



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 11/30/17

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.

Lc10/30-11/21

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

DATE: 11/30/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400492

CASE NAME: The Jack Whitey Clair Revocable Trust

HEARING:
Hearing Re: STATUS OF BLOCKED ACCOUNT

COUNSEL:

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

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Blocked Account.

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

1. Holly Noel Wood, respondent, ordered to deposit \$123,670.29 into blocked account on 10/26/17.
2. **Need** receipt and acknowledgement for deposit of blocked account [MC-356].

RECOMMENDATION

Inquire status of blocked account.

(lc)

Future Hearing:

12/11/17 Hearing on Trial Setting Conference

12/11/17 Hearing re: OSC re sanctions/surcharge etc.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 11/30/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500141

CASE NAME: Edward L Taggart

HEARING:

Hearing re Final Discharge

COUNSEL:

EDWARD L TAGGART

(DEC)...

EDWARD TAGGART

(PET)...HORSPOOL & HORSPOOL

INTERNATIONAL FIDELITY INSURAN

(PRO/PER

TAMARA SHOOK

(PET)...KARIN HORSPOOL

TIMOTHY L TAGGART

(APP)...PRO/PER

TIMOTHY L TAGGART

(OBJ)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Tamara Shook, sister, approved on 11/17/16.
2. **Need** receipts for Timothy Taggart, Jennifer Flynn and Erica Watson.
3. **Need** Ex Parte Petition for Final Discharge and Order.
4. **NOTE:** Notice of appeal filed 12/12/16.

RECOMMENDATION

Inquire status of appeal, receipts and discharge.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500573

CASE NAME: RUTH EVELYN CARDENAS

HEARING: Accounting Review

COUNSEL:

BONNIE CARDENAS	(APP)...JEFF GROTKE
BONNIE CARDENAS	(OBJ)...JEFF GROTKE
DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
LEANA WEATHERSBY	(PET)...LAWRANCE A WIDDIS
RUTH EVELYN CARDENAS	(DEC)...

GENERAL INFORMATION

Continued from 11/09/17. No contact by Counsel Widdis or his office [notice of inability to appear filed 11/02/17]. Stay extended to 11/30/17.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Leana Weathersby, daughter, on 11/14/16; full authority, \$330,000 bond.
2. Partial and Reappraisal for Sale Inventory and Appraisal filed. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.
4. Settlement conference statement filed 10/16/17 re Court of Appeal Case No. E069013.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Future Hearing: 03/05/18 Motion to vacate void orders

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501012

CASE NAME: CLARISE JD FOREMAN

HEARING:

Hearing re Final Discharge

COUNSEL:

CLARISE JD FOREMAN (DEC)...
NOREEN T FONTAINE (TP)...PRO/PER
ROYAL J FOREMAN (PET)...PRO/PER

GENERAL INFORMATION

Continued from 10/12/17. No appearance.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Petition for Final Distribution for Royal Foreman, son, approved on 12/08/16; order filed 01/19/17.
2. **Need** receipts from Patricia, Clarence, Joseph and Xena Foreman.
3. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b).

RECOMMENDATION

Inquire status of receipts and discharge.

(lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700432

CASE NAME: ELIAS PADILLA

SEE ALSO 4, 5

HEARING:

Motion Re: TO BE RELIEVED AS COUNSEL Filed by Petitioner FRANK
PADILLA

COUNSEL:

CARLOS PADILLA	(PET)...CKB VIENNA, LLP
ELIAS PADILLA	(DEC)...
FRANK PADILLA	(PET)...CKB VIENNA, LLP
GLORIA PADILLA	(PET)...CKB VIENNA, LLP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Motion to be relieved as Counsel by M. Stephen Cho.

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

1. Petitioner seeks to be removed as counsel for **Carlos** Padilla.
2. Petitioner alleges a conflict has arisen which has caused a breakdown in the attorney-client relationship.
3. Proof of service filed; however, **need** proof of service of proposed order per Cal Rules of Ct 3.1362(d).
4. ~Proposed Form Order: 08/18/17.

RECOMMENDATION

Need to clear note 3.

(lc).

