



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 11/20/17**

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

### **Destruction of Filed Documents:**

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

### **Contacting the Probate Examiners:**

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

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

10/24 & 11/14 ww (11/14/17 cs)

Superior Court of Calif, County of San Bernardino  
Page: A1 add-on  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT **PROBATE**

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DATE: 11/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400667

CASE NAME: ANGIE ONTIVEROS

**SEE ALSO A2**

HEARING:

WAIVER OF Account and Report of ERIC ONTIVEROS and Petition for allowance of fees filed.

COUNSEL:

ERIC ONTIVEROS (PET)...PRO/PER  
ANGIE ONTIVEROS (DEC)...

***XREF (per 10/30/17 minute order) CONPS1700102 (Hortencia M. De La Cruz)***

GENERAL INFORMATION:

Final discharge hearing continued from **02/08/17**. No appearance. Court orders petitioner Eric Ontiveros to be present at next hearing unless Ex-Parte petition for final discharge and order is filed.

Final discharge hearing continued from **04/26/17**. Petitioner reports real property has been newly discovered. Amended inventory and appraisal to be filed and all beneficiaries to be noticed. First filing fee is not to be imposed on this filing nor on a supplement that will be filed.

**Final discharge hearing continued from 10/25/17. Petitioner to check to make sure amended inventory and accounting have been filed.**

THIS CASE IS SET FOR HEARING ON Final Discharge/Petition for Final Distribution upon Waiver of Account and for Fees by Eric Ontiveros, son/sole heir

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

1. Accounting/distribution by petitioner was approved on 02/03/16.
2. Real property was discovered after order for distribution was signed. The property was believed to be joint tendency but was informed that decedent only possessed 33% of the property.
3. Supplemental Final Inventory and Appraisal filed 08/18/17.
4. Assets on Hand: 33% ownership in real property valued at \$44,550.00.
5. Petitioner waives statutory compensation.
6. No receipt required, personal representative, Eric Ontiveros, is sole heir.

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

7. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b).
8. ~Proposed Order on Waiver of Accounting: 08/18/17

RECOMMENDATION

Court's discretion. Final Discharge is already set concurrently with this matter. Court may wish to continue the Final Discharge hearing to allow for the Order to be recorded and Final Discharge to be submitted.

(ww)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 11/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400667

CASE NAME: ANGIE ONTIVEROS

**SEE ALSO A1**

HEARING:

Hearing re Final Discharge.

COUNSEL:

ERIC ONTIVEROS (PET)...PRO/PER  
ANGIE ONTIVEROS (DEC)...

***XREF (per 10/30/17 minute order) CONPS1700102 (Hortencia M. De La Cruz)***

See notes on matter A1.

(ww)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 11/20/17 TIME: 8:30 DEPT: S35P  
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CASE#: CON PS1700102

CASE NAME: HORTENCIA M. DE LA CRUZ

HEARING:  
Hearing Re: TO TRACK WITH PROPS1400667

COUNSEL:  
HORTENCIA M DE LA CRUZ (CEP)...PRO/PER  
RUDY DE LA CRUZ (CPE)...PRO/PER

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Hearing re: To track with PROPS1400667

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

1. Hearing set by Court on 10/31/17 after oral report given by Sandy Turner.
2. Court is informed of the related case PROPS1400667 and ordered that it be reassigned to S35 and ordered special setting to keep cases together.

#### RECOMMENDATION

Court's discretion.

(ww)

Future Hearings: 4/03/18: Conservatorship Compliance Review Hearing, 11/06/18: 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

**CONSERVATORSHIPS**

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DATE: 11/20/17      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1600341

CASE NAME: STEFANIE JOHNSON

**SEE ALSO 2**

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of RICHARD FALZONE

COUNSEL:

RICHARD FALZONE	(PET)...PRO/PER
LOIS JOHNSON FALZONE	(PET)...PRO/PER
STEFANIE JOHNSON	(CEE)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Richard and Lois Falzone, parents, appointed co-conservators of the person and estate on 04/24/17, No bond.
2. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 05/17/17.
3. Notification of Conservatee's rights per Pr.C.§1830(c) filed 05/09/17; however, proof of service is not dated at signature line. Does Court wish to require a corrected notice? **JTD**
4. **Need** Final Inventory & Appraisal per Pr.C.§2610.
5. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
6. **If** the conservatorship estate holds interest in real property, **need** proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear notes 4 & 5 then Court's discretion re note 3.

(ww)

Future Hearing: 6/25/18: Accounting Review

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

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 11/20/17 TIME: 9:35 DEPT: S35P  
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CASE#: CON PS1600341

CASE NAME: STEFANIE JOHNSON

**SEE ALSO 1**

HEARING:

Petition for ORDER TO ESTABLISH SPECIAL NEEDS TRUST; ETC  
(VERIFIED SUBSTITUTED JUDGMENT)

COUNSEL:

RICHARD FALZONE	(PET)...PRO/PER
LOIS JOHNSON FALZONE	(PET)...PRO/PER
STEFANIE JOHNSON	(CEE)...

Currently under review by Legal Research

LR

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

Future Hearing: 6/25/18: Accounting Review

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**PUBLIC GUARDIAN**

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DATE: 11/20/17      TIME: 10:00      DEPT: S35P  
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CASE#: CON PS1400284

**VACATED**

CASE NAME: Manuel L. Arguelles

**SEE ALSO 4**

HEARING:

Hearing re Final Discharge

COUNSEL:

PUBLIC GUARDIAN

(PET)...COUNTY COUNSEL

MANUEL L. ARGUELLES

(CEP/CTP)...

YOLANDA ARGUALLES

(CP/OBJ )...PRO/PER

Final discharge by the Public Guardian filed on 12/27/16.



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DATE: 11/20/17 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1400284

CASE NAME: Manuel L. Arguelles

**SEE ALSO 3**

HEARING:

Hearing Re: CONFIRMATION COPY OF I & A IS FILED

COUNSEL:

PUBLIC GUARDIAN	(PET)...COUNTY COUNSEL
MANUEL L. ARGUELLES	(CEP/CTP)...
YOLANDA ARGUALLES	(CP/OBJ )...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Confirmation Copy of I&A is Filed.

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

1. Hearing set by Court on 11/14/16 when First and Final Account of Temporary Conservator by the PG was approved.
2. **Need** Inventory and Appraisal submitted by the Public Guardian.

RECOMMENDATION

Inquire status of Inventory and Appraisal.

(ww)

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

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DATE: 11/20/17 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1500053

CASE NAME: FELYCE CHRISTINE MORRISON

HEARING:

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

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
FELYCE CHRISTINE MORRISON (CTE)...JAMES B CHURCH

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 03/16/15 to 05/31/16.
2. Assets on Hand \$72,638.67.
3. Public Guardian requests compensation in the amount of \$2,600.00, deferred until such time as the conservatorship estate has sufficient funds for such purpose.
4. County Counsel request fees in the amount of \$1,300.00; deferred until such time as the conservatorship estate has sufficient funds for such purpose.
5. Conservatee owes \$450.00 in Court Investigator's fees and requests that fee be deferred until estate has sufficient funds for such purpose.
6. Notice of Hearing filed 07/05/17; however, notice was not mailed to granddaughters, Tanya Gilbert and Sandra Mcleod. **Need** corrected notice.
7. Proposed Order 06/20/17 however, accounting period reflects 03/16/15-03/31/16 and petition indicates period through **05/31/16**.
- 8.

RECOMMENDATION:

Need to clear note 6 then Court's discretion. If approved, set for next Accounting Review in 60 days as second account current is overdue.

(ww)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 11/20/17 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1700007

CASE NAME: Gloria Garrido

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of PUBLIC GUARDIAN

COUNSEL:

PUBLIC GUARDIAN (PET)...COUNTY COUNSEL  
GLORIA GARRIDO (CEP)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Public guardian, appointed temporary conservator of the person and estate on 01/30/17, no bond. General appointed granted on 04/17/17, Letters issued 04/17/17.
2. **Need** Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5.
5. Inventory & Appraisal filed 0822/17.

