appearances. Court orders Robert W. Rosano to be personally present at court hearing,
2. Court notes the surcharge amount is \$500.00.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Court's discretion
(nb/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: 10/23/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501022

CASE NAME: HAROLD M WALLIS

HEARING:

Waiver of Account and Report of SHERMAN MARINE WALLIS and
Petition for allowance of fees filed.

COUNSEL:

SHERMAN MARINE WALLIS (PET)...JEFFERY D GOLD
HAROLD M WALLIS (DEC)...
ROSE LOW (TP)...THOMAS W DOMINICK

XREF: PROPS1300468 [Lugarda Wallis-predeceased spouse]

GENERAL INFORMATION:

Continued from 09/18/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON **Amended (09/11/17)** Petition for Final Distribution upon Waiver of Account and for fees by Administrator w/WA, Sherman Wallis ["Petitioner"-son].

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

1. Beneficiaries waive accounting.
2. Accounting period 03/17/15 to 05/31/17
3. Assets on Hand \$67,572.80 in cash.
4. Statutory fees of \$4,857.63 requested. Calculated.
 - a. Legal Counsels, Jeffrey D. Gold; Jason L. Gaudy; and Neil J. DeLeon to equally divide fees among counsels. **Agreement re apportionment and waiver of compensation by Attorney Gaudy filed 09/11/17.**
5. Petitioner requests extraordinary fees of \$1,000. **Supp, (09/18/17) Billed at 16.65/hour for 60 hours of service. However, 50 hour's travel time is included, which is normally not allowed, when fees are being sought. JTD.**
6. Attorney Gold requests **reduced** extraordinary fees of \$2,000. **Billed at \$350/hour for 7.3 hours' attorney time and \$125/hour for 6.2 hours' paralegal time. Itemized [see Decl. 09/11/17, LF, pgs. 9-12]. JTD.**
7. Attorney DeLeon requests extraordinary fees of \$950. **Supp. (09/13/17) Billed at \$300/hour for attorney time and \$125/hour for 7.8 hours' paralegal time. Itemized [see supp. filed 09/13/17]. JTD**

8. **Supp. (09/18/17) Attorney DeLeon requests extraordinary fees in the amount of \$656.25. However, itemization affixed to supplement is the same one affixed to supplement filed on 09/13/17. Question if the requested \$656.25 is in addition to fees requested at note 7 or in lieu of note 7? Court to inquire.**
9. Attorney DeLeon requests reimbursement of costs in the amount of **\$251.50.**
10. **Supp. (09/11/17) requests specific cash bequests be distributed “without interest” as directed by Article Fifth of decedent’s will. JTD**
11. Petitioner requests authority to withhold **\$4,000** as a reserve for closing costs.
12. Petition indicates Decedent’s former caregiver, Twaila Dwyer, is a named beneficiary under the Decedent’s Will. Ms. Dwyer failed to return cash in the amount of **\$30,480.28, of which, petitioners efforts resulted in the return of \$9,442.51**, from Decedent’s JP Morgan Chase Bank Account; Decedent’s 2006 Lincoln Town Car valued at \$5,000; **and 1986 Ford Ranger Super valued at \$1,400.00.** Petitioner requests authority NOT to distribute the \$5,000 bequest to Twaila Dwyer as the value of the Decedent’s assets retained by Twaila Dwyer exceed \$5,000. Petitioner filed claims with JP Morgan Chase Bank; filed a Police Report; and retained the services of a Private Investigator. Though her last known address was secured, **Petitioner was unable to recover the decedent’s personal property from Twaila Dwyer.** JTD.
13. Petitioner was unable to ascertain the last whereabouts of Decedent’s 1986 Ford Ranger Super vehicle valued at \$1,400 and believes it was stolen.
14. Rose Low, Administrator of the Estate in the related case, as an individual, withdrew all claims against the Estate in exchange for distribution of the Estate’s 50% presumed interest in the real property located at 1937 Armory Road, Barstow, CA 92311.
15. No proposed order. Submit Order after Hearing.

RECOMMENDATION

Court’s discretion. If approved, set next hearing for receipts and final discharge for **10/29/18.**

(nb)

Future Hearing:

12/20/17: Accounting Review-**VACATE**

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

DATE: 10/23/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600145

CASE NAME: JEANNE BRALEY AHLFELDT TRUST DATED 8/25/01

HEARING:
Hearing Re: RESULT OF MEDIATION

COUNSEL:

JEANNE GAIL SMITH	(PET)...MARK J. ANDREW FLORY
JEANNE BRALEY AHLFELDT TRUST	(TRU)...
ROBERT AHLFELDT	(OBJ)...JAMES B CHURCH

XREF: CONPS1500316 (*Jeanne Ahlfeldt*)

GENERAL INFORMATION

Continued from 09/13/17 at request of counsel.

THIS CASE SET FOR HEARING ON Result of Mediation

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

1. Matter set on 04/17/17 Petition for Removal of Trustee Robert Ahlfeldt/Trial. Trial dates set and if parties need new mediation date, counsel to call department to change.

RECOMMENDATION

Inquire status.

(lc/nb)

Future Hearings: 1/08/18: Readiness Calendar, Petition for Removal of Robert Ahlfeldt as Successor Co-Trustee, 2/05/18-2/09/18: Court Trial

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

DATE: 10/23/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600210

CASE NAME: ROSEMARY BROWN

HEARING:
Accounting Review

COUNSEL:

LAUREN R BROWN (PET)...PRO/PER
ROSEMARY BROWN (DEC)...

GENERAL INFORMATION

Continued from 09/18/17. No appearance. Lauren Brown ordered to be personally present.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Testamentary issued to Lauren Brown, daughter/executor on 07/11/16; 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: 10/23/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700620

CASE NAME: MTR OF GEORGE W VEALE

HEARING:

Petition to determine succession to Real Property

COUNSEL:

AMANDA LEE (PET)...PRO/PER
GEORGE W VEALE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property by Amanda Lee, step-daughter

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

1. Petitioner seeks 100% interest, in decedent's 100% interest; in real property and personal property per intestate succession.
2. Section 9 contradicts itself as to whether there is a natural child, adopted child or no child. Court to clarify, or in alternative, need verified supplement.
3. ~Proposed Form Order: 06/23/17

RECOMMENDATION

Court's discretion re note 2.

(ww)

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

DATE: 10/23/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700692

CASE NAME: LYNDA LEE GROVE

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

THOMAS HADLEY (PET)...JEFFREY L COTTRELL
LYNDA LEE GROVE (DEC)...

GENERAL INFORMATION

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

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

1. Bond in the amount of \$185,000 is being requested. Ok.
2. William Grove, surviving spouse has higher priority; however, there have been no objections or competing petitions filed.
3. Notice to Petition to Administer Estate and proof of service filed 07/14/17; however, section 4 is complete as to probating a will however there is no will. JTD
4. ~Proposed Form Order: 07/13/17

RECOMMENDATION

Court's discretion re note 3. If approved, set Accounting/Status Review **12/31/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

DATE: 10/23/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700720

CASE NAME: MTR OF BARBARA WALL

HEARING: Petition for LETTERS OF ADMINISTRATION

COUNSEL:

TAMYRA WALL (PET)...PRO/PER
BARBARA WALL (DEC)...

GENERAL INFORMATION

Letters of special administration denied on 09/05/17.

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

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

1. All heirs waive bond, however, **need** bond waivers on mandatory judicial council form DE-142/DE-111 (A-3d) by siblings Teresa Schuler and Charles Wall. The estate consists of **negative** \$155,000 in real property due to encumbrances. 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. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Need** proof of publication
4. Section 5 is incomplete as to no spouse whether it is due to divorce, never being married or spouse deceased. Does court wish to clarify on record or in alternative; need verified supplement.
5. ~Proposed Form Order: 07/20/17

RECOMMENDATION

Need to clear notes 1-3. Court's discretion re note 4. If approved, set Accounting/Status Review **12/31/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

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

DATE: 10/23/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700722

CASE NAME: MARY LYNN COHEN

HEARING:

Spousal Property Petition hearing.

COUNSEL:

GARY COHEN (PET)...PRO/PER
MARY LYNN COHEN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Gary Cohen.

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, personal property consisting of an American Funding Account # XXX7072, in the amount of \$3,500.
2. Attachment 7 [LF, p. 4] indicated Decedent obtained subject property by inheritance during marriage and under the laws of intestacy, Petitioner and daughter, Keri Cohen, would share equally in the American Funds Account.
3. Need Notice of Hearing with proof of service.
4. ~Proposed Form Order 07/20/17.

RECOMMENDATION:

Deny. It appears this is not the proper vehicle to obtain requested account.

(nb)

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: 10/23/17 TIME: 9:30 DEPT: S35P

CASE#: RC RS00302

CASE NAME: MARK ROBERT MACDONALD

HEARING:

Accounting Review

COUNSEL:

LINDA MACDONALD

(PET)...PRO/PER

MARK ROBERT MACDONALD

(PCE)...DONNASUE ORTIZ

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Ex parte petition to dispense with accounting by Linda Macdonald, mother, approved on 11/18/16.
2. Notice of death of conservatee filed on 01/09/17 indicating date of death 12/20/16.
3. **Need** final accounting with pre and post death balances.

RECOMMENDATION

Inquire status of final 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

PUBLIC GUARDIAN

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS0700200

CASE NAME: BRADY STEPHEN MERTEL

VACATED

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

BRADY MERTEL

(CEP)...HARTNELL LAW GROUP

VACATE - Proposed Order Waiving 6th Account forwarded to department for signature on 10/04/17.
(lh)

FUTURE HEARING DATES:
09/24/18 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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS0700216

CASE NAME: VIOLETA MORENO

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

VIOLETA MORENO

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Letters expire: 11/18/17

Continued from 02/22/16, 11/14/16 03/27/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Waiving Sixth Account Current entered 01/30/15 for period 09/01/13 – 12/09/14.
2. Seventh Account now due for the period of 12/10/14 – current date.

RECOMMENDATION

Court's discretion.

(dl/nb/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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS0700243

CASE NAME: KENNETH GREEN

VACATED

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN
KENNETH GREEN

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

GENERAL INFORMATION

Letters expire 09/23/17.

Continued from 02/06/17.