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700432

CASE NAME: ELIAS PADILLA

SEE ALSO 3, 5

HEARING:

Motion Re: TO BE RELIEVED AS COUNSEL Filed by Petitioner GLORIA
PADILLA

COUNSEL:

CARLOS PADILLA	(PET)...CKB VIENNA, LLP
ELIAS PADILLA	(DEC)...
FRANK PADILLA	(PET)...CKB VIENNA, LLP
GLORIA PADILLA	(PET)...CKB VIENNA, LLP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Motion to be relieved as Counsel by M. Stephen
Cho.

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

1. Petitioner seeks to be removed as counsel for **Gloria** Padilla.
2. Petitioner alleges a conflict has arisen which has caused a breakdown in the attorney-client relationship.
3. Proof of service filed; however, **need** proof of service of proposed order per Cal Rules of Ct 3.1362(d).
4. ~Proposed Form Order: 08/18/17.

RECOMMENDATION

Need to clear note 3.

(lc).

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700432

CASE NAME: ELIAS PADILLA

SEE ALSO 3, 4

HEARING:

Motion Re: TO BE RELIEVED AS COUNSEL * Filed by Petitioner
CARLOS PADILLA

COUNSEL:

CARLOS PADILLA	(PET)...CKB VIENNA, LLP
ELIAS PADILLA	(DEC)...
FRANK PADILLA	(PET)...CKB VIENNA, LLP
GLORIA PADILLA	(PET)...CKB VIENNA, LLP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Motion to be relieved as Counsel by M. Stephen Cho.

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

1. Petitioner seeks to be removed as counsel for **Frank** Padilla.
2. Petitioner alleges a conflict has arisen which has caused a breakdown in the attorney-client relationship.
3. Proof of service filed; however, **need** proof of service of proposed order per Cal Rules of Ct 3.1362(d).
4. ~Proposed Form Order: 08/18/17.

RECOMMENDATION

Need to clear note 3.

(lc).

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700642

CASE NAME: MTR OF GILDARDO MORALES CANTE

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL AUTHORIZATION
UNDER IAEA

COUNSEL:

GILDARDO CANTE	(PET)...PRO/PER
GILDARDO MORALES CANTE	(DEC)...
LANI ROMANI CANTE	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 09/21/17.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Lani Cante and Gildardo Cante, daughter/son

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

1. All heirs waive bond. Estate value \$15,000.00 in personal property and real property TBD. Court may for good cause could require bond per Pr.C. § 8481(b).
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Need** proof of publication.
4. ~Proposed Form Order: 06/30/17

RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond. If approved, set Accounting/Status Review for **02/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700833

CASE NAME: RAFAELA M LARA

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

COUNSEL:

JOHN DAVID MEDEL (PET)...GEORGINA LEPE
RAFAELA M LARA (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by John Medel, nephew.

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

1. All heirs waive bond. Net estate value is \$30,000 in real property. Court may for
good cause could require bond per Pr.C. § 8481(b). **Need** bond waivers for 5 other
heirs, Consuelo, Rebecca, Mona, Lance and Lisa.
2. **Need** proof of publication.
3. ~Proposed Form Order: 08/17/17.

RECOMMENDATION

Need to clear notes 1 & 2. If approved, set Accounting/Status Review for **02/07/19**. Any
accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule
20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S35P

CASE#: SPR SS04183

CASE NAME: MTR OF REIMULLER FAMILY TRUST (MASTER FILE)

HEARING:

Hearing Re: STATUS OF ACCOUNT OF RANDALL VAN TASSELL

COUNSEL:

LINDA MAXWELL	(PET)...ELISABETH KEMPE-OLINGER
MELODIE Z SCOTT	(PET)...HORSPOOL & HORSPOOL
REIMULLER FAMILY TRUST	(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Accounting by Randall Van Tassell,
Successor Trustee.

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

1. Randall Van Tassell appointed successor trustee on 10/03/16, \$335,000 bond.
2. **Need** accounting.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRUSTS AND MOTIONS**

DATE: 11/30/17 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701112

CASE NAME: MTR OF THE WILBERT E MCHENRY JR TRUST

HEARING:

Hearing Re: PRELIMINARY INJUNCTION

COUNSEL:

LINDA SCHAEFER

THE WILBERT E MCHENRY, JR. TRU

(PET)...BEST BEST & KRIEGER

(TRU)...