#### RECOMMENDATION

Need to clear notes 1 - 3. Inquire Status  
(cs)

Future Hearing: 10/15/18: Accounting Review

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 11/20/17 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1700032

CASE NAME: GUSTAVO GARRIDO

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of THE OFFICE OF THE PUBLIC GUARDIAN

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
GUSTAVO GARRIDO (CEP)...SHERRI L KASTILAHN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review

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

1. Public Guardian, appointed conservator of the person and estate on 04/17/17, no bond.
2. Notice of Death filed 05/20/17.
3. Questions if any assets marshalled as to request an accounting. If not, request verification statement as to same.
4. If the conservatorship estate holds interest in real property, **need** proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear notes 3 - 4. Inquire Status  
(cs)

Future Hearing: 10/15/18: Accounting Review

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 11/20/17      TIME: 10:00      DEPT: S35P  
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CASE#: SC SS03016

## **VACATED**

CASE NAME: MTR OF WANDA A. HARDY

HEARING:

Accounting Review

### COUNSEL:

CHRIS HARDY

(CPE)...PRO/PER

PUBLIC GUARDIAN

(SC/CPE )...COUNTY COUNSEL

WANDA A HARDY

(CEP)...HARTNELL LAW GROUP

LEGACY POST-ACUTE REHAB (TP )...SANDERS, COLLINS & REHASTE LLP

AMERICAN CONTRACTORS INDEMNITY (PRO/PER)

C L FARRELL

(C.L. FARRELL)

Future Hearing: 4/16/18: 4<sup>th</sup> Account & Report by Public Guardian

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HONORABLE: STANFORD E. REICHERT

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DATE: 11/20/17 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1600268

CASE NAME: SIDNEY A SMITH

HEARING:

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

COUNSEL:  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
SIDNEY A SMITH (CEP)...HARTNELL LAW GROUP

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to establish Irrevocable Burial Trust by Public Guardian.

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

1. Petitioner alleges the current assets on hand are \$1,957.00, 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 \$5,000.00 in an Irrevocable Burial Trust.
3. ~Proposed Order: 11/07/17

#### RECOMMENDATION:

Court's discretion.

(ww)

Future Hearing: 12/15/17: Court Trial Set for Petition for Reestablishment of Conservatorship

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**PROBATE**

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DATE: 11/20/17      TIME: 8:30      DEPT: S36P  
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CASE#: PRO DS1000426

CASE NAME: DANIEL ROMERO

HEARING:

Petition for Approval to purchase a 2010 Toyota Sienna van

COUNSEL:

INLAND COUNTIES REG CNTR      (PET/TEE)...STEVEN K BECKETT

DANIEL ROMERO      (BEN)...

SPECIAL NEEDS TRUST OF DANIEL ROMERO (TRU)...

Currently under review by Legal Research

LR

Need notice to Ruben Romero (father), Alejandra (mother), Ruben Romero (brother), Yesenia Romero (sister), Director of Mental Health, Director of Health Services (DHS), and Director of Developmental Services (DDS).

(ww)

Future Hearing: 8/01/18: Accounting Review

Superior Court of Calif, County of San Bernardino

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

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DATE: 11/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS0700925

## **VACATED**

CASE NAME: JOHNNY MOLINA SPECIAL NEEDS TRUST

HEARING:

Hearing Re: BOND REVIEW

COUNSEL:

INLAND COUNTIES REG CNTR (PET)...LAYNE A BARTHOLOMEW  
JOHNNY MOLINA SPECIAL NEEDS TRUST (TRU)...  
MASTER TRUST OF CALIFORNIA (STE)...BRUNICK,MCELHANEY & BECKETT

**XREF: SCSS02992** (*Johnny Molina*)

Bond of \$625,000.00 filed 10/27/17.

(ww)

Future Hearing: 5/17/19: Accounting Review



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

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DATE: 11/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1400355  
CASE NAME: THE 2014 ADRIAN HALL SPECIAL NEEDS TRUST

HEARING: Third Account and Report of AMERIPRISE NATIONAL TRUST BANK and  
Petition for allowance of fees filed.

COUNSEL:

AMANDA MILLER	(PET)...BRIERTON, JONES & JONES
ADRIAN HALL	(PET)...BRIERTON, JONES & JONES
THE 2014 ADRIAN HALL SPECIAL NEEDS TRUST (TRU)...	
AMERIPRISE NATIONAL TRUST BANK	(PET/TEE)...BRIERTON, JONES & JO
DONNASUE SMITH-ORTIZ	(PET)...DONNASUE ORTIZ

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Third Account Current of SNT by Trustee,  
Ameriprise National Trust Bank and Petition for Allowance of Fees.

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

1. Accounting period 07/01/16 to 06/30/17.
2. Assets on hand \$2,914,332.28 of which \$74,897.98 is cash, real property with carry value of \$576,000; vehicle with carry value of \$36,000; and \$2,227,434.30 in money market fund and investments.
3. No bond- corporate fiduciary.
4. Petitioner is requesting fees of \$19,377.29 of which \$17,214.92 has been paid, leaving a balance of \$2,162.37. Figures based on a percentage of assets, .75% up to \$1M, .60% for next \$2M and .50% over \$2M. Declaration re fees filed 08/16/17. **JTD**.
5. Attorney is requesting fees of \$9,924.00 for 57.6 hours at \$325.00 for 12.2 hours attorney time and \$115-150 for 45.4 hours paralegal time. Declaration re fees filed 08/16/17. **JTD**.
6. Petitioner requests authority to reimburse Amanda Miller \$623.30 for the maintenance expense of new tires for Ford Fusion. **JTD**
7. Notice given.
8. No proposed order – submit Order after Hearing.

RECOMMENDATION

Court's discretion re fees. If approved, set Accounting/Status Review for **08/28/17**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(ww)

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 11/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600136

CASE NAME: GUADALUPE RAMIREZ PIMENTEL AKA LUPE PIMENTEL

HEARING:

FIRST AND FINAL Account and Report of RICHARD PIMENTEL SR. and  
Petition for allowance of fees filed.

COUNSEL:

RICHARD PIMENTEL SR.	(PET)...LAYNE A BARTHOLOMEW
GUADALUPE RAMIREZ PIMENTEL	(DEC)...
PATRICIA A NISHANIAN	(TP )...PRO/PER

GENERAL INFORMATION:

**Continued from 10/02/17. Daniel Pimentel states an objection to attorneys fees.**

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

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

1. Accounting period 06/19/15 to 04/13/17.
2. Assets on Hand \$75,006.01 in cash.
3. Petitioner and Attorney request statutory compensation of \$3,000 each. Calculated.
4. Petitioner requests reimbursement of costs advanced of \$2,009.40. Itemized.
5. Petitioner requests that the Court approve his Creditor's Claim, filed on 06/06/16, in the amount of \$9,366.35 and order that this claim be paid from the estate. **JTD**
6. Notice of non-payment of bond premium filed 11/13/17.
7. ~Proposed Order 06/14/17

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for  
**11/26/18.**

(nb/ww)

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

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DATE: 11/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700255

CASE NAME: MTR OF JOHNP LOPEZ REVOCABLE TRUST

HEARING:

Petition for ORDER DETERMINING TITLE TO REAL PROPERTY IN THE  
JOHN P LOPEZ TRUST

COUNSEL:

ALBERT JOSEPH LOPEZ (PET)...LAYNE A BARTHOLOMEW  
JOHN P LOPEZ REVOCABLE LIVING TRUST (TRU)...

Currently under review by Legal Research

LR

Continued matter- notice not re-reviewed.

(ww)

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 11/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700714

CASE NAME: MTR OF CHERIE E VACKAR

**SEE ALSO 7**

HEARING:

Petition for SPOUSAL PROPERTY

COUNSEL:

ANTHONY R VACKAR (PET)...PRO/PER  
CHERIE E VACKAR (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Spousal Property by Anthony Vackar, spouse

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

1. Petitioner seeks entire real property left by decedent. Petitioner is requesting to confirm his half of the community property and acquire decedent's half.
2. Section 5(a)(2) is not completed; however, it was indicated on the Petition to Determine Succession that there are no children or issue of a predeceased child.  
**JTD**
3. Section 9 is missing the name, relationship, age and address of the petitioner; however, it is clear that he is the surviving spouse. **JTD**
4. ~Proposed Form Order: 09/26/17

RECOMMENDATION:

Court's discretion

(ww)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 11/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700714

CASE NAME: MTR OF CHERIE E VACKAR

**SEE ALSO 6**

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ANTHONY R VACKAR (PET)...PRO/PER  
CHERIE E VACKAR (DEC)...

GENERAL INFORMATION:

**Continued from 09/25/17.**

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

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

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

RECOMMENDATION

Need to clear note 2. Court's discretion re notes 3 and 4. Court to take this matter off calendar if Spousal Property Petition is approved.