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 8th Account entered 04/22/16; account or waiver of account now due.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(nb/lh)

FUTURE HEARING DATES:

10/27/17 Court Trial

01/29/18 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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS0800129

CASE NAME: ERIK OLINGER

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

ERIK OLINGER

ELISABETH KEMPE OLINGER

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

LPS Letters expire 3/6/18.

Continued from 2/1/16, 08/22/16 and 03/06/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. On 7/27/15 Court approved the 1st Account Current for the period ending 4/28/14.
2. Need an accounting.

RECOMMENDATION:

Inquire status.

(dl/sa/nb/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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS0800245

CASE NAME: DANIEL LEWIS

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

DANIEL LEWIS

(CPE)...COUNTY COUNSEL

(CEP/CEE)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 11/04/17.

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 6th Account entered 01/19/17; account or waiver of account now due.

RECOMMENDATION:

Inquire status.

(nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS0900178

CASE NAME: PAUL ESTABROOK

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
PAUL ESTABROOK (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired 02/21/15.

Continued from 11/16/15, 06/06/16 and 02/27/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Order Settling Third Account entered 04/06/15 for the period of 07/30/13 - 11/20/14.
2. Need accounting filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(sa/dl/nb/lh)

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

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100252

CASE NAME: PAUL JEFFERSON

SEE ALSO 20 21 46

HEARING:

Hearing Re: Petition for TERMINATION OF CONSERVATORSHIP

COUNSEL:

SONDRA JEFFERSON (CPE)...CHO, SHEASBY, CHUNG & IGNACIO
PAUL JEFFERSON (CEP)...SANDY TURNER/ MITCHELL I ROTH (GAL)
MATTHEW E SHAESBY (PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
ANITA PETTI (CPE)...LAW OFFICE OF MARY M. BADER
SHIRLEY M JEFFERSON (CP)...CHRISTINA FERRANTE
DEMETRIUS JEFFERSON (CE)...CHRISTINA FERRANTE
UTILITY MANUFATURING CO (OBJ)...
ROBERT R. SHIRI (ROBERT R SHIRI)

GENERAL INFORMATION:

Order Appointing Public Guardian as Successor Conservator of the Person and Estate entered 04/19/16.

Continued from 07/24/17. Attorney Sandy Turner present and Mitchel Roth (GAL) appeared by Court Call.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Successor Conservatorship of the Person and Estate by Conservatee, Paul L. Jefferson ["Petitioner"].

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

1. Petitioner alleges a conservatorship of the person and estate is no longer necessary as he was misdiagnosed and is no longer taking psychotropic medication; now has some mental clarity; and is able to function at a higher level to his best ability.
2. Petitioner alleges the best interest of the conservatee require termination of the conservatorship of the person and estate.
3. Petitioner requests an order of this court terminating the conservatorship of the person and estate.
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion.

(nb/lh)

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

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100252

CASE NAME: PAUL JEFFERSON

SEE ALSO 19 21 46

HEARING:

Hearing Re: OSC RE WHY BILLS HAVE NOT BEEN TURNED OVER

COUNSEL:

SONDRA JEFFERSON	(CPE)...CHO, SHEASBY, CHUNG & IGNACIO
PAUL JEFFERSON	(CEP)...SANDY TURNER
MATTHEW E SHAESBY	(PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ANITA PETTI	(CPE)...LAW OFFICE OF MARY M. BADER
PAUL JEFFERSON	(CEP)...
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHIRLEY M JEFFERSON	(CP)...CHRISTINA FERRANTE
DEMETRIUS JEFFERSON	(CE)...CHRISTINA FERRANTE
UTILITY MANUFATURING CO	(OBJ)...
ROBERT R. SHIRI	(ROBERT R SHIRI)

GENERAL INFORMATION:

Continued from 04/10/17. Court will leave all order in effect until 06/19/17. Mother, Shirley Jefferson is to continue to pay all bills but will be reimbursed pending hearing on 6/19/17. Counsel is to file a declaration for Shirley Jefferson regarding what bills she has paid and what money she has advanced. Court states that on 6/19/17 it will consider additional orders regarding the release of any funds by the Public Guardian.

Continued from 07/24/17. Court directs that a recent Capacity Declaration is to be served and filed by 4PM on 09/18/17. Court orders case PROPS1601156 is related to CONPS1100252. Court sets an OSC re Recording of Deed for 10/23/17 PROPS1601156 and orders that either Stanley Hodge or Cheryl Houde appear in Court on 10/23/17 at 10:00AM in Dept 3S.

Court orders Shirley Jefferson and Paul Jefferson file a declaration regarding property in which Paul Jefferson is residing to include: the APN number, address, location, copy of deed, mortgagor identity and information, loan number, amount of monthly payment, and provide name, address, and phone number of person making payment along with copies of cancelled checks, or copies of bank statements if paid online showing payments.

Regarding the taxes on property and home insurance: provide name, address, phone number of who is making payment and provide copies of cancelled checks, or bank statements if paid online showing payments. Also, provide information regarding any bequest on Will, Trust, or other intestate succession on the property. Mitchel Roth to prepare order after hearing.

THIS CASE IS SET FOR HEARING ON OSC re Why Bills have not been Turned Over.

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

1. Itemization and request for reimbursement filed 06/20/17 requests reimbursement in the sum of \$18,643.27 for the period 12/01/16 to 05/30/17. JTD.
2. Supplemental report by GAL, Mitchell I. Roth.
3. Notice of Non-Filing of Declaration re Real Property filed by Paul Jefferson on 09/26/17.
4. Capacity Declaration filed 09/06/17.
5. Report on Rental Property in which Paul Jefferson Resides and Report on Current Status of Medical and SSI Benefits filed by Paul Jefferson on 10/03/17.
6. Report of Christina Ferrante Regarding Property in which Paul Jefferson resides filed 10/03/17.

RECOMMENDATION:

Court's discretion.

(nb/lh)

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

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100252

CASE NAME: PAUL JEFFERSON

SEE ALSO 19 20 46

HEARING:

Petition for APPOINTMENT OF SUCCESSOR PROBATE CONSERVATOR OF
THE PERSON AND ESTATE

COUNSEL:

SONDRA JEFFERSON	(CPE)...CHO, SHEASBY, CHUNG & IGNACIO
PAUL JEFFERSON	(CEP)...SANDY TURNER
MATTHEW E SHAESBY	(PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ANITA PETTI	(CPE)...LAW OFFICE OF MARY M. BADER
PAUL JEFFERSON	(CEP)...
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHIRLEY M JEFFERSON	(CP)...CHRISTINA FERRANTE
DEMETRIUS JEFFERSON	(CE)...CHRISTINA FERRANTE
UTILITY MANUFATURING CO	(OBJ)...
ROBERT R. SHIRI	(ROBERT R SHIRI)

GENERAL INFORMATION

Order Appointing Public Guardian Successor Conservator of the person and estate entered 04/19/16. **No vacancy in the office of conservator exists.**

Continued from 06/19/17 at request of parties.

Continued from 07/24/17. Need recent Capacity Declaration.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Successor Conservatorship of person by Shirley M. Jefferson (mother) and estate by Demetrius Jefferson (son) ["Petitioners"].

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

- 1 Petitioners request bond be set at \$20,000. Appears sufficient.
- 2 Petitioners allege Conservatee prefers they are appointed as the conservators of his person and estate rather than having the PG server in that capacity [LF, p.10].
- 3 Petition does not specify the type of powers sought. Need verified supplement.
- 4 Question if Demetrius has a power of attorney? Need verified supplement.

- 5 Petitioners appear to seek medical powers. Need Medical Capacity Declaration.
- 6 Need Notice of Hearing with proof of service.
- 7 Court Investigator's Special Report filed.
- 8 Report by GAL, Mitchell I. Roth filed.
- 9 Proofs of Completion re Conservatorship Class filed.
- 10 ~Proposed Form Order 04/10/17

RECOMMENDATION:

Need to clear notes 3-6, then Court's discretion re bond. If approved, set hearing for Compliance Review for **06/04/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **12/31/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200016

CASE NAME: MINNIE ALICE CLARK

HEARING:
Accounting Review

COUNSEL:

DONALD L CLARK	(CPE)...PRO/PER
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP
MINNIE ALICE CLARK	(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from 01/30/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

- 1 Order Settling First Account entered 02/02/15; second account now due.
- 2 No accounting or waiver of account. Need same.

RECOMMENDATION:
Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200030

CASE NAME: JASON DUBISKI

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

JASON DUBISKI

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 03/17/18

Continued from 02/08/16, 05/23/16, 10/03/16 and 03/20/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Settling First Account Current entered 02/02/15 for period of 02/03/12 – 02/27/14.
2. Second Account now due for period of 02/28/14 – current date.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(dl/lc/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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200102

CASE NAME: MTR OF DARTAINÉ GUSSMAN

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DARTAINÉ GUSSMAN (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Letters expired 05/15/16

Continued from 03/07/16 and 01/30/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Settling First Account Current entered 12/29/14 for period ending 07/02/14.
2. Second Account Current now due for period of 07/03/14 – current date.

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(gls/dl/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200119

CASE NAME: IRIS WHITE

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

IRIS WHITE

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 06/09/18.

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 Fourth Account entered 09/20/17; account or waiver of account now due beginning 07/01/16.

RECOMMENDATION:

Inquire status.

(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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200326

CASE NAME: JOZSEF ALFOLDI

HEARING:
Accounting Review

	COUNSEL:	
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL	
SHERRI L KASTILAHN	(PET)...SHERRI L KASTILAHN	
JOZSEF ALFOLDI	(CEP)...HARTNELL LAW GROUP	

GENERAL INFORMATION

Letters expire 06/10/17.

Conservatee died 06/20/14.

Continued from 01/30/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Settling Second Account Current entered 05/23/16; third and final account now due to include pre (05/30/15 to 06/20/14) and post (06/21/14 to 12/31/16) death account periods.
2. No account. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300265

CASE NAME: MTR OF LUCINDA NOLEN

HEARING:
Accounting Review

COUNSEL:

PUBLIC GUARDIAN	(CE)...COUNTY COUNSEL
LUCINDA NOLEN	(CTE/CEP)...
KERN COUNTY PUBLIC GUARDIAN	(CE)...KERN COUNTY COUNSEL

GENERAL INFORMATION

Continued from 07/27/17 at request of counsel.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 18th Account for Kern County Public Guardian approved on 01/25/16.
2. Need 19th Account beginning with 09/01/15.