Currently under review by legal research.

Future Hearing: 02/27/18 Petition to invalidate transfer of funds etc.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 11/30/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600052

CASE NAME: HOMER N. SILACCI

HEARING:

Accounting Review

COUNSEL:

HOMER N SILACCI

(CEE)...MITCHELL I ROTH

STEVE COX

(PET)...FRANKLIN S ADLER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Steve Cox, friend, appointed conservator of the person and estate on 09/22/16, \$350,000 bond.
2. Final Inventory and Appraisal filed 08/23/17. However;
 - a. Real and personal property **must** be on attachment 2 and appraised by probate referee.
 - b. Bank account stated **needs** account number and bank statement to support balance.
 - c. Caption is incomplete as to date of appointment. **Need** completed.
 - d. Bond amount is incorrect.
3. **Need** 1st Account.

RECOMMENDATION

Inquire status of accounting and proper Inventory and Appraisal. Court may wish to trail 12/07/17 hearing.

(lc)

Future Hearing: 12/07/17 Compliance review hearing

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700363

CASE NAME: PAUL FRANCIS AGLIO

HEARING:
Petition for Appointment of Conservator

COUNSEL:
FRANCIS A AGLIO JR (PET)...PRO/PER
PAUL FRANCIS AGLIO (CEE)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator by Francis Aglio, Jr, brother.

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

1. Petition appears moot as Conservator has passed away.
2. Francis Aglio, Jr. appointed temporary Conservator of person and estate on 10/06/17.
3. Court to inquire if petitioner marshaled any assets prior to death. *If not*, where the Conservatorship terminates before the inventory of the estate has been filed, the court, in its discretion and upon such notice as the court may require, may make an order that the conservator need not file the inventory and appraisal and that the guardian or conservator shall file an account covering only those assets of the estate of which the guardian or conservator has possession or control; Pr.C. § 2633. JTD
4. **Need** notice of conservatee's death [GC-399]per Pr.C. § 2361 to all parties per Pr.C. § 1460.

RECOMMENDATION

Need to clear note 4, Court's discretion re note 3.

(lc)

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

DATE: 11/30/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700373
CASE NAME: URIAH D WENZEL
HEARING: Petition for Appointment of Conservator

COUNSEL:

HANNAH HAYES (PET)...PRO/PER
URIAH D WENZEL (CEE)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Hannah Hayes, sister.

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. **Need** Capacity Declaration.
4. Proposed conservatee is developmentally disabled. **Need** report of Counsel Sandy Turner.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. **Need** return of citation.
7. List of required contacts (Local form SB-12224) does not list siblings Kylee, Kathrine or Wyatt. **Need** same.
8. **Need** Certificate of Completion of the Conservatorship Training Class.
9. **Need** notice of hearing and proof of service including 30 days' notice to IRC per Pr.C. § 1822(e).
10. **Need** due diligence declarations for maternal and paternal grandparents, as well as sibling Wyatt.
11. Court Investigator report filed 10/31/17.
12. ~Proposed Form Order:10/16/17.

RECOMMENDATION

Need to clear notes 3-10. If approved, set hearing for Compliance Review for **07/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC.

DATE: 11/30/17 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400271

CASE NAME: GIBSON FAMILY TRUST***MASTER FILE*****

HEARING:

Hearing Re: TRIAL (DAY THREE)

COUNSEL:

GIBSON FAMILY TRUST

(TRU)...

JANET K. HUNTER-GIBSON

(PET)...ALLEN M JOHNCOX

SANDRA LOUISE COBB

(RES)...LAYNE A BARTHOLOMEW

Trial – No notes – JTD

Future Hearing: 12/01/17 *Court Trial*

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: CIP DS1700097

CASE NAME: IN RE: LIU ZIJIA

HEARING:

OSC re: PROOF OF FUNDING OF STRUCTURED SETTLEMENT filed by YE
JINFENG

COUNSEL:

LIU ZIJIA
YE JINFENG

(M/P)...ALDER LAW PC
(PET)...ALDER LAW PC

GENERAL INFORMATION

Continued from 09/21/17. Mitchell Roth to be relieved as GAL once proof of funding is filed.