(ww)

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

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DATE: 11/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700715

CASE NAME: DAVID ROLLER

**SEE ALSO 9**

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS TESTAMENTARY filed  
by ELAINE ELIZABETH KENDRICK

COUNSEL:

LISA DAVIS UNGER (PET)...MARK W REGUS  
DAVID ROLLER (DEC)...  
ELAINE ELIZABETH KENDRICK (PET)...OLDMAN COOLEY SALLUS BIRNBE

GENERAL INFORMATION

**Continued from 09/25/17 as Mr. Oldman will be filing a new petition.**

THIS CASE SET FOR HEARING ON

- Petition 1- Petition for Probate, Letters Testamentary with Full Authority under IAEA by ***Lisa Davis Unger, step-daughter/ co-executor***
- Petition 2- Petition for Probate, Letters Testamentary with Full Authority under IAEA by ***Elaine Kendrick, daughter/executor***

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

**Petitioner 1- Lisa Davis Unger, step-daughter/ co-executor**

1. Will dated 12/28/07 waives bond. The estate consists of **\$1,760,000.00** of which \$1,260,000.00 is 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. Section 8 fails to provide the ages of all listed persons. **Need** verified supplement.
3. **Need** declination to act by named co-executor Elaine Kendrick.
4. **Need** Notice to Petition to Administer Estate and proof of service.
5. **Need** proof of publication
6. Supplemental petition filed also on 07/19/17 requests that Lisa be appointed as the sole executor.
  - a. Exhibit A is not attached.

b. No fee was taken or hearing set for the petition. Court may wish to require that fee be submitted and hearing set.

7. ~Proposed Form Order: 07/19/17

**Petitioner 2- Elaine Kendrick, daughter/executor**

8. Will dated 04/28/10 waives bond. The estate consists of **\$2,500.00** 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). Court may wish to clarify estimated amount of estate property as there is a substantial difference in value indicated on the current petitions filed.

9. ~Proposed Form Order: 09/28/17

**RECOMMENDATION**

Matter is contested. Need to clear notes 2-5. Court's discretion re bond and note 6. If approved, set Accounting/Status Review for **01/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 11/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700715

CASE NAME: DAVID ROLLER

**SEE ALSO 8**

HEARING:

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

COUNSEL:

LISA DAVIS UNGER (PET)...MARK W REGUS  
DAVID ROLLER (DEC)...  
ELAINE ELIZABETH KENDRICK (PET)...OLDMAN COOLEY SALLUS BIRNBE

See notes on matter 8.

(ww)



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

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DATE: 11/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700835

CASE NAME: THOMAS A GOODELL

HEARING:

Petition for LETTERS OF TESTAMENTARY W/ FULL IAEA

COUNSEL:

CHRISTINE MOORE (PET)...ERIKA PETERSON  
THOMAS A GOODELL (DEC)...

#### GENERAL INFORMATION

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

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

1. Will waives bond. The estate consists of \$1,240,000.00 of which \$640,000.00 is 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. Will is witnessed by 2 of the beneficiaries of the will.
3. Section 8 of the petition fails to list all persons mentioned in the will. Court may wish to clarify on record or in alternative, need verified supplement as to Michael David Moore.
4. **Need** Notice to Petition to Administer Estate and proof of service.
5. **Need** proof of publication
6. ~Proposed Form Order: 08/17/17

#### RECOMMENDATION

Need to clear notes 4 & 5. Court's discretion re bond and note 3. If approved, set Accounting/Status Review for **01/28/19**. 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: JAMES MICHAEL WELCH

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DATE: 11/20/17 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700836

CASE NAME: ROBERT L BROOKS

HEARING:

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

COUNSEL:

GERARD KENDRICK BROOKS (PET)...PRO/PER  
ROBERT L BROOKS (DEC)...

GENERAL INFORMATION

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

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

1. All heirs waive bond. Net value of the estate consists of \$40,857.00 in real property.
2. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(c).
3. Final Inventory and Appraisal filed 08/18/17; however, real property must be appraised by a probate referee.
4. **Need** proof of publication
5. ~Proposed Form Order: 08/18/17

RECOMMENDATION

Need to clear note 4. Court's discretion re bond. If approved, set Accounting/Status Review **01/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino

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

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DATE: 11/20/17 TIME: 8:35 DEPT: S36P  
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CASE#: PRO PS1700834

CASE NAME: THE GILBERT H BRIONES LIVING TRUST

HEARING:

Petition for DETERMINE VALIDITY OF PURPORTED TRUST; SUSPEND AND REMOVE TRUSTEE; FOR OTHER RELIEF

COUNSEL:

ROBERT BRIONES (PET)...LAW OFFICES OF GILBERT A DIAZ  
THE GILBERT H BRIONES LIVING TRUST (TRU)...  
VALERIE MARLENE BRIONES (RES)...  
ESTATE OF GILBERT GONZALES BRIONES

Currently under review by Legal Research

LR

Need notice to Rita Hernandez and Sammy Guerra.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District - Civil

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

MISC.

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DATE: 11/20/17      TIME: 9:30      DEPT: S36P  
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CASE#: CIV DS1511205

CASE NAME: CASTILLO -V- RODRIGUEZ

HEARING:

Hearing Re: Status

COUNSEL:

PORFIRIO ELIAS CASTILLO	(MIN)...DAVID H GREENBERG
WALTER MOORE	(PET)...DAVID H GREENBERG
ROSAURA HERERRA VASQUEZ	(PET)...DAVID H GREENBERG
WALTER MOORE	(PET)...DAVID H GREENBERG
DANIEL R RODRIGUEZ	(DEF)...GOMES HIRSHIK & HUMMEL
GONZALO RODRIGUEZ	(GOMES HIRSHIK & HUMMEL)

No notes-Status- JTD.

(ww)

Future Hearings: 12/12/17: Motion Re: To be Relieved as Counsel, OSC Re: Dismissal

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**CONSERVATORSHIPS**

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DATE: 11/20/17      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS0900024

CASE NAME: TOM COTHRAN

HEARING:

SECOND Account and Report of INLAND COUNTIES REGIONAL CENTER,  
INC and Petition for allowance of fees filed.

COUNSEL:

INLAND COUNTIES REG CNTR      (CE )...STEVEN K BECKETT  
TOM COTHRAN                              (CTE/CEE)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Second Account Current and Petition for Fees by  
Inland Counties Regional Center (IRC)

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

1. Account period: 05/01/10-07/31/17
2. Assets on hand: \$51,015.52 in cash
3. No bond currently filed. Petitioner requests that bond be waived due to no prior requirement and the small size of the trust. **JTD**
4. Petitioner requests approval of fees already taken in the amount of \$7,091.53. Billed per fee schedule (\$1,250/year for the first \$50,000 and 2% of the next \$250,000, and 1.65% of the next \$450,000, and 1.50% of the next \$250,000, and 1.25% of the balance over \$1,000,000) pursuant to the 06/13/17 fee schedule. Services generally itemized. **JTD.**
5. Petitioner requests authority to continue to take annual trustee fees per their fee schedule in quarterly payments. **JTD**
6. Attorney requests fees of \$1,880.00 for 13.70 hours at \$100/250 per hour for paralegal and attorney services respectively. Declaration by Steven Beckett with itemization filed 10/05/17.
7. Petitioner requests that the trust be amended in order to comply with a recent reinterpretation of Social Security regulations. **JTD**
8. Petitioner requests that the next accounting be set out 2 years due to the low balance of trust assets. **JTD**
9. Notice complete.
10. ~Proposed order: 10/05/17

RECOMMENDATION:

Court's discretion. If approved, set hearing re next Accounting Review for **11/26/18** (if one year) or **11/25/19** (if two years). Accounting to be filed 30 days in advance.

(ww)

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1100050

CASE NAME: THOMAS C. ETIE

HEARING:  
Accounting Review

COUNSEL:  
WILLIAM F. CROSTHWAITE (CPE)...J WILEY JONES  
THOMAS C ETIE (CEP/CEE)...HORSPOOL & HORSPOOL

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Combined 4<sup>th</sup> account of conservator and 2<sup>nd</sup> **trust** accounting for William Crosthwaite, trustee/conservator approved on 10/17/16.
  - a. **Need** Order on 4<sup>th</sup> accounting submitted for signature.
  - b. **Need** additional bond of \$27,420.36 for total bond of \$497,420.36 per 10/17/16 minute order.
2. **Need** 5<sup>th</sup> Account beginning with 08/31/15.

#### RECOMMENDATION

Inquire status of Order on 4<sup>th</sup> account, additional bond and 5<sup>th</sup> accounting.

(ww)

Superior Court of Calif, County of San Bernardino

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1300026

CASE NAME: CHERI LYNN AUCOIN

HEARING:

Hearing Re: Further TSC/Status on related criminal case

COUNSEL:

CHERI CLAYTON (CP)...PRO/PER  
CHERI LYNN AUCOIN (CTP/CEP)...ROSE C ROSADO  
PUBLIC GUARDIAN (CP)...COUNTY COUNSEL  
DIRECTOR, DEPT OF DEVELOP SRVCS (CP)...

No Notes-Further TSC/Status JTD.

(ww)

Future Hearings: 1/11/18: Readiness Calendar, 1/11/18 Petition for Appointment of Successor Conservator, 1/22/18: Court Trial Set for Petition for Conservator, 1/22/18 Petition for Appointment of Successor Conservator



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

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DATE: 11/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1300305

CASE NAME: FRANK JOSEPH ROCCO

**SEE ALSO 18 19 20**

HEARING:

Hearing Re: Amended SIXTH FIRST & FINAL ACCOUNT & REPORT

COUNSEL:

KERRI BOOKER (CPE/CE)...FERNANDO J BERNHEIM  
FRANK JOSEPH ROCCO (CTE/CEE)...