RECOMMENDATION

Inquire status of accounting.

(lc/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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400320

CASE NAME: LAKEISHA MABRY

HEARING:

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

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

LAKEISHA MABRY

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Account Current 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 11/07/14 to 12/31/15.
2. Assets on Hand \$0.00.
3. Public Guardian requests compensation in the amount of \$2,800, deferred until such time as the conservatorship estate has sufficient funds for such purpose.
4. County Counsel request fees in the amount of \$1,400, deferred until such time as the conservatorship estate has sufficient funds for such purpose.
5. Need to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).
6. ~Proposed Order 06/08/17

RECOMMENDATION:

Need to clear note 5 then Court's discretion. If approved, set next hearing for Accounting Review in 60 days as second account current is overdue.

(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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1500074

CASE NAME: Ruben L. Sierra

HEARING:

Hearing re: Petition for authority to establish an Irrevocable Burial Trust.

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

RUBEN L. SIERRA

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 05/22/18.

THIS CASE IS SET FOR HEARING ON Petition to establish Irrevocable Burial Trust by Conservator of the person and estate, Public Guardian ["Petitioner"].

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

- 1 Petitioner alleges the current assets on hand are \$2,994.64, that there are sufficient funds to provide for conservatee's ongoing care and to establish a burial trust, and that the eligibility criteria for Social Security Disability does not allow for the recipient's account exceed \$2,000.
- 2 Petitioner requests authority to deposit up to \$5,000 in an Irrevocable Burial Trust.
- 3 Notice filed 08/17/17 notices conservatee's deceased mother and does not include sister, Lisa Comnick. Need proper service.

RECOMMENDATION:

Need to clear note 3 then Court's discretion.

(nb)

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

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600121

CASE NAME: GENE PRICE

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
GENE PRICE (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Appointing PG Temporary Conservator of the estate entered 05/23/19; first and current account now due.
2. No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.
(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600263

CASE NAME: SHELBY JEAN MORGAN-PETRIZZI

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of PUBLIC GUARDIAN

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
SHELBY JEAN MORGAN-PETRIZZI (CEP)...ROSE C ROSADO

GENERAL INFORMATION

GENERAL INFORMATION

Continued from 06/05/17 to clear remaining notes

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

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

- 1 Final Inventory and Appraisal, Reappraisal for Sale, and Supplemental Inventory and Appraisal filed.
- 2 Notification of Conservatee's Rights; Care Plan; including a Determination of Conservatee's Appropriate Level of Care filed.
- 3 Proof of recordation of letters filed.

RECOMMENDATION:

None.
(nb/lh)

Future Hearings: 1/08/18: Hearing Re: Status of Sale of Residence, 3/26/18: Accounting Review

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

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700004

CASE NAME: EVELYN BELLE BLUME

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of PUBLIC GUARDIAN

COUNSEL:

PUBLIC GUARDIAN (PET)...COUNTY COUNSEL
EVELYN BELLE BLUME (CEE)...HARTNELL LAW GROUP

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Public Guardian appointed Conservatee of the person and estate on 03/20/17, no bond.
2. Notification of Conservatee's Rights filed.
3. Need a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
4. Need Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh)

Future Hearing: 6/04/18: 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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700126

CASE NAME: Kathleen Schaeffer

SEE ALSO 33A

HEARING:

Hearing Re: STATUS OF IHSS REPORT & CAPACITY DECLARATION

COUNSEL:

PUBLIC GUARDIAN (PET)...COUNTY COUNSEL
KATHLEEN SCHAEFFER (CEP/OBJ)...MITCHELL I ROTH

GENERAL INFORMATION:

Continued from 09/18/17. Court orders appointed Counsel and Guardian Ad Litem to meet with Kathleen Schaeffer before October 23, 2017. County Counsel to file by 4PM on 10/02/17 the petition for temporary guardianship; if timely filed, it is to be set for 10/23/17. Any opposition to be filed by 10/16/17.

THIS CASE IS SET FOR HEARING ON Status of IHSS Report & Capacity Declaration

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

1. Matter set at 06/19/17 hearing, wherein, Court directed County Counsel for Public Guardian to file either capacity declaration or status re capacity declaration by 06/05/17.
2. **Capacity Declaration filed 09/14/17; however, caption of form is incomplete as to party information, court information, and case number. JTD**
3. **IHSS report filed 09/28/17.**
4. Report by court-appointed GAL, Sherri L. Kastilahn, filed.

RECOMMENDATION:

Court's discretion.

(nb/lh)

Future Hearings: 4/30/18: Readiness Calendar, 4/30/18: Petition for Appointment of Conservator,
5/29/18-6/01/18: Court Trial

Superior Court of Calif, County of San Bernardino
Page: 33A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700126

CASE NAME: Kathleen Schaeffer

SEE ALSO 33

HEARING:

Hearing Re: Petition for Appointment of Temporary Conservator

COUNSEL:

PUBLIC GUARDIAN

KATHLEEN SCHAEFFER

(PET)...COUNTY COUNSEL

(CEP/OBJ)...MITCHELL I ROTH

No notes – Judge to decide.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700130

CASE NAME: VICTORIA ROSALEE MAREZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

VANESSA MORENO

(PET)...PRO/PER

VICTORIA ROSALEE MAREZ

(CEE)...MARK J. FLORY

GENERAL INFORMATION

Continued from **06/12/17**. Attorney Mark J. Flory appointed. Court clears note 3 re conservatorship class. Daniel Marez, II state that he objects; proposed conservatee objects to petition on the record. Any competing petitions for conservatorship are to be filed by 4pm July 3, 2017; if not filed by that deadline they will be deemed waived. Notice by Judicial Assistant

Continued from 07/24/17. Cart report present in court. Court sets deadline for written objections to be filed and served by 4PM on 08/21/17 and further admonishes as follows: Objections to the petition must be in writing and served and filed by 4PM on 08/21/17. If objections are not served and filed by that date and time, then they will be waived permanently. In addition, written objections must be complete: If matter proceeds to trial, the court will consider only evidence relevant to the objections that were filed with the court. Unless otherwise provided by law, the court will not consider any objections not set forth in your written objections, and will not consider any evidence thereon. Nothing new filed.

Continued from 09/18/17. Over Frank Prainito's oral objections, Court grants Mark Flory's oral motion under 473 to not waive objections that were not timely filed. Court orders all parties to be present at next hearing of 10/23/17. Court orders this case to the Public Guardian's office.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by daughter, Vanessa Moreno ["Petitioner"].

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

- 1 Court to review Confidential Supplemental Information form filed 04/12/17.

- 2 Petitioner requests that bond not be required. It appears the estate consists of Social Security, only. Question if petitioner is the “representative payee” and if so, the need for estate powers?
- 3 Court Investigator’s Report filed.
- 4 **Need** report by court-appointed counsel, Mark J. Flory.
- 5 Citation returned served.
- 6 **Objections filed 09/11/17 by proposed conservatee, Victoria R. Marez.**
- 7 ~Proposed Form Order/Letters 04/12/17

RECOMMENDATION:

Need to clear note 4 then set for contested hearing. If approved, set hearing for Compliance Review for **06/04/18** 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); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **12/31/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700276

CASE NAME: MTR OF DAVID VIETH

HEARING:
Petition for Appointment of Conservator

COUNSEL:
MATTHEW E SHEASBY (PET)...MATTHEW E SHEASBY
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DAVID VIETH (CEP)...

XREF: PROPS1200239 (Ralph E Vieth Trust)

GENERAL INFORMATION

Continued from 09/11/17. Notice to be given by Public Guardian.

THIS CASE IS SET FOR HEARING ON Petition for appointment of Conservatorship of person and estate by Matthew Sheasby (GAL) to appoint PG

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

1. No bond - PG.
2. Petitioner seeks medical and dementia powers. Need Capacity Declaration.
3. Petitioner requests dementia powers; Court to appoint counsel for conservatee.
4. Dementia Attachment to petition is incomplete as to items 1b as to request to authorize administration of medications and item 4b as to restricted placement as requested in 1a. Need completed form via verified supplement.
5. Need report of court appointed counsel.
6. Need return of Citation.
7. Need notice of hearing and proof of service.
8. Need Court Investigator's Report.
9. ~Proposed form Order: 07/18/17

RECOMMENDATION:

Need to clear notes If approved, set hearing for Compliance Review for **06/04/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of

I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **12/31/18**. Any accounting to be filed 30 days in advance.

(lh)

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

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1200239

CASE NAME: MTR OF RALPH E VIETH TRUST

HEARING:
Hearing Re: Status

COUNSEL:

TERESA MARSCH	(PET)...JAMES B CHURCH
RALPH E VIETH TRUST	(TRU)...
MARTHA L GAGLIARDI	(PET)...PRO/PER
DAVID VIETH	(PET)...MATTHEW E SHEASBY
STACY VIETH	(PET)...MATTHEW E SHEASBY
MATTHEW E SHEASBY	(PET)...MATTHEW E SHEASBY
DONALD VIETH	(OBJ)...HARTNELL LAW GROUP

XREF: PROPS1700199

GENERAL INFORMATION

Continued from **10/27/16**. Mr. Sheasby to contact the Veteran's Administration to determine if benefits are being paid and to collect any benefits on David Veith's behalf. Court vacates previous order that SNT be created on behalf of Stacy Vieth. Mr. Ordered to contact the title company on the San Jacinto property in question and determine how best to lift the cloud on the property. A separate recordable order clearing title to be filed and property/assets to be put into Stacy Vieth's estate instead of a SNT. SNT needs to be filed as to David Vieth only. Public Guardian requested to be appointed Conservator of David Vieth.

Continued from **01/05/17**. Status Report and five orders transferring real property signed. Petition for conservatorship of David Vieth requesting appointment of Public Guardian to be filed. Public Guardian to appear re possible appointment.

Continued from **03/16/17**. Counsel reported that a probate action has been filed as to Stacy Vieth and set for 05/03/17. Counsel were unsure of a conservatorship action re David Vieth; court determined not filed.

Continued from **07/05/17**. Court appoints the PG to represent David Vieth. Court orders the PG to appear at the next hearing.

Continued from **08/21/17** on Court's motion for all counsel to be present and trail CONPS1700276. Notice to be given by Mr. Sheasby.

Continued from 09/11/17 at request of counsel.