THIS CASE SET FOR HEARING ON OSC re Proof of Funding of Structure Settlement.

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

1. OSC set on 08/10/17 when Minor's Compromise was approved as modified minus the worker compensation lien and fees for Mitchell Roth.

RECOMMENDATION

Inquire status of funding.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000194

CASE NAME: WALTER EARL GREENWOOD

SEE ALSO 3

HEARING: Hearing re Final Discharge

COUNSEL:

CARL GREENWOOD

(PET)...GATEWAY LEGAL GROUP,

MARLA L GREENWOOD

(PET)...GATEWAY LEGAL GROUP,

WALTER EARL GREENWOOD

(DEC)...

XREF: CIVDS1205220 (*Greenwood v LaCues*), **SCVSS261126** (*Aguliar v Calnev Pipeline*)

See notes on matter 3.

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000194

CASE NAME: WALTER EARL GREENWOOD

SEE ALSO 2

HEARING:

Order to Show Cause RE: Status of Previously Imposed Sanctions
(FTA)

COUNSEL:

CARL GREENWOOD	(PET)...GATEWAY LEGAL GROUP,
MARLA L GREENWOOD	(PET)...GATEWAY LEGAL GROUP,
WALTER EARL GREENWOOD	(DEC)...

XREF: CIVDS1205220 (*Greenwood v LaCues*), **SCVSS261126** (*Aguliar v Calnev Pipeline*)

GENERAL INFORMATION

Continued from 06/08/17, 07/20/17 and 08/31/17. No appearances. Court imposed sanctions of \$50 each on Carl and Marla Greenwood; Gateway Legal group to be payable by 08/31/17. Sanctions imposed of \$50 on 07/20/17 not paid.

OSC Continued from 10/19/17. No appearance. Counsel to be present.

THIS CASE SET FOR HEARING ON **OSC re Status of Sanctions/Final Discharge.**

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

1. Final account/distribution of Carl Greenwood, son, approved on 06/02/16.
2. **Need** receipts for Walter and Charles Greenwood for civil judgment.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Court's discretion re OSC. Inquire status of receipts and discharge. No bonding company to notice.

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0600065

CASE NAME: MTR OF ANGEL WHEELER SPECIAL NEEDS TRUST

HEARING:
Accounting Review

COUNSEL:

ANGEL WHEELER SPECIAL NEEDS TR	(TRU)...
RANDALL RIVERA	(PET)...GREGORY J. LEDERMAN
RANDALL RIVERA	(PET)... DIANA C BOLEY
RANDALL RIVERA	(PET)...RICH PORTER
RANDALL RIVERA	(TEE)...RICH PORTER

GENERAL INFORMATION

Continued from 10/26/17. No appearance. Petitioner and counsel to be present.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 5th SNT Account for Randall Rivera, Trustee, approved on 02/04/16.
2. **Need** 6th Account beginning with 08/25/15.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400344
CASE NAME: Ruben H Marquez
HEARING: Hearing Re: Waiver of Final Account and Distribution 11/03/17 filing

COUNSEL:

AARON MARQUEZ	(PET)...	RAUL M. MONTES
KEVIN MARQUEZ		(MIN)...
KIMBERLY MARQUEZ	(MIN)...	
MARIA Y SAGAL		(OBJ)...HARTNELL LAW GROUP
RUBEN H MARQUEZ	(DEC)...	

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Aaron Marquez, son.

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

1. Assets on hand \$916,428.07 of which \$231,527.07 is cash.
2. All residual heirs waive accounting. Does court wish to require waiver by mother of minor heirs? See next note. JTD
3. **Need** fully executed signed agreement by all parties; including mother/GAL for minors. Agreement attached appears to only be signed by Ruben Marquez Jr.
4. Administrator waives statutory compensation.
5. Attorney seeks statutory fees of \$23,366.42. Fees will be divided between former Counsel Arthur Lampel [\$3,000] and \$20,366.42 to Counsel Raul Montes.
6. Counsel Montes seeks extraordinary fees of \$87,063.50 for 196.3 hours at \$410 per hour regarding litigations, property claims and the sale of 8 properties.
7. Counsel seeks reimbursement of costs totaling \$2,711.
8. Final Inventory and Appraisal filed 11/03/17. Items [5 vehicles, bobcat, jewelry etc] not appraisal by probate referee. On 09/22/17 Court allowed misc. property be appraised by administrator.
9. Minor heirs Kevin and Kimberly Marquez's guardianship case appears to be **GARPS1700394**. Court to cross reference cases. Minor's compromise was filed in guardianship case and granted on 09/22/17.
10. ~Proposed Order: 11/03/17