#### GENERAL INFORMATION

Kerri Booker appointed temporary Conservator person and estate on 12/10/13.

**Conservatee died on 03/10/14.**

Continued from **01/27/15, 03/03/15 and 05/05/15**. Counsel to address what the assets are currently in the estate and who the administrator of the estate will be.

Continued from **07/07/15 and 10/06/15** at request of counsel.

Continued from **12/15/15** for review of second amended account.

Continued from **02/23/16**. Rosalie Rocco and Corina Hayes signed a release of interest. Court deems this sufficient and will not require assignments from them. Matter is continued for an amended accounting to be filed.

Continued from **06/30/16, 10/26/16 and 01/04/17**. Patrick Wright as referee. Counsel to file an accounting for the temporary conservatorship.

Continued from **06/12/17**. Non-appearance by the Attorney Fernando Bernheim.

Court imposes sanctions of \$250.00 as to Fernando Bernheim. Court orders payment to be made by the next hearing. The court may refer the matter to the Public Guardian if the accounting isn't cleared by the next hearing and appearance by counsel. Notice by Judicial Assistant.

Continued from **08/28/17** to be heard with other pending hearing.

**Continued from 10/02/17. Counsel is out of the country.**

THIS CASE SET FOR HEARING ON **Sixth Amended (08/18/17)** First and Final Account for temporary Conservator Kerri Booker, sister.

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

1. Accounting period 12/10/13–03/10/14. **Conservatee passed away on 03/10/14. Need post-death accounting period per Pr. C. § 2620.**

2. Assets on Hand \$16,538 consisting of \$5,838 in cash and \$10,700 in personal property. However, real property lost to foreclosure is not included as a loss on Summary of Account [LF, p. 8] to amended account filed 04/05/17 and 6<sup>th</sup> amended filed 08/18/17,[LF, p. 8]; and not reflected on any schedule(s). **Supp. 10/30/17 Amended Summary of Account and a Schedule D – Losses are attached.**
3. Receipts – Schedule A [6<sup>th</sup> amended filed 08/18/17, LF, p. 9] reflects bank accounts totaling \$13,442 which are reflected on Summary of Account [6<sup>th</sup> amended filed 08/18/17, LF, p. 8] as receipts. Question whether accounts existed as of day of appointment? If so, these accounts should be included in starting balance and reflected on inventory and appraisal, attachment 1. **Need further clarification via supplement and if so, need amended inventory and Schedule A via verified supplement.**
4. Amended Sixth Account does not include Schedule E; Cash and Non-Cash Assets on Hand at End of Account Period. **Need same via verified supplement.**
5. Petitioner waives compensation and waives accounting as she alleges she is sole heir **(see note 7).**
6. Attorney does not request compensation.
7. Petition indicates personal property was transferred per Conservatee's wishes. Petitioner is allegedly sole heir; however, conservatee was survived by parents and a spouse. Petitioner is allegedly sole heir as mother and former spouse signed disclaimers of interest. Court to inquire whether conservatee's father is alive.
8. Inventory and Appraisal filed 03/29/17, Attachment 2 [LF, p6] does not specify whether property is community or separate property and does not include license plate numbers. **Supp. filed 08/18/17 property is separate, license plate numbers attached.**
9. Petitioner requests bond in the amount of \$20,000 be exonerated upon filing of ex parte petition. However, this Court does not normally exonerate bond until the filing of receipts and entry of an Ex Parte Final Discharge Order.
10. Petition indicates Conservatee has real property located in Ontario, CA, which was foreclosed on and sold by the bank. **Trustee's deed filed. [supp. 12/28 LFpg10].**
11. Notice of Hearing and proof of service as to sixth amended first and final account filed 11/01/17; however, notice must also be sent to Rosalia and Franck Rocco, parents; and Corina Hayes, spouse of conservatee. **Need corrected notice.**
12. Proposed Order: 02/27/15 indicates discharge and bond exoneration will be effective upon filing of receipt. **Need corrected order to reflect discharge and exoneration upon entry of Ex Parte Petition for Discharge Order.**

RECOMMENDATION:

Need to clear notes 1, 3, 4 & 12 If approved, set hearing on the filing of receipts and final discharge for **11/26/18..**

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 11/20/17      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1300305

CASE NAME: FRANK JOSEPH ROCCO

**SEE ALSO 17 19 20**

HEARING:

Hearing Re: FIFTH AMENDED FIRST AND FINAL ACCOUNT AND RPT

COUNSEL:

KERRI BOOKER

(CPE/CE)...FERNANDO J BERNHEIM

FRANK JOSEPH ROCCO

(CTE/CEE)...

See notes on matter 17.

(ww)

Superior Court of Calif, County of San Bernardino

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1300305

CASE NAME: FRANK JOSEPH ROCCO

**SEE ALSO 17 18 20**

HEARING:

Motion Re: RECONSIDERATION;AND MEMO OF POINTS AND AUTHORITIES \*  
Filed by Petitioner KERRI BOOKER

COUNSEL:

KERRI BOOKER (CPE/CE)...FERNANDO J BERNHEIM  
FRANK JOSEPH ROCCO (CTE/CEE)...

Currently under review by Legal Research

LR

(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: 11/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1300305

CASE NAME: FRANK JOSEPH ROCCO

**SEE ALSO 17 18 19**

HEARING:

First and final Account and Report of KERRI BOOKER and Petition  
for allowance of fees filed.

COUNSEL:

KERRI BOOKER (CPE/CE)...FERNANDO J BERNHEIM  
FRANK JOSEPH ROCCO (CTE/CEE)...

See notes on matter 17.

(ww)

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1500216

CASE NAME: MILDRED SCHUYLER

HEARING:  
Accounting Review

COUNSEL:

LISA SCHUYLER	(CPE)...PRO/PER
MILDRED SCHUYLER	(CEP/CEE)...SHERRI L KASTILAHN
BRANDON EDWARDS	(CPE)...PRO/PER
VERONICA LANUZA	(PET)...M. DANIEL SAYLOR
DEBBIE EDWARDS	(SCHLECHT, SHEVLIN & SHOENBERGE).

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 2<sup>nd</sup> Account for Veronica Lanuza, PPF, approved on 07/17/17.
2. **Conservatee has passed away.**
3. **Need** 3<sup>rd</sup> and final Account including post death accounting period per Pr. C. § 2620 beginning with 02/28/17.

RECOMMENDATION

Inquire status of accounting.

(ww)

HONORABLE: JAMES MICHAEL WELCH

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DATE: 11/20/17    TIME: 9:30    DEPT: S36P  
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CASE#: CON PS1700366

CASE NAME: LALITA JOY REDDY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CHRISTIAN MICHAEL REDDY    (CP)...PRO/PER

LALITA JOY REDDY            (CTP)...PRO/PER

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Christian Reddy, brother

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

1. No bond- Person only.
2. Petitioner seeks dementia powers; however, need more information as proposed conservatee is 41 years old and no mention of dementia is made in the petition or supporting documents. Court to determine if appointment of counsel for report is needed. **JTD.**
3. Certificate of Completion of the Conservatorship Training Class dated 10/11/17 received.
4. Petitioner seeks medical powers. Capacity Declaration filed 10/17/17.
5. Attachments 3(f)(1) and 3(f)(2) reference relatives in India, mother of conservatee who is allegedly under conservatorship with the State being her conservator, and 5 children of the proposed conservatee. **Need** amended List of Required Contacts (Local form SB-12224) as all relatives in the 2<sup>nd</sup> degree must be noticed. [Pet. LF pgs. 10-11]
6. **Need** Due Diligence Declarations (local form) for all 2<sup>nd</sup> degree relatives that cannot be located.
7. **Need** Notice of Hearing and proof of service on all relatives in the 2<sup>nd</sup> degree.
8. **Need** return of Citation.
9. CI report filed 11/14/17.
10. ~Proposed Form Order: 10/11/17

RECOMMENDATION

Need to clear notes 5-8. If approved, set hearing for Compliance Review for **06/25/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5

(ww)



Superior Court of Calif, County of San Bernardino

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700375

CASE NAME: MTR OF ZOLA CHEYENNE JACKSON

HEARING:  
Petition for Appointment of Conservator

COUNSEL:

NICKI E LUTES (CP)...PRO/PER  
ZOLA CHEYENNE JACKSON (CTP)...