THIS CASE SET FOR HEARING ON Status.

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

1. Melodie Scott was prior trustee; however, filed declaration stating that no assets were ever marshaled.
2. Martha Gagliardi was appointed Trustee of the SNT. All monies to be placed into blocked account with exception of \$7,500.
3. Layne Bartholomew to prepare/create SNT.
4. Petition for Probate filed re Stacy Vieth PROPS1700199.

RECOMMENDATION

Inquire status.

(lc/nb)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: SG SS6219

CASE NAME: IN THE MTTR OF MICHAEL WEISHAAPT

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

MICHAEL WEISHAAPT

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order that Conservator need not present 35th Account entered 01/11/16; 36th account or waiver of account now due.

RECOMMENDATION:

Inquire status.

(nb)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS00849

CASE NAME: IN THE MATTER OF SARA HETZLER

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

SARA HETZLER

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 06/24/18.

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 Tenth Account entered 01/19/17; account or waiver of account now due beginning 08/01/16.

RECOMMENDATION:

Inquire status.

(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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02429

CASE NAME: MTR OF DONDA FRANK

HEARING:

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

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DONDA FRANK (CEP/CEE)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Letters expire 11/18/17.

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

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

1. Accounting covers 09/26/14 to 02/29/16.
2. Assets on hand: \$81,075.58 (of which \$75.58 is cash)
3. PG requests compensation in the amount of \$3,400.00 pursuant to its fee schedule, deferred until such time as the conservatorship estate has sufficient funds for such purpose.
4. County Counsel requests fees in the amount of \$1,700.00 pursuant to its fee schedule, deferred until such time as the conservatorship estate has sufficient funds for such purpose.
5. Prior to this accounting period, accounting fees were deferred. The balance owed to the PG is \$1,850.00 and to County Counsel is \$1,500.00.
6. ~Proposed Order: 08/08/17

RECOMMENDATION

Court's discretion. If approved, set next hearing in 60 days as eighth account current is overdue.

(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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02655

CASE NAME: MTR RE RICHARD TONY CORSARO

HEARING:
Hearing re Final Discharge

COUNSEL:

BETTY L CORSARO	(CPE)...PRO/PER
RICHARD CORSARO	(PET/CEP)...HARTNELL LAW GROUP
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling First and Final account entered 10/17/16.
2. Need receipt from Social Security Administration.
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: STANFORD E. REICHERT

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02698

CASE NAME: MTR RE ALICE GUERRERO

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

ALICE GUERRERO

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 06/20/18.

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 09/24/15; account or waiver of account now due beginning 07/01/15.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02940

CASE NAME: MTR RE SUZANNE MORDA

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

SUZANNE MORDA

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 08/11/18.

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 Tenth Account entered 01/19/17; account or waiver of account now due beginning 08/01/16.

RECOMMENDATION:

Inquire status.

(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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS158

CASE NAME: IN THE MATTER OF PETRENA HOOGENBOSCH

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

PATRENA HOOGENBOSCH

(CEP)...HARTNELL LAW GROUP

27th Waiver of Account forwarded to department for signature on 10/12/17. Clerk's office to set next suggested hearing date of 11/04/18.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS2086

CASE NAME: IN THE MATTER OF GERALD KAMPETER

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN
GERALD KAMPETER

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

GENERAL INFORMATION

Letters expire 05/02/18.

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 17th Account entered 06/26/17; account or waiver of account now due beginning 02/01/16.

RECOMMENDATION:

Inquire status.

(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: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: SLC SS8971

CASE NAME: IN THE MATTER OF GLORIA REYES

VACATED

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

GLORIA REYES

(CPE)...COUNTY COUNSEL

(CEP)...HARTNELL LAW GROUP

VACATE – order forwarded to dept. for signature.

(nb)

FUTURE HEARING DATES:

01/29/18 Accounting Review

Superior Court of Calif, County of San Bernardino

Page: 46 add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/23/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1601156

CASE NAME: HOMER EUGENE JEFFERSON

SEE ALSO 19 20 21

HEARING:

Hearing Re: OSC RE RECORDING OF DEED.

COUNSEL:

HOMER EUGENE JEFFERSON (DEC)...

SHIRLEY JEFFERSON (PET)...STANLEY W HODGE

X-REF: CONPS 1100252

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Recording of Deed

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

1. Matter set on 07/24/17, wherein, the court ordered PROPS1601156 related to CONPS1100252 and set hearing: OSC re Recording of Deed for October 23, 2017.
2. Court ordered either Stanley Hodge or Cheryl Houde to be present at next hearing date of October 23, 2017 hearing of OSC re Recording of Deed.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **MISC.**

DATE: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: CIP DS1700045

CASE NAME: Harley Reinhart

HEARING:

Hearing Re: to Establish Fact, Time, and Place of Birth

COUNSEL:

JAMIE CHRISTOPHERSEN (PET)...PRO/PER
HARLEY PATRICIAROSE REINHART (MIN)...

Waiver of Court Fees and Costs filed by JAMIE CHRISTOPHERSEN is GRANTED

No notes - Judge to decide.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500694

CASE NAME: LINDA MAXINE PETERS

HEARING:

Motion Re: REOPEN PROBATE CASE Filed by Petitioner ERNESTO J AVILEZ

COUNSEL:

ERNESTO J AVILEZ

(PET)...PRO/PER

LINDA MAXINE PETERS

(DEC)...

X-REF: CIVDS 1701178 [wrongful foreclosure]

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Motion to Reopen Probate Case by Ernesto Avilez ["Petitioner"].

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

1. Matter dismissed without prejudice on 12/12/16 for failure to appear/prosecute.
2. Petitioner requests this case to remain open in order to properly settle the disposition of the real property in question.
3. Proposed Order affixed to motion [LF, p8] does not comply with Local Rule 20-614.

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: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500766

CASE NAME: JAMES A FLAGG

HEARING:
Accounting Review

COUNSEL:
BARBARA J FLAGG (PET)...PRO/PER
JAMES A GLAGG (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 Testamentary issued to Barbara Flagg, sister, on /10/06/15; full authority, no bond.
2. Previous status report approved on 06/19/17
3. Supplemental Inventory and Appraisal filed 04/17/17. **Need** final Inventory and Appraisal
4. **Need** accounting or status report.

RECOMMENDATION

Need to clear note 3 & 4.

(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: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600124

CASE NAME: MTR OF HELGA MARIE HARDERS

HEARING:
Accounting Review

COUNSEL:
CEASAR A ORTIZ (PET)...PRO/PER
HELGA MARIE HARDERS (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 Caesar Ortiz, son, on 08/16/16; 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)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600274

CASE NAME: MTR OF HELEN LOUISE MORRISON

HEARING:

Probate status report filed.

COUNSEL:

PATRICIA MORRIS (PET)...LAMB MORRIS & LOBELLO
HELEN LOUISE MORRISON (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report (filed 06/26/17).

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

1. Petitioner alleges the estate is not in a condition to be closed as the real property remains to be sold.
2. Petitioner requests an additional 12 months to close the estate.
3. ~Proposed Order 06/26/17.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review on **10/29/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600364

CASE NAME: JOSEPH MARIE RODRIGUEZ

HEARING:
Accounting Review

COUNSEL:
JOE M RODRIGUEZ JR (PET)...THOMAS V PRATT
JOSEPH MARIE RODRIGUEZ (DEC)...

GENERAL INFORMATION

Continued from 08/14/17. Nonappearance by counsel and petitioner. A status report or accounting to be filed prior to hearing.

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 Joe Rodriguez Jr, on **06/27/17**; full authority, \$100,000 bond.
2. **Need** final Inventory and Appraisal
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2 & 3. Court may wish to continue accounting to **08/13/18** per Pr.C. § 10950 as letters recently issued.

(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: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600736

CASE NAME: BETTIE LOU RAUK

HEARING:

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

COUNSEL:

TIMOTHY RAUK (PET)...BETTY AUTON-BECK
BETTIE LOU RAUK (DEC)...

GENERAL INFORMATION:

Continued from 08/07/17.

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

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

16. Sole beneficiary waives accounting.
17. Assets on Hand \$657,212.84 of which \$3,200.42 is cash.
18. Petitioner waives statutory compensation.
19. Attorney requests statutory fees of \$16,066.17. Calculated.
20. ~Proposed Order 05/04/17

RECOMMENDATION

Court's discretion. If approved, set next hearing for final discharge for **08/13/18**.
(nb)

Future Hearing:

11/22/17: Accounting Review-**VACATE**

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601005

CASE NAME: GLYNNDEAN SUGGS

HEARING:

FIRST AND FINAL Account and Report of DESHAWNA LANG and Petition
for allowance of fees filed.

COUNSEL:

DESHAWNA LANG (PET)...PRO/PER
GLYNNDEAN SUGGS (DEC)...

GENERAL INFORMATION:

Continued from 08/14/17 to clear notes.

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

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

1. Sole heir waives accounting.
2. Accounting period 09/04/16 to 05/02/17.
3. **Assets on Hand \$1,534.79 in cash.**
4. **Petitioner requests statutory compensation in the amount of \$1,534.79 per
supp. filed 10/11/17.**
5. Proposed distribution indicates real property is to be distributed. However, petition
also states real property was sold. Need further clarification via verified
supplement. **Supp. (10/11/17) indicates real property was sold and the assets
from the sale, in the sum of \$38,468.73, have been preliminarily distributed to
petitioner as sole heir on 01/03/17. JTD.**
6. Proposed Order 10/11/17 reflects incorrect judge; and does not include findings re:
sole and separate property.

RECOMMENDATION

Court's discretion. If approved, set next hearing for final discharge for **08/20/18**.

(nb)

Future Hearing:

02/03/18: Accounting Review – **VACATE**

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

DATE: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601125
CASE NAME: MTR OF FAYE ESQUIVEL
HEARING: Hearing Re: Petition for Letters of Administration

COUNSEL:

MARIA DORADO (PET)...JOHN
FAYE ESQUIVEL (DEC)...
PAUL WILKINS (TP)...PRO/PER
APPROVED INHERITANCE CASH (PRO/PER)

GENERAL INFORMATION

Continued from **01/17/17**. Non-appearance by counsel and petitioner. OSC re: dismissal set for 03/28/17

Hearing on **03/28/17** re OSC. No appearance. Case dismissed.