RECOMMENDATION

Need to clear note 3. If approved, set hearing on the filing of receipts and final discharge for **12/06/18**

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400386

CASE NAME: William Arthur Lee

HEARING:
Accounting Review

COUNSEL:

CHRISTIAN DYMALLY-LEE	(PET)...VARNER & BRANDT
ENID ALLEN	(PET)...LINDA ROSE FESSLER
JOYCE LEE WEEKS	(OBJ)...LINDA ROSE FESSLER
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
WILLIAM ARTHUR LEE	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Special Administration to Christian Dymally-Lee, son, on 08/06/14, letters of General Administration issued 05/08/17; full authority, \$100,000 bond.
2. Final Inventory and Appraisal filed.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.
(lc)

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600045

CASE NAME: MTR OF ALLAN BLAKE DICKINSON

SEE ALSO 8

HEARING: AMENDED PETITION FOR APPROVAL OF FIRST AND FINAL Account and Report of SHELLI DICKINSON and Petition for allowance of fees filed.

COUNSEL:

ALLAN BLAKE DICKINSON (DEC)...
SHELLI DICKINSON (PET)...CARL G EHMANN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON **Amended [09/01/17]** Final Account, Distribution and Petition for Allowance of Fees by Shelli Dickinson, daughter.

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

1. Administrator and attorney requests statutory fees of \$6,451.63 each; however, as New York has already paid \$1,779 to administrator for ancillary proceeding, administrator and attorney seeks \$4,000 each.
2. Funds of \$29,315.43 were reportedly taken from Dianne Dickson, daughter, of which \$9,770.43 **was not returned** to the estate [\$5,628.82 of which is expenses LFpg20]. Dianne also allegedly took possession of the 1998 Mercedes appraised at \$6,500. These acts took place prior to Shelli being appointed as administrator. Petitioner wishes to deem the assets valued at \$10,641.61 as preliminary distribution and the overage assessed for the amount of \$4,141.61 to be paid to remaining heirs Shelli and Keith Dickinson, divided equally. See next note.
3. Administrator alleges that Ancillary proceeding deemed that she was to be reimbursed for filing fees she advanced of \$432 and \$304.96 in probate expenses to be paid by domiciliary probate. Court may wish to require copy of order. JTD
4. Petitioner seeks a reserve of \$1,000.
5. ~Proposed Order: 09/01/17.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **12/06/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600045

CASE NAME: MTR OF ALLAN BLAKE DICKINSON

SEE ALSO 7

HEARING:

FINAL Account and Report of SHELLI DICKINSON and Petition for allowance of fees filed.

COUNSEL:

ALLAN BLAKE DICKINSON (DEC)...
SHELLI DICKINSON (PET)...CARL G EHMANN

See notes on matter 7.

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600474

CASE NAME: MTR OF ROSEMARY MONTECINO DELGADO

HEARING:
Accounting Review

COUNSEL:
RICHARD CHARLES DELGADO (PET)...J DANA MITCHELLWEILER
ROSEMARY MONTECINO DELGADO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Richard Delgado, Son and Trustee, on 09/13/16; full authority, no bond.
2. Final Inventory and Appraisal filed 11/16/16. **Need** bank statements to support Bank of America accounts per local rule 20-908.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600485

CASE NAME: MTR OF LOYOLA EDITH LANCE

HEARING:
Accounting Review

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (TP)...PRO/PER
HOWARD JAMES LANCE III (PET)...JT LEGAL GROUP, APC
HOWARD JAMES LANCE JR (PET)...JT LEGAL GROUP, APC
LOYOLA EDITH LANCE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to **Howard Lance Jr**, brother, on 10/20/16; full authority, no bond. Howard passed away.
2. Letters of Successor Administration issued to **Howard Lance, III**, nephew, on 10/30/17; full authority \$20,000 bond.
3. Final Inventory and Appraisal filed.
4. **Need** account for deceased administrator. Court may wish to require counsel to file accounting per Pr.C. § 10953(c).