GENERAL INFORMATION

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

GENERAL INFORMATION

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

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

1. No bond- person only
2. Petitioner seeks medical powers. Capacity Declaration filed 10/19/17.
3. Proposed conservatee is developmentally disabled. Sherri Kastilahn appointed as counsel. **Need** report.
4. Proposed conservatee is developmentally disabled. Court to see letter from IRC filed 11/03/17.
5. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social/ vocational opportunities, authority to fix the residence/dwelling; authority to access confidential records/documents/reports & other info regarding the proposed conservatee, including those in the possession of the Regional Center, authority to control the right of conservatee to contract, authority to make & consent to medical decisions for the conservatee.
6. Petitioner seeks civil rights not be limited without court order. **JTD**

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

7. Citation with proof of service filed 10/19/17.
8. CI report filed 10/31/17.
9. **Need** Certificate of Completion of the Conservatorship Training Class
10. ~Proposed Form Order: 10/16/17

#### RECOMMENDATION

Need report of Counsel and to clear note 9 then Court's discretion. If approved, set hearing for Compliance Review for **06/25/18**. for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(ww)

Superior Court of Calif, County of San Bernardino

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: VC VS00422

CASE NAME: MTR OF JOY RISSER

HEARING:  
Accounting Review

COUNSEL:

MARTHA G DRAGOO (CPE/CP)...CALDWELL, KENNEDY & PORTER, A.  
JOY RISSER (PCE/CEP/DEC/CTP/CEE)...LAW OFFICES OF NOLAN E CLARK  
DIANE HERMAN (PCR)...WATKINS & CLARK  
JOY RISSER REVOCABLE TRUST (TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 9<sup>th</sup> **trust and conservatorship** Account for Martha Dragoo, cousin/conservator/trustee, approved on 11/30/16.
2. **Need** 10<sup>th</sup> **trust and conservatorship** Account beginning with 09/01/15.

RECOMMENDATION

Inquire status of accounting.

(ww)

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Page: 25 add-on  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 11/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1500272

CASE NAME: MTR OF CHELSEA STOYKOVICH

HEARING:  
Hearing Re: CI REPORT (EMERGENCY HEARING)

COUNSEL:  
MERLINA BURTON (PET)...PRO/PER  
CHELSEA STOYKOVICH (PCE)...MITCHELL I ROTH

#### GENERAL INFORMATION

**Continued from 11/09/17. Citation issued on Merlina Burton who is cited and required to appear and show cause why she should not be removed as conservator.**

THIS CASE SET FOR HEARING ON Hearing re: CI report (Emergency Hearing)

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

1. An emergency CI report was filed 11/08/17 and the hearing on 11/09/17 was set.
2. Court suspends the powers and letters of Merlina Burton, mother/limited conservator of person only.
3. Public Guardian is appointed successor temporary conservator of Chelsea Stoykovich. **Need** Order and letters to be submitted.
4. The Public Guardian has the power to remove Chelsea Stoykovich from her current residence and place her.
5. Attorney Roth is authorized to get the incident report from the Court Investigator concerning the memo filed yesterday.
6. **Need** return of citation.

#### RECOMMENDATION

Need to clear notes 3 & 6 then Court's discretion.

(ww)

Future Hearing: 4/26/18: Conservatorship Compliance Review Hearing

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600365  
CASE NAME: MTR OF TEODORICO LAWENKO  
HEARING: Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of ZOLITA LAWENKO

COUNSEL:

ZOLITA LAWENKO (CPE)...PRO/PER  
TEODORICO LAWENKO (CEE)...

GENERAL INFORMATION

**Continued from 04/10/17, 06/26/17, 08/21/17 and 10/16/17. Attorney Walter Moore to assist with filing required documents.**

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

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

1. Zolita Lawenko appointed conservator of the person and estate on 02/10/17, no bond.
2. **Need** Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Statement of Care Plan in accord with Pr.C.§2352.5.
4. **Need** Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
5. **Need** final Inventory & Appraisal per Pr.C.§2610.
6. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.
8. **NOTE: Notice of Change of Address filed on 05/02/17 indicates Conservator/spouse, Zolita Lawenko, has moved to Jurupa Valley in Riverside County.**

RECOMMENDATION:

Need to clear notes 2-7. When documents are not filed as ordered, court may set a hearing in accord with Pr.C.§2655.

(nb/ww)

Future Hearing: 4/02/18: Accounting Review

Superior Court of Calif, County of San Bernardino  
Page: 27 add-on  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 11/20/17 TIME: 9:30 DEPT: S36P  
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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

**Continued from 10/23/17. Donnasue Ortiz appointed for proposed conservatee.**

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). IRC report filed 10/20/17.
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. Donnasue Ortiz appointed. **Need** report.
3. Petitioners seek medical powers. **Capacity Declaration filed 10/06/17, sections 3a, 4a, and 8 are blank and dementia attachments are missing; however, it does not appear that proposed conservatee has dementia. Need completed capacity declaration.**
4. CI report filed 10/19/17.
5. Certificates of Completion of the Conservatorship Training Class filed 10/17/17.
6. Citation and proof of service filed 10/16/17.
7. ~Proposed Form Order: 09/19/17

RECOMMENDATION

Need report of Counsel and to clear note 3. If approved, set hearing for Compliance Review for **07/09/18** 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/ww)

Superior Court of Calif, County of San Bernardino  
Page: 28 add-on  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 11/20/17 TIME: 1:30 DEPT: S36P  
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CASE#: PRO PS1600478

CASE NAME: MONICA G WHITE LIVING TRUST

HEARING:  
Court Trial

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. JTD.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

-----  
DATE: 11/20/17      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1200389

CASE NAME: LILLIAN ORTEGA MEJIA

HEARING:

Hearing re Final Discharge

COUNSEL:

STEPHANIE MEJIA

(PET)...E. JOAN NELMS

LILLIAN ORTEGA MEJIA

(DEC)...JACK B. OSBORN

#### GENERAL INFORMATION

Continued from **05/23/16, 08/15/16 and 12/12/16** at request of counsel. Property to be refinanced.

Continued from **03/13/17** at request of Counsel for refinance to occur. The Court notes this matter has continued since May of 2016 for refinance to occur.

**Continued from 09/11/17 to clear notes.**

THIS CASE IS SET FOR HEARING ON Hearing re Final Discharge

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

1. Final Distribution approved on 05/18/15.
2. Need Receipt.
3. Need Ex-Parte Petition for Final Discharge and Order.

#### RECOMMENDATION

None.

(dl/nb/cs)



Superior Court of Calif, County of San Bernardino

Page: 2

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

-----  
DATE: 11/20/17 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1400418

CASE NAME: MTR OF JOHN ROBLES

## **VACATED**

HEARING:

Accounting Review

COUNSEL:

NORA R PEREZ	(PET)...TREVOR D MARTIN
JOHN ROBLES	(DEC)...
HELEN IBARRA	(TP )...PRO/PER
JOBEY O'LEARY	(PRISCILLA C SOLARIO)

GENERAL INFORMATION:

**Continued from 04/10/17, 07/03/17 and 09/11/17.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of testamentary issued to Nora Perez, daughter, on 07/03/14, full authority, no bond.
2. Prior status report granted on 06/08/16.
3. Need Final Inventory and Appraisal.
4. **Status report filed 09/28/17.**

RECOMMENDATION:

Need to clear notes 3 & 4. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.  
(nb/lc/nb/ww/cs)

Future Hearing: 1/24/18: Probate Status Report

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

-----  
DATE: 11/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1400459

CASE NAME: PAULA JACOBO

HEARING:  
Hearing re Final Discharge

COUNSEL:

DENISE PETERSON	(PET)...LAW OFFICES OF LEAH L. DIXON
PAULA JACOBO	(DEC)...
STACY JACOBO	(MIN/BEN)...MITCHELL I ROTH
W.A. HLAVATY	(PET)...LAW OFFICES OF LEAH L. DIXON
MITCHELL ROTH	(PET)...MITCHELL I ROTH
ANN VALADEZ	(TEE)...

GENERAL INFORMATION:

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

**Continued from 09/25/17 no appearance . W.A. HLAVATY and/or COUNSEL is ordered to be present at next hearing if final discharge not filed.**

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Stipulation and Order for Final Distribution entered 11/22/16.
  - a. Reserve of \$40,000 held for one year. JTD
2. **Need receipt from Stacy Jacobo.**
3. Need Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status. Court may wish to continue matter so that reserves can be distributed.  
(nb/cs)

Future Hearing: 10/15/18: Accounting Review

Superior Court of Calif, County of San Bernardino

Page: 4

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

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DATE: 11/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1400667

CASE NAME: ANGIE ONTIVEROS

**VACATED MOVED TO S35**

HEARING:

WAIVER OF Account and Report of ERIC ONTIVEROS and Petition for allowance of fees filed.

COUNSEL:

ERIC ONTIVEROS (PET)...PRO/PER  
ANGIE ONTIVEROS (DEC)...