Hearing on 08/07/17 re: motion to set aside dismissal granted. Dismissal reversed and petition placed back on calendar for 10/23/17.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Maria Dorado, Daughter

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

1. No bond requested. **Need** mandatory bond waiver form DE-142 by Corina Esquivel. Net value of estate is \$227,795.23 with \$66,000 in personal 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. **Need** Notice of Petition to Administer Estate.
3. **Need** Proof of Publication.
4. Waiver of notice and all future notices signed by heir Corina Esquivel as Attachment 3d(3) to petition (LF, pg.9).
5. Section 8 of the petition fails to list all persons' relationships to the decedent. Court may wish to clarify on record or in alternative, need verified supplement as to Corina Esquivel.
6. ~Proposed Form Order: 11/10/16.

RECOMMENDATION

Need to clear notes 1-3. Court's discretion re note 3 and bond. If approved, set Accounting/Status Review for **12/31/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh/ww)

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

DATE: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700525

CASE NAME: LINDA L PINA
HEARING:
Spousal Property Petition hearing.

COUNSEL:
ADRIAN F PINA (PET)...JOSEPH D BORJAS
LINDA L PINA (DEC)...

GENERAL INFORMATION:

Continued from 08/14/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Adrian F. Pina ["Petitioner"].

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

1. Petitioner requests determination and confirmation of property passing to the surviving spouse as community property. Specifically real property at Apple Valley, in San Bernardino County. However, petitioner does not set forth facts sufficient to establish a community property interest in the California real property. How was the property interest acquired – with community funds, etc? **Supp. (08/04/17) indicates parties were married in 1999; neither spouse owned any real property at the time of their marriage; and community property funds were used to purchase and maintain and real property, to include the real property that is the subject of this petition.**
2. Petition affixed an Interspousal Grant Deed [LF, p. 6] that is titled "to Linda L. Pina, a married woman as her sole and separate property."
3. Petitioner alleges that although title on the 2013 deed is in decedent's name alone, this was done because Decedent was 18 years younger than petitioner and they believed that decedent would outlive Petitioner.
4. **Disclaimers and assignments filed 10/13/17 by decedent's siblings. Disclaimers are timely.**
5. Creditor Claim filed by Capital One in the amount of \$3,778.24.
6. Three Claims by Ascension Point filed 08/22/17 and 09/13/17.
7. ~Proposed Form Order 08/24/17

RECOMMENDATION:
Court's discretion
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700655

CASE NAME: Jacquelyne S. Knight

HEARING:

Petition for order to confirm trust Assets

COUNSEL:

NICOLE KNIGHT-GLASS (PET)...HORSPPOOL & HORSPPOOL

JACQUELYNE S KNIGHT (DEC)...

Currently under review by Legal Research.
(LR)

Notice given.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700670

CASE NAME: MTR OF ESTABLISHING CHRISTOPHER LOPEZ SNT

HEARING:

Petition for ORDER ESTABLISHING SPECIAL NEEDS TRUST; & FOR ATTYS
FEES

COUNSEL:

CHRISTOPHER LOPEZ (PET)...MARTHA JO PATTERSON

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

CONSERVATORSHIPS

DATE: 10/23/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500006

CASE NAME: FRANCES BOYD

HEARING:

Hearing Re: Final Account

COUNSEL:

JEANETTE L GORDON

(CPE)...LAWRENCE E CLARK

FRANCES BOYD

(CEP/CEE)...

NANCY VAN LEUVEN

(CPE)...HARTNELL LAW GROUP

XREF :PROPS1501035 (*Frances Boyd*) **PROPS1501091** (*Frances Boyd*)

VACATE – first and final account filed and set for 11/14/17.

(nb)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Account by Temporary Conservator, Nancy Van Leuven ["Petitioner"].

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

1. Matter set at 06/26/17 hearing, wherein, interim report and account for temporary conservator was granted.
2. No final accounting. Need same.

RECOMMENDATION:

Inquire status.

(nb)

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

DATE: 10/23/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 15 16 17 18 19

HEARING:

Hearing Re: Kenia Orendayn's Account and Report/Petition

COUNSEL:

MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
ASCENCION ISALDO DIAZ	(TP)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER)

Waiver of Court Fees and Costs filed by MARIA ORENDAIN ISAIDO is GRANTED

Waiver of Court Fees and Costs filed by CARLOS ORENDAIN is GRANTED

GENERAL INFORMATION:

Continued from 08/07/17. Court orders proper accounting to be filed.

THIS CASE IS SET FOR HEARING ON Accounting and Report of Proposed Conservator, Kenia Orendain ["Petitioner"-sister].

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

1. No inventory and appraisal. However, order or letters have not issued as to this petitioner.
2. Accounting period 12/28/12 to 12/24/15 (3 years).
3. Assets on Hand \$0.00.
4. No request for compensation or fees.
5. Petitioner requests reimbursement of costs advanced of \$43,508. Need itemization.
6. Summary of Account [LF, p6] – Total Charges and Total Credits do not match. Need amended summary and affected schedules.
7. Attachment A – Receipts [LF, p19-20] reflects temporary and permanent disability payments. However, a total is not given.
8. Schedule C – Disbursements [LF, p18] does not include dates or check no's.
9. Need Notice of Hearing and proof of service.
10. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

This accounting does not appear to be a true and complete accounting 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.

(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: 10/23/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 14 16 17 18 19

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE ON SURCHARGE

COUNSEL:

MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
ASCENCION ISALDO DIAZ	(TP)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER)

Waiver of Court Fees and Costs filed by MARIA ORENDAIN ISAIDO is GRANTED

Waiver of Court Fees and Costs filed by CARLOS ORENDAIN is GRANTED

No Notes – TSC.

(nb)

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

DATE: 10/23/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 14 15 17 18 19

HEARING:

Motion Re: TO BE RELIEVED AS COUNSEL Filed by Petitioner KENIA
ORENDAYN ISALDO

COUNSEL:

MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
ASCENCION ISALDO DIAZ	(TP)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER)

GENERAL INFORMATION

Hearing originally set for 07/06/17.

Continued from 08/07/17 for proper notice.

THIS CASE SET FOR HEARING ON Motion to be Relieved as Counsel by Richard Moss III.

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

1. Petitioner, Richard Moss III, seeks to be removed as Counsel for Kenia Orendain Isaldo due to attorney client relationship breakdown.
2. Proof of service filed; however, need proof of service of declaration and proposed Order in compliance with Rules of Court, rule 3.1362(d).
 - a. (d) Service *The notice of motion and motion, **the declaration, and the proposed order** must be served on the client and on all other parties who have appeared in the case. The notice may be by personal service, electronic service, or mail.*
3. No Proposed order.

RECOMMENDATION

Need to clear note 2.

(lc/nb)

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

DATE: 10/23/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 14 15 16 18 19

HEARING:

Petition for Appointment of Conservator 022717

COUNSEL:

MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
ASCENCION ISALDO DIAZ	(TP)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER)

Waiver of Court Fees and Costs filed by MARIA ORENDAIN ISAIDO is GRANTED

Waiver of Court Fees and Costs filed by CARLOS ORENDAIN is GRANTED

GENERAL INFORMATION:

Continued from **6/23/15**. Court Investigator notified that there are competing petitions and requests report to address both petitions.

Continued from **8/6/15** at request of counsel. Notice to be given by Krishna Malhotra.

Continued from **9/29/15**.

On 10/2/15 **Christina Taube-Erikson appointed temporary conservator of estate** and successor GAL in Worker's Compensation Appeals Board action.

Continued from **1/25/16** Court notes that there are several competing petitions. All temporary orders to remain in full force and effect.

Continued from **6/7/16** at request of counsel.

Continued from 06/22/16. Court appoints Christina Erickson-Taube as temporary conservator of person; counsel to submit for signature revised/amended order and letters showing temporary conservator of person and estate.

Continued from **10/25/16** pending outcome of motion to be relieved.

Continued from **12/06/16 and 12/12/16**. Matter is continued for Kenia Orendayn Isaldo to file an accounting. Accounting to be filed by 01-27-17. Notice to be given by Attorney Mitchell Roth.

Continued from **02/27/17**. Court orders that Kenia Orendayn Isaldo file her accounting prior to the next hearing. If the accounting has not been filed court will strike her petition and surcharge her for the full amount of the monies received for caregiver services. All temporary orders to remain in full force and effect until 04/24/17.

Continued from **04/24/17**. Court finds: All future payments from medical compensation are to be given to Christina Erickson-Taube. Mitchell Roth prepared order regarding funds. Kenia Orendayn Isaldo and counsel Richard Moss are ordered to appear at the next hearing. Accounting is to be filed no later than 5-19-17. No account filed.
Continued from 06/19/17 and 08/07/17.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship 022717.

- Petition 1 – for Conservatorship, person only, by **Maria Orendain Isaldo** (sister)
- Petition 2 – for Conservatorship, person and estate, by **Kenia Orendain** (sister)
- Petition 3 – for Conservatorship, person and estate, by **Christina Erickson-Taube** (PPF)

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

Petitioner 1 – Maria Orendain Isaldo, sister

1. Matter transferred from Los Angeles County. Per LA minute order dated 12/04/14, it does not appear temporary or general orders were made.
2. Medical Capacity Declaration filed 10/6/15 supporting request.
3. Certificate of Completion re Conservatorship Class filed 07/08/16.
4. **Objections filed by competing petitioner on 06/19/15.**
5. **Objections filed by Kenia Orendayn Isolda on 06/16/16.**
6. **Supplemental Report by Court-Appointed Counsel, Mitchell Roth, filed 05/09/17.**

Petitioner 2 - Kenia Orendain, sister

7. Petitioner is seeking bond to be determined. Suggest bond of \$41,800. **Supp. (06/22/16) requests no bond be required pursuant to Pr. C. §§ 2323(a), 2628(a). JTD.**
8. Petitioner is not seeking medical powers. Capacity Declaration filed 10/6/15
9. Certificate of Completion of the Conservatorship Training Class filed 08/21/15.
10. Citation returned served on 06/30/15
11. Petitioner has filed a second petition on 06/16/16. Court to inquire.
12. **Declaration by Kenia Orendain filed 06/06/17.**
13. ~Proposed Form Order/Letters 08/05/16.