RECOMMENDATION

Inquire status of accounting.
(lc)

Future Hearing: 11/15/18 *Accounting Review for **Successor Howard Lance, III, nephew***

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600740

CASE NAME: MTR OF MARJORIE CLEMMER

HEARING:
Accounting Review

COUNSEL:
ARLINE HAWKINS (PET)...DIANA J CARLONI
MARJORIE CLEMMER (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Arline Hawkins, sister, on 10/04/16; full authority, \$110,000 bond.
2. Final Inventory and Appraisal filed 01/12/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.
(lc)

Superior Court of Calif, County of San Bernardino

Page: 11A ADD ON

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700455

CASE NAME: ROSENBERRY TRUST* **SUB-TRUST FBO UNBORN HEIRS*

HEARING:

SECOND Account and Report of EDWARD LEE ROSENBERRY REVOCABLE TRUST and Petition for allowance of fees filed.

COUNSEL:

EDWARD LEE ROSENBERRY REVOCABL(TRU)...JAMES B CHURCH
EDWARD LEE ROSENBERRY REVOCABL(PET)...JAMES B CHURCH

XREF: PROPS1700454 (*Rosenberry trust * **sub-trust fbo unborn heirs**)
CONDS1000118 (*Edward Lee Rosenberry*)

GENERAL INFORMATION:

Continued from 10/03/17 and 11/21/17.

THIS CASE IS SET FOR HEARING ON Second Account and Report by Successor Trustee, Katie Hernandez ["Petitioner"], of the "Sub-Trust FBO Unborn Heirs" of the Edward Lee Rosenberry Revocable Trust and Petition for Its Settlement [Pr. C. §§ 1060, 2620 and 17200(b)(5)].

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

1. Accounting period 05/01/16 to 12/31/16.
2. Assets on Hand \$127,017.46 consisting of \$22,146.64 in cash and \$104,870.82 in stocks.
3. Current bond of \$7,000,000.00 under the Administrative Trust created under the Edward Lee Rosenberry Revocable Trust. Petitioner requests a bond of \$142,459.70. Calculated. Suggest bond of \$142,500.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c). JTD.
4. Pursuant to the terms of the Trust, the Successor Trustee is authorized to pay herself and attorney compensation. However, specific compensation by petitioner or attorney is not addressed. Question whether fees are being waived for this account period? Need verified supplement.
5. Proposed Order 08/17/17 includes trustee and attorney fee language but does not specify fees; and includes blank lines before signature line

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

RECOMMENDATION:

Need to clear note 4 then Court's discretion. **Continue to a Tuesday hearing if notes not cleared.** If approved, set next hearing for Accounting Review on **03/01/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700866

CASE NAME: DAVID G. ENGLEBRETON

HEARING:

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

COUNSEL:

DAVID G ENGLEBRETSON (DEC)...
GORDON T ENGLEBRETSON (PET)...WILLIAM J BRUNICK

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Gordon Englebretson, brother.

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

1. Petitioner is nominated by other two siblings.
2. All heirs waive bond. Net estate value is \$235,100 of which \$50,100 is personal property. However, petitioner is a **North Carolina** resident and court has discretion to require bond per Pr.C. §8571. JTD
3. ~Proposed Form Order: 08/30/17.