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

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DATE: 11/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600384  
CASE NAME: MTR OF NANCY ANNE RYTHER  
HEARING: FIRST AND FINAL Account and Report of MARY CHRISTINE MUNSEY  
and Petition for allowance of fees filed.

COUNSEL:

MARY CHRISTINE MUNSEY (PET)...RICHARD J HASSEN  
NANCY ANNE RYTHER (DEC)...  
APPROVED INHERITANCE CASH (TP )...PRO/PER  
AMY YORK GARRETT (AMY YORK GARRETT)  
INHERITANCE FUNDING CO (STEVEN D SCHROEDER)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON First and Final Account and Petition for allowance of Fees, by executor, Mary Munsey

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

1. Accounting period 01/28/16 to 07/31/17.
2. Assets on Hand \$294,134.17 consisting of \$123,028.09 in cash and \$280,000.00 in real property.
3. Petitioner requests statutory fees in the amount of \$10,015.62. Calculated.
4. Petitioner originally retained services of attorney Amy York Garrett to represent her in this matter, and thereafter retained services of attorney Richard Hassen. Statutory fees in the amount of \$10,015.62. to be paid as follows: (fees calculated)
  - a. Attorney Amy York Garrett the sum of 40% (\$4,046.24); and
  - b. Attorney Richard J. Hassen the sum of 60% (\$6,069.37).
5. Petitioner requests reimbursement in the amount of \$4,701.51. Amount expended from petitioner's personal funds on behalf of the estate for cremation, notary fees, flowers for funeral, Chase Visa payment, and Costs of retainer of attorney Richard Hassen, [itemized LF, p. 7].
6. Personal representatives seek a reserve of \$500.
7. Notice filed.
8. Proposed order: 08/17/17.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **11/26/19**.

(cs)

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

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DATE: 11/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1601118  
CASE NAME: MTR OF ROY LEE PELTS  
HEARING: Re: AMENDED PET FOR PROBATE OF WILL AND LETTERS

COUNSEL:

TROY MICHAEL PELTS (PET)...PRO/PER  
ROY LEE PELTS (DEC)...

GENERAL INFORMATION

**Continued from 09/11/17 to clear probate notes.**

THIS CASE SET FOR HEARING ON **Amended [06/23/17]** Petition for Probate, Letters Testamentary with Full Authority under IAEA by Troy Pelts, son/executor

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

1. Will waives bond. The estate consists of \$330,000 in real property.
2. Need Notice to Petition to Administer Estate and proof of service
3. The will conditionally incorporates decedent's Trust.
  - a. The Certificate of Trust attached to the **amended** petition states that there is a list of trust beneficiaries also attached but one is not attached. Need list of trust beneficiaries.
  - b. Does Court also wish to require a copy of decedent's trust? JTD
4. A copy of the will must be attached to the **amended** petition as attachment 3f(2); however it is attached to the initial petition. JTD.
5. The petition caption does not have the IAEA box marked; however the order/letters indicate **full**. Court may wish to clarify on record; or in alternative, need verified supplement. JTD
6. Section 3e of the petition is marked that all heirs waive bond but no bond waivers are attached. Does Court wish for the bond waivers to be required even though the will waives bond? JTD.
7. Court may wish to clarify whether Melodie Pelts and decedent were still married at the time of death as the petition indicates her relationship as "ex-wife" while the will indicates that they were married.
8. ~Proposed Form Order: 11/08/16

RECOMMENDATION

Need to clear notes 2 & 3. Court's discretion re bond and notes 4-7. If approved, set Accounting/Status Review for **01/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908. (ww/cs)

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

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DATE: 11/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1601259  
CASE NAME: MTR OF WILLIAM C THOMPSON

HEARING: FIRST AND FINAL REPORT OF EXECUTOR ON WAIVER OF Account and Report of BRUCE S THOMPSON and Petition for allowance of fees filed.

COUNSEL:

BRUCE S THOMPSON (PET)...MERHAB ROBINSON, JACKSON & CLA  
WILLIAM C THOMPSON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON First and Final Report on Waiver of Account and Petition for allowance of Fees, by executor, William Thompson, Executor

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

1. Bond \$303,600.00
2. Property on hand \$282,846.93 consisting of cash
3. Inventory and Appraisal filed 07/26/17.
4. Need a certification of trust that meets the requirements in Pr.C.§18100.5 and additionally includes a list of Trusts beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's trust? JTD
5. Need copy of proof of service of Notice of Proposed Action re sales of real property.
6. Need bank statement to support ending balance per local rule 20-908.
7. Waiver of Account by Holly Edison c/o Williams Thompson, III. Need clarification.
8. Petitioner requests statutory fees in the amount of \$17,362.09. Calculated.
9. Attorney requests statutory fees in the amount of \$17,362.09. Calculated.
10. Petitioner does not seek to withhold any reserves.
11. Notice filed.
12. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 4 – 7, then Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **11/26/19**.

(cs)

Future Hearing: 5/14/18: Accounting Review

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

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DATE: 11/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700367

CASE NAME: MTR OF VIRGINIA P ALDERMAN-MONIET

HEARING:

Spousal Property Petition hearing.

COUNSEL:

CHRISTOPHER EDWARD MOINET (PET)...PRO/PER  
VIRGINIA P ALDERMAN-MOINET (DEC)...

GENERAL INFORMATION:

**Continued from 07/03/17 at request of petitioner.**

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Christopher E. Moinet ["Petitioner"].

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

1. Declarations indicate petitioner and decedent were married in 1984, became divorced in 2005, and remarried on 11/11/13. Marriage Certificate affixed [LF, p.7].
2. Petitioner requests a determination of property passing to the surviving spouse as community property. Specifically real property at Victorville, CA, in San Bernardino County. .
3. Declaration of Petitioner filed 11/07/17 indicates subject property was an inheritance to Linda Crook (decedent's sister) and decedent. Linda Crook sold her one-half of said property to decedent while she was married to petitioner. They took out a home loan in the amount of \$45,000 on 08/21/95 under both their names to repay Linda Crook for her one-half of the property. Petitioner further indicates delinquent taxes for 2009 – 2012 were paid by petitioner.
4. Petition has the following issues:
  - a. Section 7a is marked instead of 7b;
  - b. Section 13 is incomplete; and
  - c. Signatures are not dated.Need corrected petition.
5. Grant Deed affixed [LF, p. 5] to petition, indicates property was titled solely in Decedent's name. Notwithstanding subject grant deed, it appears parties may have formerly held subject property jointly. Supp filed 09/06/17 provides a copy of Metroscan Property profile indicating joint tenant vesting.

6. Decedent died intestate with 4 issue who would also share a two-thirds distribution in the estate per Pr.C. §6401 if the real property is separate property of decedent. However, declarations filed by all issue agree that Petitioner should inherit Decedent's property. Does Court wish to require proper assignments? JTD.
7. ~Proposed Form Order 04/14/17.

**RECOMMENDATION:**

Need to clear notes 4 then Court's discretion.

(nb/cs)



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

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DATE: 11/20/17 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700838

CASE NAME: MTR OF JUNG CHEN LEE

HEARING: Petition to determine succession to Real Property

COUNSEL:

CHIN HSING LEE	(PET)...AMITY LAW GROUP, LLP
YUN HSIA LEE	(PET)...AMITY LAW GROUP, LLP
JUNG CHEN LEE	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to determine succession to real property by Chin and Yun Lee, son and daughter

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

1. Petitioners are seeking 100% interest, 12.5% each, in decedent's 25% interest to real property per intestate succession; however, decedent is survived by 6 additional heirs. All heirs must petition per Pr.C. § 13152(a) and Pr.C. § 6402(a). **Need** amended petition.
2. Final Inventory and Appraisal is incomplete as to property tax certificate; and full legal description of real property on attachment 2. **Need** corrected form."
3. **Need** notice to Consulate of Taiwan per Pr.C. § 8113.
4. Petitioners allege decedent was not a resident of California, but owned real property here at the time of death
5. ~Proposed Order submitted: 08/18/17

RECOMMENDATION:

Need to clear notes 1-3.

(cs/ww)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**CONSERVATORSHIPS**

-----  
DATE: 11/20/17      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS1300147

CASE NAME: MARY F CARROLL

**SEE ALSO 11 12**

HEARING:

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

COUNSEL:

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

GENERAL INFORMATION

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

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

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

**Continued from 09/25/17 for final Inventory and Appraisal to be filed.**

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

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

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

RECOMMENDATION:

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

(nb/lh/cs)

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

-----  
DATE: 11/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1300147

CASE NAME: MARY F CARROLL

**SEE ALSO 10 12**

HEARING:

Hearing Re: ACCOUNTING REVIEW (LALANEYA STAIGLE)

COUNSEL:

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

GENERAL INFORMATION

Conservatee passed away on 11/13/16.