Petitioner 3 – Christina Erickson-Taube

14. Petitioner requests bond, but does not state an amount. Current bond of \$100,000 posted as to the Temporary Conservatorship. Estimated estate value is \$38,222. Based on estate value and cost of recover, Court may wish to require bond of \$43,000.
15. Medical powers sought. Capacity Declaration filed 10/6/15. **Updated Capacity Declaration filed 09/29/16. Capacity Declaration filed 11/14/16.**
16. Need return of Citation.
17. Court Investigator report filed on 7/22/15 as to petitioners Maria and Kenia. **CI report as to petitioner Christina Erickson-Taube filed 07/28/16.**

18. Consents to act filed 10/23/14 by mother, Ascencion Isaldo Diaz, and brother-in-law, Samuel Brambila; however, no petitions filed by them.
19. Report of LA court-appointed counsel filed 12/04/14. Report by Attorney Roth filed 8/6/15, 9/24/15 and 1/12/16. **Court to review supp. report by Attorney Roth filed 08/03/16.**
20. **Objections filed by Kenia Orendayn Isolda on 06/16/16**

RECOMMENDATION:

Set for contested hearing. If approved, set hearing for Compliance Review for **03/12/18** 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 and Inventory & Appraisal with notice.

Set hearing re Accounting Review for **10/15/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(vet/lc/vet/abs/ds/nb/sa/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: 10/23/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 14 15 16 17 19

HEARING:

Petition for APPOINTMENT OF CONSERVATOR PERSON/ESTATE

COUNSEL:

MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
ASCENCION ISALDO DIAZ	(TP)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER)

Waiver of Court Fees and Costs filed by MARIA ORENDAIN ISAIDO is GRANTED

Waiver of Court Fees and Costs filed by CARLOS ORENDAIN is GRANTED

See prior matter #17.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/23/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500086

CASE NAME: CARLOS ORENDAIN

SEE ALSO 14 15 16 17 18

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MARIA ORENDAIN ISAIDO	(PCR)...PRO/PER
CARLOS ORENDAIN	(PCE)...MITCHELL I ROTH
CHRISTINA ERICKSON-TAUBE	(CE)...SHERRI L KASTILAHN
KENIA ORENDAYN ISALDO	(PET)...RICHARD M MOSS
ASCENCION ISALDO DIAZ	(TP)...PRO/PER
SAMUEL BRAMBILA	(PRO/PER)

Waiver of Court Fees and Costs filed by MARIA ORENDAIN ISAIDO is GRANTED

Waiver of Court Fees and Costs filed by CARLOS ORENDAIN is GRANTED

See prior matter #17.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/23/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600164

VACATED

CASE NAME: RUDOLPHO GARCIA

HEARING:

Accounting Review

COUNSEL:

BEATRICE ESCARCEGA

(CP)...PRO/PER

RUDOLPHO GARCIA

(CEE)...J. DAVID HORSPOOL

Future hearing dates:

11/01/17 First account and report of Beatrice Escarcega etc.

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700274

CASE NAME: MARY DONLEY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

IRENE DONLEY-KIMBLE (PET)...HORSPPOOL & HORSPPOOL
MARY DONLEY (CEE)...E JOAN NELMS
MARILYN R MASON

GENERAL INFORMATION

Ex parte orders granted on 07/24/17. Irene Donley-Kimble appointed Temporary Conservator of the person and estate, \$50,000 bond. Referred to Court Investigator for investigation and report.

Continued from 08/28/17. Attorney E Joan Nelms appointed for Mary Donley. Notes regarding Citation and Notice of Hearing are cleared.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Irene Donley-Kimble (daughter)

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

1. Temporary bond and Letters have not issued. Need same.
2. If general petition is approved, need \$50,000 bond for general conservatorship. Bond to be reviewed upon receipt of proposed conservatee's distribution from deceased husband's estate in WA.
3. Petition indicates proposed conservatee previously resided in her home in Seattle, Washington, which will be sold as part of her deceased husband's estate pending in Washington. Proposed conservatee is to be placed in a memory care facility. Need verified supplement clarifying when proposed conservatee was moved to California.
4. Petitioner alleges to be the agent under Power of Attorney for proposed conservatee. Need copy of Power of Attorney via verified supplement.
5. Petitioner seeks medical powers. Need Capacity Declaration.
6. Petitioner seeks dementia powers. **Report of Counsel E Joan Nelms, filed.**
7. **Certificate of Completion of the Conservatorship Training Class filed.**
8. **CI Report filed 08/08/17.**

9. **Objection to petition for conservatorship by Marilyn Mason (daughter) filed 08/18/17. Need proof of service.**
10. ~Proposed Form Order: 07/17/17

RECOMMENDATION

Matter is contested.

Need to clear notes 2-5. If approved, set hearing for Compliance Review for **06/04/18** for the filing of the required documents and hearing re Accounting Review for **12/31/18**. Any accounting to be filed 30 days in advance.

(lh/nb)

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

DATE: 10/23/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700344

CASE NAME: MTR OF ESTEBAN HERRERA

HEARING:
Petition for Appointment of Conservator

COUNSEL:

NOEMI HERRERA	(CP)...SHENIECE J SMITH
GABRIEL HERRERA	(CP)...SHENIECE J SMITH
ESTEBAN HERRERA	(CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Noemi and Gabriel Herrera (parents)

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

1. Petitioners seek orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, and make decisions re education. JTD
2. Petitioners seek orders limiting civil and legal rights. JTD
3. Petitioners seek medical powers. Need Capacity Declaration.
4. Proposed conservatee is developmentally disabled. Need appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. Need IRC report.
6. Need Court Investigator report.
7. Need return of Citation.
8. Need Notice of Hearing and Proof of Service.
9. **Certificates of Completion of the Conservatorship Training Class filed.**
10. ~Proposed Form Order: 08/15/17

RECOMMENDATION

Need to clear notes 3-8. If approved, set hearing for Compliance Review for **06/04/18** 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)

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

DATE: 10/23/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700346

CASE NAME: MTR OF KENNEDY STARTUP

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MISTY STARTUP (CP)...MCCLELLAN
MARK STARTUP (CP)...MCCLELLAN
KENNEDY STARTUP (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Misty and Mark Startup (parents)

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

1. As proposed conservatee is developmentally disabled and 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
2. As proposed conservatee is developmentally disabled and 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
3. Petitioners seek medical powers. **Capacity Declaration filed 10/06/17, sections 3a and 8 are blank and does not include dementia attachments. Need complete capacity declaration.**
4. Need Court Investigator report.
5. **Certificates of Completion of the Conservatorship Training Class filed.**
6. Need return of Citation.
7. Notice of Hearing and Proof of Service. Question if siblings, Timaree, Berlyn and Ryder, are age 12 or older? If so, need to serve notice of hearing.
8. ~Proposed Form Order: 09/19/17

RECOMMENDATION

Need to clear notes 3-6. If approved, set hearing for Compliance Review for **06/04/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5
(lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 9:35 DEPT: S36P

CASE#: SC SS02684

CASE NAME: MTR RE SHERYL URSSING

HEARING:

Petition to dispense w/requirement of final etc Account and Report of INLAND COUNTIES REG CENT/MARY LYNN CLARK and Petition for allowance of fees

COUNSEL:

INLAND COUNTIES REG CENTER (CE)...STEVEN K BECKETT
SHERYL URSSING (CTE)...

GENERAL INFORMATION:

Pursuant to court order dated 02/15/06, future trust accountings were dispensed with as long as the trust estate continued to meet the requirements of CRC 7.903(d).

THIS CASE IS SET FOR HEARING ON Petition to Dispense with Requirement of Final Conservatorship Estate and Trust Accounting and Petition for Fees by Conservator of the Estate and Trustee, IRC ["Petitioner"].

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

1. Accounting period 03/01/07 to 05/31/17.
2. Assets on Hand \$15,548.18 consisting of \$4,227.72 in cash and remainder in the form of a burial policy.
3. Petitioner requests ratification of compensation already taken in the amount of \$1,687.50. Petitioner waives shortage. JTD.
4. Petitioner requests authority to allow Master Trust of California to take the trustee fees that were accrued but unpaid in the amount of \$5,375.00, plus a trust termination fee in the amount of \$200.00, for a total of \$5,575.00 from Conservatee's funds held by Master Trust pursuant to the fee schedule in effect during this account period. JTD.
5. Attorney requests fees of \$1,720.00. Billed at \$250/hour for 4.20 hours' attorney time and \$100/hour 6.70 hours' for paralegal time. Itemized [see decl. filed 08/17/17]. JTD.
6. Petitioner requests authorization to withhold the sum of \$300.00 as a reserve.
7. Petitioner requests the trust be terminated and Petitioner to be discharged upon delivery of the property and filing of proper receipts. However, discharge does not occur until entry of final discharge order.

8. Petitioner indicates that due to the size of the trust estate, the need for the trust has ended and the trust should be terminated. Petitioner requests the court make an order dispensing with the requirement of a final accounting by Trustee for the Trust estate funds.
9. Proposed Order 08/17/17 discharges upon delivery of the property and filing of proper receipts instead of upon entry of final discharge order.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **10/29/18**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 24 add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/23/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1600478

CASE NAME: MONICA G WHITE LIVING TRUST

HEARING:

Court Trial set for PETITION TO ESTABLISH TRUST of PATRICK WHITE

COUNSEL:

PATRICK WHITE

(PET)...DANIEL E KATZ

BRIAN WHITE

(PET)...DANIEL E KATZ

JEFFREY WHITE

(PET)...DANIEL E KATZ

KELLI ZIENOWICZ

(PET)...DANIEL E KATZ

THE MONICA G WHITE LIVING TRUST

(TRU)...PRO/PER

EVAN S WHITE

(OBJ)...ORLAND LAW GROUP

SEAN WYMAN

(ORLAND LAW GROUP)

No notes – Court Trial.

(nb)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO DS1000839

CASE NAME: JOSE M MARTIN

HEARING:

FIRST AND FINAL Account and Report of JESUS J MARTIN, M ELICENA BLANCO and Petition for allowance of fees filed.

COUNSEL:

JESUS J MARTIN	(PET)...MARIA G NICIFOROS
M ELICENA BLANCO	(PET)...MARIA G NICIFOROS
JOSE M MARTIN	(DEC)...