THIS CASE IS SET FOR HEARING ON Accounting Review (by L. Staigle)

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

- 1 Order Appointing Lalaneya Staigle as Conservator of the Estate on 08/14/13, of \$20,000 bond. Amended Order of the person and estate granted on 09/26/13.
- 2 Need Second and final Account to starting with 06/01/14.

RECOMMENDATION:

Inquire status.

(cs)

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

-----  
DATE: 11/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1300147

CASE NAME: MARY F CARROLL

**SEE ALSO 10 11**

HEARING:

first and final Account and Report of NATALIE BLICKENSTAFF and  
Petition for allowance of fees filed.

COUNSEL:

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

GENERAL INFORMATION:

**Petitioner, Natalie Blickenstaff was appointed successor conservator of the person and estate on 05/02/16. Prior conservator, Lalaneya Staigle's first account was approved through a global settlement on 05/02/16, [order filed 03/15/16]. Need Second and final account of Lalaneya Staigle starting with 05/31/14 – 05/02/16.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Natalie Blickenstaff, PPF/conservator

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

- 1 Conservatee passed away 11/13/16. Accounting period: Pre Death 05/02/16-11/13/16; Post 11/14/16 – 09/07/17.
- 2 Pre Death assets on hand: \$90,609.51cash; Post assets on hand \$67,974.78 cash
- 3 Petitioner requests fees in the amount of \$10,649.00 for 87.4/hours at various rates between \$95-125, [Supp. filed 11/13/17]. JTD
- 4 Attorney requests fees in the amount of \$20,017.50. Billed at 56.4/hours at \$325.00/hour and for paralegal at 13.5/hours at \$125.00/hour, [LF, pgs. 45 – 58]. JTD
- 5 Need final Inventory & Appraisal per Pr.C.§2610.
- 6 Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.

- 7 Petitioner is requesting final distribution of the remaining estate to the heirs of the deceased. Need petition pursuant to Pr.C. §13100.
- 8 Petitioner has one Supplemental Inventory and Appraisal including conservatee's 2001 Mitsubishi Gallant, with value of \$2,300.00 (I & A filed 02/02/15 by previous conservator). Petitioner disputes the estimated value indicating that the vehicle's renders it unmarketable. Accordingly the vehicle is reflected as a loss in order to match the values represented in the accounting filed by previous conservator.
- 9 Petitioner alleges the estate owes the following attorney or professional fees:
  - a. Mitchell Roth: \$5,287.50
  - b. Pamela Valencia \$15,577.85 and
  - c. Alan Carroll reimbursement of \$15,100.00
- 10 Bond set at \$155,000.
- 11 ~Proposed Order:

**RECOMMENDATION:**

Suggest matter should not be approved until second and final account is filed by previous conservator. Need to clear notes 6 – 9, then Court's discretion. If approved, Court to set hearing on filing of receipts and final discharge for 11/26/18.

(cs)

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1400057

CASE NAME: MTR OF BETTY JEAN MARTIN

HEARING: Re: AMENDED ACCOUNTING CURRENT AND RPT OF SUCCESSOR.

COUNSEL:

BETTY JEAN MARTIN	(CEP)...SANDRA TURNER
MICHELE LEANN REED	(SC )...PRO/PER
DEBBIE JEANNE KROL	(SC/CPE )...PHYLLIS M GALLAGHER
LISA A BURGESS-PEEBLES	(PET)...PRO/PER
SANDY TURNER	(PET)...SANDRA TURNER

Waiver of Court Fees and Costs filed by BETTY JEAN MARTIN is GRANTED  
Waiver of Court Fees and Costs filed by DEBBIE JEANNE KROL is GRANTED

GENERAL INFORMATION:

**Continued from 7/12/16, 11/09/16 and 02/15/17.** Court deems the 4-day lapse between the 2 conservatorships to be de minimis and will not require an amended accounting on the issue.

Continued from **07/03/17**. Counsel reports an amended inventory and appraisal to be filed reflecting the higher value of home in recent appraisal. Michelle Leann Reed is ordered to be present at next hearing. Notice by Judicial Assistant.

**Continued from 09/11/17**

THIS CASE IS SET FOR HEARING ON **AMENDED** (05/23/17) First Account Current and Petition for Fees by Successor Conservator, Michele Leann Reed.

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

1. Accounting period covers 04/15/15 (end of last accounting by prior conservator) to **04/14/17**.
2. Final Inventory and Appraisal filed indicating value of **\$145,500** at date of appointment.
3. Assets on hand appear to consist of real property in Apple Valley that Conservatee no longer occupies and **\$532.26** in cash.
4. **Petitioner does not request compensation at this time but reserves to do so at a later time.**

5. **Total Charges and Total Charges to Summary of Account do not match; Property on Hand at Beginning of Account Period is incorrect; and does not include personal or real property. Need corrected summary and affected schedules via verified supplement.**
6. **Need Beginning Cash and Non-Cash Assets at Beginning of Account Period and Ending Cash and Non-Cash Assets at End of Account Period Schedules via verified supplement.**
7. **Disbursements – Schedule C requires further clarification via verified supplement as to the following:**
  - a. **Citi Bank – credit card payments;**
  - b. **Legalshield payments;**
  - c. **Weber and Assoc.**
8. **Petition indicates Conservatee now resides in an assisted living facility. Need residential facility statements and/or written verification of rent per Pr.C. §2620(c)(5).**
9. **As Conservatee no longer reside in her home, question whether home is being rented to generate income? Need verified supplement.**
10. **Petition indicates the conservatee does not have adequate funds to cover the care now requested. Question whether the estate is incurring any liabilities and the efforts made to overcome any deficiencies? Need verified supplement.**
11. **Petitioner has paid for caregiver services during this account period. Need verified declaration(s) to verify dates of service, performance of services and that payment has been received per Local Rule 20-1406(c) by Eileen Giles; and Jamie Reeves.**
12. **Petitioner waives compensation.**
13. **Notice of Hearing filed 06/21/17 reflects incorrect hearing date and includes other matters not at issue. Need proper notice.**
14. **No proposed order. Submit order after hearing.**

**RECOMMENDATION:**

Need to clear notes. If approved, set next Accounting Review for **06/18/18**.  
(nb/sa/lc/nb/cs)

**Future Hearings:**

01/31/18: Conservatorship Compliance Review Hearing

09/05/18: Accounting Review



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

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DATE: 11/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1400267

CASE NAME: DAVID L HEISS

HEARING:

Petition for APPOINTMENT OF SUCCESSOR CONSERVATOR OF PERSON  
AND ESTATE

COUNSEL:

KAY M ADAMS	(CPE)...JENNIFER M DANIEL
DAVID L HEISS	(CTE)...JEANNE KENNEDY
JENNIFER H HEISS	(PET)...JENNIFER DANIEL

GENERAL INFORMATION

Ex-parte orders granted on 10/16/17. Jennifer Heiss is appointed temporary successor conservator, of the person and estate, of David Heiss. Bond \$35,000.00

THIS CASE IS SET FOR HEARING ON Petition for **Successor** Appointment of Conservator, person and estate, by Jennifer Heiss, sister-in-law

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

1. Kay Adams, previous conservator (sister), appointed temporary conservator on 11/05/14, resigned on 10/16/17 and requests that petitioner be appointed conservator.
2. Petition, section 3(a) indicates petitioner is a nominee; however, there is no attachment 3(c)(a) with affixed Nomination.
3. Estate consists of \$246,696.59 (per corrected Inventory and Appraisal filed 08/26/16). However, corrected I & A filed 08/26/16 indicates \$436,696.59.
4. Petitioner seeks bond of \$35,000. Suggest bond of \$135,000 (POH -1<sup>st</sup> account Order by Kay Adams).
5. Petitioner seeks medical powers pursuant to Capacity Declaration filed on 09/18/14. Does court wish to request a new Capacity Declaration? JTD
6. Need list of required contacts (Local form SB-12224).
7. Need Certificate of Completion of the Conservatorship Training Class.
8. Need Court Investigator report.
9. Notice filed.
10. ~Proposed Form Order: 10/03/17

**RECOMMENDATION:**

Need to clear notes 5 – 8, then Court's discretion re bond. If approved, set hearing for Compliance Review for 06/25/18 for the filing of the required documents and hearing re Accounting Review for 01/28/19. Any accounting to be filed 30 days in advance.

(cs)

Future Hearing: Accounting Review by Kay Adams 11/29/17:

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1500345

CASE NAME: ALEJANDRA RAMIREZ

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of LETICIA ARELLANO

COUNSEL:

LETICIA ARELLANO (CP)...PRO/PER  
ALEJANDRA RAMIREZ (CTP)...CRAIG M PARKER

GENERAL INFORMATION

Continued from **01/23/17**. No appearance.

Continued from **04/17/17**. The Court orders Mr. Friedland to contact his client and assist with completion of required paperwork.

Continued from **07/03/17**. Conservator not responded to Friedland's office for assistance with documents. Conservator cannot understand counsel's requests as he has no one in his office that can speak Spanish. Friedland relieved. Craig Parker appointed counsel.

**Continued from 09/11/17 to clear notes.**

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Leticia Arellano, mother, appointed limited conservator of the **person only** on 06/20/16.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed on 09/27/16..
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION

Need to clear notes 3-4.

(nb/ww/cs)

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CASE#: CON PS1600018

CASE NAME: MTR OF MARCOS ORTIZ BARRERA

**SEE ALSO 21**

HEARING:

Hearing Re: SIGNING OF ORDER FOR CONSERVATORSHIP

COUNSEL:

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

**XREF : CONPS1700085** (*Diana Judith Ortiz Barrera*)

GENERAL INFORMATION:

**Continued from 09/25/17 for Judge Reilly to be present.**

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

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

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

RECOMMENDATION:

Need to clear note 2.

(nb/cs)

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

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CASE#: CON PS1600238

CASE NAME: MTR OF JOHN DANA-RAMIREZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of THOMAS CASTILLO RAMIREZ

COUNSEL:

THOMAS CASTILLO RAMIREZ (CP)...JEFFREY  
JANE DANA (CP)...JEFFREY  
JOHN DANA-RAMIREZ (CTP)...BRYAN C HARTNELL

GENERAL INFORMATION

**Continued from 09/11/17 at request of Court - need Care Plan**

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Jane Dana, mother, appointed limited conservator of the **person only** on 02/06/17.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed on 04/04/17.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 filed on 04/04/17; however, section 1b as to the time living in the residence is incomplete. Also, section 3 is incomplete as to the care requirements. **Need** corrected form.
4. **Need** Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION

Need to clear notes 3 & 4.

(ww/cs)

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600359

CASE NAME: MTR OF DAVID NIKKO DIAZ

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of DEBORAH CLARK

COUNSEL:

DEBORAH CLARK (CPE)...ROSSANA MITCHELL  
DAVID NIKKO DAIZ (CTP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Deborah Clark, sister, appointed conservator of the **person only** on 04/17/17.
2. Need Care Plan in accord with Pr.C.§2352.5.
3. Need Notification of Conservatee's rights per Pr.C.§1830(c).
4. Need Determination of Conservatee's Appropriate Level of Care form GC-355.

RECOMMENDATION

Inquire status  
(cs)

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HONORABLE: TARA REILLY

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CASE#: CON PS1700038

CASE NAME: MTR OF EXIE MOORE

**SEE ALSO 20**

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

JAMES E MOORE	(CPE)...PRO/PER
EXIE MOORE	(CEP)...EDWARD B FISCHER
ANNIE R LAMBERT	(CP )...PRO/PER

**XREF: CIFMS1600005** (Exie Moore -N- James Moore)

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for

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

1. Matter was set on 09/11/17 for receipt of bond \$50,000 and continued at request of Court to clear probate notes. See notes on next matter.
2. Need proof of bond.

RECOMMENDATION:

Inquire status

(cs)

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HONORABLE: TARA REILLY

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DATE: 11/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700038

CASE NAME: MTR OF EXIE MOORE

**SEE ALSO 19**

HEARING: Petition for Appointment of Conservator

COUNSEL:

JAMES E MOORE	(CPE)...PRO/PER
EXIE MOORE	(CEP)...EDWARD B FISCHEL
ANNIE R LAMBERT	(CP)...PRO/PER

**XREF: CIFMS1600005** (Exie Moore -N- James Moore)

GENERAL INFORMATION

Ex Parte orders denied 02/07/17.

Continued from **03/13/17**. The Court determines that there is NO conservatorship in place at this time. Competing petition to be filed today by Annie Lambert. The Court orders that related action CIFMS1600005 be set to trail this matter. Clerk's Office to order file from Morongo Basin. Attorney Edward B Fischel is appointed.

**Continued from 04/10/17**. The Court waives return of citation as proposed conservatee is present in court. The Court informs parties the James Moore's petition has legal priority. The Court recommends the following pending next hearing: Exie Moore should move back into her home. Only Exie and James Moore should live in the home. Family and friends that visit should not be there overnight or for extended periods of time. Annie Lambert and Marshalla Parker should have daily telephone contact. If Exie Moore doesn't want to talk, she needs to tell them, not James Moore. Visitation orders made. James and Exie Moore to meet at 4pm today at a restaurant in Morongo for an early dinner and discuss when/if she wants to move home and how that will be accomplished.

**Continued from 07/03/17**. Court appoints Sandy Turner as Guardian Ad Litem for Exie Moore. Exie Moore states to parties, Counsel, and Guardian Ad Litem in the hallway that she wants to move back into her home with her son. Exie Moore to move back into her home today. Guardian Ad Litem to meet with parties prior to 07/14/17. Marshalla Parker deemed served by her appearance today. Court Investigator Report filed.

**Continued from 09/11/17 to clear probate notes. \$50,000 bond required. Competing petition dismissed as to entire action for lack of prosecution.**



THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by son, James E. Moore.

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

1. Section 3e(5) to petition [LF, p. 4] does not include estimated value of estate consisting of public benefits and real property. **Need** verified supplement.
2. Petitioner requests bond not be required because proposed conservator only receives public benefits. **Need** estimated value of estate to determine appropriate bond.
3. Section 5c(1) to petition [LF, p. 6] indicates Dept. of Aging and Adult Services involvement.
4. Petitioner requests dementia powers; report by court-appointed counsel, Edward Fischel, filed 04/03/17 **and 06/26/17**.
5. **Report of Sandy Turner, GAL, filed 07/19/17.**
6. Court Investigator Report of No Report filed 03/06/17.
7. Petitioner seeks medical powers. Medical Capacity Declaration filed 02/01/17, Section 1 & 2 is incomplete; and signature lines are not dated. **Supp. filed 09/14/17 is missing page 3 of Capacity Declaration. Need completed forms.**
8. **Need** List of Required Contacts.
9. **Need** Due Diligence Declaration as to sibling Martha Moore.
10. Certificate of Completion re Conservatorship Class filed 02/02/17.
11. ~Proposed Form Order/Letters 02/01/17.

RECOMMENDATION:

Need to clear notes 1, 2, 7-9. Court's discretion re bond. If approved, set hearing for Compliance Review for **04/16/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. §1830(c); 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 **11/19/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh/cs)

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700085

CASE NAME: DIANA JUDITH ORTIZ BARRERA

**SEE ALSO 16**

HEARING:

Petition for Appointment of Conservator

COUNSEL:

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

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

**XREF: CONPS1600018** (Marcos Ortiz Barrera)

GENERAL INFORMATION:

Ex Parte orders denied 03/22/17.

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

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

**Continued from 09/25/17 for Judge Reilly to be present.**

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

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. **Report of Counsel Walter Moore filed 07/10/17.**
3. This petition is for general, and not limited, conservatorship. An IRC report is therefore optional per Pr.C. 1827.5(b). **IRC report filed 09/21/17.**
4. Section 11b to petition [LF, p. 8] does not include name and relationships to conservatee. **Need** verified supplement.
5. Capacity Declaration filed 08/24/17 is incomplete at item 3 as to declarant's profession. **Need** completed form.

6. **Need** Certificates of Completion re Conservatorship Class.
7. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
8. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
9. Citation returned served.
10. Court Investigator Report filed 04/04/17.
11. ~Proposed Form Order/Letters 03/15/17

**RECOMMENDATION:**

Need to clear notes 4-6. If approved, set hearing for Compliance Review for **06/25/18** 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/cs)

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

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DATE: 11/20/17 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700379

CASE NAME: MTR OF MARIA FERNANDA MANCILLA OROPEZA

HEARING: Petition for Appointment of Conservator

COUNSEL:

LETICIA MANCILLA (CP)...PRO/PER  
MARIA FERNANDA MANCILLA OROPEZA (CTP)...

GENERAL INFORMATION

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

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

1. Petitioner seeks medical powers. Capacity Declaration filed 10/17/17; however, section A and section 4(a) are not completed. Need completed form.
2. Proposed conservatee is developmentally disabled. **Report of appointed counsel, Sandy Turner filed .**
3. Proposed conservatee is developmentally disabled. **IRC report filed 11/13/17.**
4. Petitioner seeks powers re habilitation, treatment, training, medical etc. JTD
5. Petitioner seeks civil rights not be limited without court order. JTD
6. **Certificate of Completion re Conservatorship Education Course filed. 11/08/17.**
7. **Court Investigator reports filed 11/06/17.**
8. ~Proposed Form Order: 10/17/17

RECOMMENDATION

Need to clear note 1. If approved, set hearing for Compliance Review for **06/25/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(cs)