GENERAL INFORMATION:

Continued from 08/07/17. The Court approves request for costs by Jesus Martin in the reduced amount of \$421.49 and request for costs by Elicena Blanco in the reduced amount of \$2,665.67. The Court approves attorney fees as requested. The Court will reserve on the issue of apportionment of fees to prior counsel. Matter continued for itemization of request for extraordinary fee and for copy of bank statement to be filed.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Personal Representatives, Jesus J. Martin and M. Elicena Blanco, ["Petitioners"-son/daughter].

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

1. Accounting period 10/01/10 to 04/30/17.
2. Assets on Hand \$699,308.85 consisting of cash held in attorney's IOLTA trust account and separate bank account.
3. Co-Administrators request one-half total statutory compensation, each, in the total sum of \$20,622.23. Calculated.
4. Attorney requests statutory compensation in the sum of \$20,622.23. However, it appears there was prior counsel, Attorney Patrick J. Rogers. **Court reserved on apportionment of compensation to prior counsel.**
 - a. **Supp. (10/10/17) included declaration [LF, p. 8] by prior counsel who does not seek apportionment of attorney fees.**
5. Attorney requests reimbursement of costs advanced of \$1,043.00. Itemized [LF, p. 88].

6. Attorney requests extraordinary fees of \$3,850 for services rendered in connection with the Chapter 7 Bankruptcy of M. Elicena Blanco and sale of 5 real properties. Billed at \$385/hour for an excess of 59.1 hours' time. Generally described [LF, p. 81-85]. **Itemized. See supp. (10/10/17) LF, pgs. 10-26.**
7. Petitioner Jesus requests reimbursement of costs advanced of **\$421.49**. Itemized [LF, p. 72-73]. **Previously approved.**
8. Petitioner M. Elicena requests reimbursement of costs advanced of **\$2,665.67**. Itemized [LF, p.74-79]. **Previously approved.**
9. Petitioners request authority to withhold the sum of \$450 for closing costs.
10. ~Proposed Order 10/10/17.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **10/29/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1100367

CASE NAME: MTR OF WALTER RICHARD QUIGLEY

VACATED

HEARING:

Accounting Review

COUNSEL:

KIM WILLIAMS	(PET)...DIANA J CARLONI
WALTER RICHARD QUIGLEY	(DEC)...
HAROLD ADAMS	(PET)...DIANA J CARLONI
LAYNE A. BARTHOLOMEW	(PET)...LAYNE A BARTHOLOMEW
PATRICIA QUIGLEY	(OBJ)...DON C GONZALES
JOHN G WURM	(JOHN G WURM)
DIANA J CARLONI	(DIANA J CARLONI)

VACATE – third and final account filed and set for 02/06/18.
(nb/ww/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300497

CASE NAME: MARIA P CORONA

HEARING:
Hearing re Final Discharge

COUNSEL:
VERONICA BRAMBILA DE LOPEZ (PET)...LAYNE A BARTHOLOMEW
MARIA P CORONA (DEC)...

GENERAL INFORMATION:

Continued from 08/07/17 at request of counsel. Order to transfer monies to the County Treasurer may be filed.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order on Waiver of Account entered 08/01/17.
2. 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: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400169

CASE NAME: MARTIN R PAPPALARDO

HEARING:

Hearing re Final Discharge

COUNSEL:

MICHAEL G PAPPALARDO	(PET)...MARIO D VEGA
ANTONIO M PAPPALARDO	(PET)...MARIO D VEGA
MARTIN R PAPPALARDO	(DEC)...

GENERAL INFORMATION:

Continued from 05/15/17 and 08/07/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order for Final Account entered 05/25/16..
2. No receipts. Need same.
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: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400379

CASE NAME: THOI VAN PHAM **MF**

HEARING:

Motion Re: NTC OF MOTION & MOTION FOR THE APPOINTMENT OF A
RECEIVER Filed by Petitioner CITY OF REDLANDS

COUNSEL:

RUTH L HENRICKS	(PET)...HARTNELL LAW GROUP
THOI VAN PHAM	(DEC)...
CITY OF REDLANDS	(PET)...SILVER & WRIGHT LLP
NANCY ROCCHINO	(DEF)...
JOHN PHAM	
MIKE PHAM	
THOI VAN PHAM	

Currently under review by legal research
(LR)

Future Hearing:

02/27/18: Accounting Review

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500578

CASE NAME: RONALD LLOYD CARROLL

HEARING:

FIRST AND FINAL Account and Report of WILLIAM M CARROLL JR. and
Petition for allowance of fees filed.

COUNSEL:

WILLIAM M CARROLL JR. (PET)...MARIA G NICIFOROS
RONALD LLOYD CARROLL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Personal Representative, William M. Carroll, Jr. ["Petitioner"-brother].

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

1. Accounting period 01/14/15 to 06/18/17.
2. Assets in Hand \$418,804.59 in cash.
3. Statutory Compensation in the amount of \$12,848.01 requested. Calculated.
4. Petitioner requests reimbursement of costs advanced of \$506.47. Itemized.
5. Attorney requests reimbursement of costs advanced of \$970.00. Itemized.
6. Attorney requests extraordinary fees of \$770 for services rendered in connection with the sale of real property. Billed at \$385/hour for a total of 2 hours' time. Generally described [LF, pgs. 54-55]. Need itemization per CRC 7.702 indicating the specific amount requested for each category of service.
7. Summary of Account [LF, p14] – Total Charges and Total Credits do not match. Need corrected Summary and affected schedules.
8. Need proof of service to Notice of Proposed Action.
9. Need bank/financial statement to support date of death balances per Local Rule 20-908 for Community Bank Checking account XXX-4478 and Money Market Account XXX2087.
10. ~Proposed Order 07/14/17.

RECOMMENDATION:

Need to clear notes 6-9 then Court's discretion. If approved, set next hearing for receipts and final discharge for **10/29/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600327

CASE NAME: JILL MARIE FINTEL

HEARING:

FINAL DISTRIBUTION Account and Report of LISA FINTEL and
Petition for allowance of fees filed.

COUNSEL:

LISA FINTEL (PET)...THOMAS V PRATT
JILL MARIE FINTEL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
account and for fees.

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

1. Sole heir waives accounting.
2. Assets on Hand \$76,296.26 in cash.
3. Petitioner waives statutory compensation.
4. Attorney requests statutory fees of \$8,690.00. Calculated.
5. ~Proposed Order 07/26/17.

RECOMMENDATION

Court's discretion. If approved, set next hearing for final discharge on **10/29/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600328

CASE NAME: SALLY CANALES-LOPEZ

HEARING:

FIRST AND FINAL Account and Report of HENRY AGUILAR and Petition
for allowance of fees filed.

COUNSEL:

HENRY AGUILAR (PET)...DIANE E ROBBINS
SALLY CANALES-LOPEZ (DEC)...

GENERAL INFORMATION:

Continued from 08/07/17. The Court approves request for statutory attorney fees and costs.

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

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

1. Accounting period 12/23/05 to 03/31/17 [11.3 years].
2. Assets on hand \$\$300,000 consisting of real property.
3. Petitioner waives statutory compensation.
4. Attorney requests statutory compensation of \$9,000 to be paid outside of probate via a lien on the real property located in Fontana, CA. JTD.
5. Attorney requests reimbursement of costs advanced of \$1,742.40 to be paid outside of probate via a lien on the real property located in Fontana, CA. Itemized [LF, p. 10]. JTD.
6. Pursuant to the Agreement by Heirs as to Distribution of Residence [LF, p. 21-23], the entire remaining estate of the decedent shall be distributed to Petitioner, Henry Aguilar. Does Court wish to require assignments? JTD.
7. Petition does not include receipts or disbursements. Question whether rental income was received or whether maintenance/ overhead costs re: real property were paid. **Supp. (08/04/17) indicates Petitioner has maintained and paid all expenses associated with the real property and does not request reimbursement as the property will be awarded to him.**
8. ~Proposed Order 05/17/17.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for final discharge for **10/29/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601019

CASE NAME: THE BOOGARD FAMILY TRUST

SEE ALSO 10

HEARING:

Hearing Re: STATUS OF TRUST

COUNSEL:

TERRANCE GREGG MANNING
THE BOOGARD FAMILY TRUST
NATALIE BLICKENSTAFF

(PET)...CHARLES W RAYMON
(TRU)...
(TEE)...JENNIFER M DANIEL

No notes – Status.
(nb)

Future Hearing:
10/01/18: Accounting Review

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601019

CASE NAME: THE BOOGARD FAMILY TRUST

SEE ALSO 9

HEARING:

Accounting Review

COUNSEL:

TERRANCE GREGG MANNING
THE BOOGARD FAMILY TRUST
NATALIE BLICKENSTAFF

(PET)...CHARLES W RAYMON
(TRU)...
(TEE)...JENNIFER M DANIEL

GENERAL INFORMATION:

Nancy, Robert and Rochelle/Rachelle Corley suspended as trustees on 04/17/17.
Continued from 07/31/17. Attorney Jennifer Daniel represents she is currently working to record affidavit for the property in Oregon. Court finds: the Court notes Nancy Corley, Robert and Rochelle Corley have been previously suspended as trustees. Terrance Gregg Manning is appointed as trustee. Bond required \$150,000.00. Bond is to be posted within 30 days of today's The Court approves counsel's oral request to reserve \$20,000.00 for costs and fees. Attorney, Jennifer M. Daniel, to prepare order. Nancy Corley is ordered to appear at the next hearing.

THIS CASE IS SET FOR HEARING ON Accounting Review (re Corley)

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

1. Nancy, Robert and Rochelle/Rachelle Corley ordered to prepare an accounting on 04/17/17.
2. No accounting. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Future Hearing:

10/01/18: Accounting Review (re Successor Trustee)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700239

CASE NAME: MTR OF HOLLIS EARL RICKLES

HEARING:

Petition for ORDER AUTHORIZING PARTICULAR TRANSACTIONS

COUNSEL:

REBECCA A RICKLES (PET)...DAVID M GROSSMAN
HOLLIS EARL RICKLES (INC)...

Currently under review by Legal Research.
(LR)

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700457

CASE NAME: MTR OF VIOLA ARAMBULA

HEARING:

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

COUNSEL:

IRENE LOPEZ (PET)...MITCHELL I ROTH
VIOLA ARAMBULA (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full
authority under IAEA, by Irene Lopez, daughter/executor

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

1. Will waives bond and petitioner is sole beneficiary and waives bond. 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. Duties and liabilities is missing telephone number of petitioner. **Need** same.
3. Section 8 [LF, p. 5] does not include the 3 issues of predeceased child, Linda Bernal. **Need** verified supplement.
4. Notice of Petition to Administer Estate filed 05/15/17; however, it does not include notice to the 3 issues of predeceased child, Linda Bernal. **Need** proper service.
5. ~Proposed Form Order/Letters 05/12/17.

RECOMMENDATION:

Need to clear notes 2-4. Court's discretion re bond If approved, set future hearing for Accounting Review on **12/31/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/ww)

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700470
CASE NAME: CLARENCE ARTHUR BUDD

HEARING: Petition to determine succession to Real Property

COUNSEL:

GLORIA DAVIS (PET)...PRO/PER
CLARENCE ARTHUR BUDD (DEC)...

GENERAL INFORMATION:

Continued from 08/07/17.

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

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

1. Petitioner seeks 100% interest, 1/6 each; in decedent's 100% interest; in real property per intestate succession.
2. Decedent was survived by 6 issues. The petition needs to include all those joining in the petition that have succeeded to the real property by intestate succession. Pr. C. §13150. **Need** amended petition.
3. Inventory & Appraisal attached to petition has the following issues:
 - a. Court address is incorrect
 - b. Section 5 re Property Tax Certificate is incomplete.
Need corrected inventory
4. Attachment 11 does not identify the character of the property; however, it appears that it is sole property as decedent owned 100%.JTD
5. Petition affixes a Pr.C. § 13100 Affidavit [LF, pg.9]. However, this procedure is used during formal probate proceedings and cannot be used in conjunction with these proceedings.
6. **Petition for Letters of Administration by Glenn Budd, son, filed 09/22/17.**
7. ~Proposed Form Order 05/16/17.

RECOMMENDATION:

Need to clear notes 2 & 3 then Court's discretion. Court to trail matter to Petition for Probate hearing set on **01/22/18**.

(nb/ww)

Future hearing dates: 1/22/18 Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA **by Glenn Budd, son**

Superior Court of Calif, County of San Bernardino

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700480

CASE NAME: MARIA DE LOS ANGELES VELOZ

SEE ALSO 15

HEARING:

OSC re: Dismissal

COUNSEL:

TERESA DE JESUS CRUZ VELOZ (PET)...PRO/PER
MARIA DE LOS ANGELES VELOZ (DEC)...

GENERAL INFORMATION:

OSC hearing set on **08/07/17** when petitioner Teresa failed to appear.

THIS CASE IS SET FOR HEARING ON **OSC re: dismissal of** Petition for Letters of Administration with full authority under IAEA by Teresa de Jesus Crus Veloz, daughter

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

1. Petition alleges all heirs waive bond; however, **need** Mandatory Waivers of Bond by Heir or Beneficiary, form DE-142/DE-111 by Jorge, Ana, Jose and Rosalio. Alternatively, suggest bond of \$86,000. Net value of the estate consists of \$86,351.13 in real property.
2. Publication filed on 07/26/17 is published in newspaper that is not adjudicated; includes a portion of another case; and reflects incorrect courtroom. **Need** corrected publication that is published in adjudicated newspaper.
3. Notice filed 05/24/17 is the wrong type of notice. **Need** Notice of Petition to Administer Estate with proof of service.
4. Section 5a is marked as "no child" but Section 8 lists 5 issues. Court may wish to deem as an inadvertence. JTD
5. ~Proposed Form Order/Letters 05/17/17.

RECOMMENDATION:

Need to clear notes 1-3 then Court's discretion re: note 4 & bond. If approved, set future hearing for Accounting Review on **12/31/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(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: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700480

CASE NAME: MARIA DE LOS ANGELES VELOZ

SEE ALSO 14

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

TERESA DE JESUS CRUZ VELOZ

(PET)...PRO/PER

MARIA DE LOS ANGELES VELOZ

(DEC)...

See notes on matter 14.

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700758

CASE NAME: MARIO RANOLA GARCIA

HEARING:

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

COUNSEL:

KEVIN DAVID GARCIA (PET)...PRO/PER
MARIO RANOLA GARCIA (DEC)...

GENERAL INFORMATION

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

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

1. The estate consists of \$100,000 in personal property. All heirs waive bond and petitioner requests that no bond be required.
 - a. Petitioner is a non-resident and requests that \$100,000 be placed in a blocked account in Seattle Washington.
 - b. 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. The petition for probate is on an outdated form. JTD
3. **Need** Notice to Petition to Administer Estate and proof of service.
4. **Need** proof of publication
5. ~Proposed Form Order: 07/28/17

RECOMMENDATION

Need to clear notes 3 & 4. Court's discretion re bond and note 2.If approved, set Accounting/Status Review **12/31/18**. 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

CONSERVATORSHIPS

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: CON PS1700097

CASE NAME: DANIEL DARWAZEH

HEARING:

Petition for Appointment of Conservator

COUNSEL:

DAVID DARWAZEH

(PET)...PRO/PER

CHRISTINE DARWAZEH

(PET)...PRO/PER

DANIEL DARWAZEH

(CEE)...SANDRA TURNER

GENERAL INFORMATION

Continued from 05/30/17. Return of citation waived by Attorney Daniel's presence today. The Court needs IRC report. Proof of completion of conservatorship class is shown in court. Attorney Sandra Turner is appointed. Notice by Judicial Assistant.

Continued from 08/07/17. Counsel's copy of IRC report reviewed in Court. Hearing continued at request of Court for notice of hearing and proof of service to be filed.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by David Darwazeh and Christine Darwazeh (parents).

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

1. Petitioner seeks medical powers. Capacity Declaration filed 03/21/17.
2. Petitioner seeks powers under Pr. C. §2351.5 to fix residence, access confidential records, consent to marriage, control right to contract, give or consent to medical treatment, control sexual and social contacts, and make decisions re education.
JTD
3. Petitioner seeks civil rights not be limited without court order. JTD
4. Petitioner seeks powers re habilitation, treatment, training, medical etc. JTD
5. Proposed conservatee is developmentally disabled. **Report filed by court-appointed counsel, Sandra L. Turner.**
6. Proposed conservatee is developmentally disabled. IRC Report reviewed in Court.
7. Court Investigator report filed.
8. Need Notice of Hearing and Proof of Service.
9. ~Proposed Form Order: 03/21/17

RECOMMENDATION

Need to clear note 5. If approved, set hearing for Compliance Review for **06/04/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.
(lh/nb/lh)

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

DATE: 10/23/17 TIME: 8:30 DEPT: S37P

CASE#: CON PS1700238

CASE NAME: GABRIEL MARIE CEZAR GONZALES

HEARING:
Petition for Appointment of Conservator

COUNSEL:

ALICIA CEZAR (CP)...PRO/PER
GABRIEL MARIE CEZAR GONZALES (CTP)...J. DAVID HORSPOOL

GENERAL INFORMATION:

Continued from 08/07/17. Counsel reports Karin Horspool has met with their client and finds that conservatorship is appropriate. Written report will be filed.

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

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

1. No bond – person only.
2. Medical Capacity Declaration is not dated at page one. Judge to determine if sufficient.
3. Proposed conservatee is developmentally disabled. Need report of court-appointed counsel, J. David Horspool..
4. Need Inland Regional Center Report. **Letter from IRC filed 08/03/17 requests 30-day continuance. JTD**
5. **Court Investigator's Report filed.**
6. Citation returned SERVED.
7. Certificate of Completion re Conservatorship Class filed.
8. ~Proposed Form Order only 06/26/17.

RECOMMENDATION:

Need to clear notes 3-4. If approved, set hearing for Compliance Review for **06/04/18** 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: 10/23/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300029

CASE NAME: MTR OF MATTHEW SHEA UPTON

HEARING:

Hearing Re: COURT INVESTIGATOR MEMO FILED 5/11/17

COUNSEL:

JACK L UPTON	(CP)...PRO/PER
JULIA L UPTON	(CP)...PRO/PER
MATTHEW SHEA UPTON	(CTP)...JAMES B CHURCH
INLAND COUNTIES REG CNTR	(TP)...STEVEN K BECKETT
FAIRVIEW DEVELOP CNTR	(PRO/PER)

GENERAL INFORMATION:

Continued from **07/24/17**. Discussion held regarding conservatee's behavior and medication. Court orders IRC file a report on the issue of conservatee's behavior and their position on medications recommended by treating psychiatrist. Counsel is to file notice to IRD and the facility providing them with contact information conservator. Conservator to meet with IRC and treating psychiatrist regarding recommended medications.

Continued from 09/18/17 at request of counsel to file report responding to IRC Report. Matter referred to PG for possible appointment.

THIS CASE IS SET FOR HEARING ON CI Memo filed 05/11/17

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

1. Matter set upon receipt and review of CI memo, wherein, the Court appointed James B. Church.
2. **Report by court-appointed counsel, James B. Church, filed.**
3. **IRC report filed.**

RECOMMENDATION:

Court's discretion.

(nb/lh/nb)

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

DATE: 10/23/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700347

CASE NAME: MTR OF NATHAN BITNER CLARK

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CORDELL D CLARK	(CP)...PEXTON LAW, APC
SRI S CLARK	(CP)...PEXTON LAW, APC
NATHAN BITNER CLARK	(CTP)...

GENERAL INFORMATION

Ex parte orders granted 09/28/17. Court finds limited conservatorship is in best interest of conservatee. Cordell Clark and Sri Clark appointed temporary conservators of the person.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Cordell Clark and Sri Clark, parents

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

1. Petitioners seek medical powers. Capacity Declaration filed 09/19/17.
2. Petitioners seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, consent/withhold consent to marriage, limit right to contract, control social/sexual contacts, and make decisions re education. JTD
3. Petitioners seek orders limiting civil and legal rights of conservatee. However, need attachment 1j as to specific orders limiting civil/legal rights.
4. Proposed conservatee is developmentally disabled. Need appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. Need IRC report.
6. Confidential Supplemental Information filed 09/19/17 is not dated at signature. Need same.
7. Need Certificate of Completion of the Conservatorship Training Class.
8. Need Notice of Hearing and Proof of Service.
9. Need return of Citation.
- 10. Court Investigator report filed.**
11. No proposed Order submitted.

RECOMMENDATION

Need to clear notes 3-9. If approved, set hearing for Compliance Review for **06/04/18** 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)