RECOMMENDATION

RFA subject to Court's discretion re bond. If approved, set Accounting/Status Review for **02/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 11/30/17 TIME: 8:30 DEPT: S36P

CASE#: VPR VS002864

CASE NAME: ESTATE OF ERNEST MAYFIELD

HEARING:
Accounting Review

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (LANAK & HANNA	
BOND SERVICES OF CALIFORNIA	(PET)...PRO/PER
CAROL L KUNDERT	(PET)...GARY E. MUNGER
CAROL L KUNDERT	(PET)...PRO/PER
DERRICK MAYFIELD	(PET)...JOHN GUY
DERRICK MAYFIELD	(PET)...RANDALL & ASSOCIATES
ERNEST ANTHONY MAYFIELD	(DEC)...
NINA KAYE MAYFIELD	(PET)... C L FARRELL PC
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
RICHARD A CHERRY	(TP)...PRO/PER
YVETTE MAYFIELD	(PET)...RANDALL & ASSOCIATES

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. **Successor** Letters of Administration issued to Nina Kaye Mayfield, spouse, on 09/22/16; full authority, funds in blocked account.
2. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.
(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **TRUSTS AND MOTIONS**

DATE: 11/30/17 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1200565

CASE NAME: JAYDEN ARIAS SETTLEMENT TRUST

HEARING: PETITION FOR APPROVAL OF SIXTH Account and Report of
WESTAMERICA BANK and Petition for allowance of fees filed.

COUNSEL:

JAYDEN ARIAS SETTLEMENT TRUST (TRU)...

WESTAMERICA BANK (PET)...RANDOLPH M SHARON

WESTAMERICA BANK (TEE)...RANDOLPH M SHARON

X-REF: CIVDS 1004389 (*Arias v Community Hospital*)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 6th Account Current and Petition for Fees by
Westamerica Bank, Trustee.

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

1. Accounting covers 08/01/16 – 07/31/17.
2. Assets on Hand: \$404,291.26 consisting of \$3,049.33 in cash, balance in real property and mutual funds.
3. Trustee requests ratification of fees already taken in amount of \$8,346.03 in accordance with terms of prior court order.
4. Attorney seeks fees of \$3,300, reduced from \$4,150 and reimbursement of costs of \$465. JTD
5. **If** beneficiary receives services from Director of Developmental Services, need notice C.R.C 7.903(c)(6), Pr.C. § 2621.
6. No proposed order. Submit order after hearing.

RECOMMENDATION:

Court's discretion re fees and note 5. If approved, set Accounting/Status Review for **11/08/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 11/30/17 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1601060
CASE NAME: THANIA BELEN CONTRERAS SPECIAL NEEDS TRUST
HEARING: SECOND Account and Report of WESTAMERICA BANK and Petition for allowance of fees filed.

COUNSEL:

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

X-REF: CIVDS 1312426 (*Contreras v LLUMC*)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 2nd Account Current by Westamerica Bank, Trustee.

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

1. Accounting period 09/01/16 – 07/31/17.
2. Assets on Hand \$2,194,463.20 of which, \$10,746.54 is cash and remaining in securities.
3. Trustee requests ratification of fees already taken of \$28,602.47. JTD.
4. Attorney seeks fees of \$3,300, reduced from \$4,050 and reimbursement of costs of \$230. JTD
5. **Need** supporting bank statement per local rule 20-908.
6. No proposed order. Submit after hearing.

RECOMMENDATION:

Need to clear note 5. If approved, set Accounting/Status Review for **11/08/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

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

CASE#: CON PS1200336

CASE NAME: KATHRYN GONZALES

HEARING:

Hearing Re: TRANSFER CASE TO ORANGE COUNTY

COUNSEL:

BRENDA MANKARIOUS	(CP)...PRO/PER
DONNA REED	(OBJ)...PRO/PER
ELEANOR VARGAS	(CP)...PRO/PER
KATHRYN GONZALES	(CEP)...HARTNELL LAW GROUP
KATHRYN GONZALES	(CEP)...SANDY TURNER
PAULINE JONES	(PRO/PER
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ROSALIE DE LA FUENTE	(PRO/PER
VINCENT GONZALES	(CP)...PRO/PER

XREF: CONPS1200337 (*Anita Gonzales*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Transfer to Orange County.

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

1. Matter set on 10/10/17 after review of Court Investigator report and Notice of change of conservatee's address. Conservatee resides in San Clemente.

RECOMMENDATION

Court's discretion. If approved, set hearing for proof of transfer on **01/25/18**.

(lc)

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

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

CASE#: CON PS1300058

CASE NAME: ***MF MTR OF ANTHONY GALINDO***.

HEARING: Accounting Review

COUNSEL:

ANTHONY GALINDO	(CEP)...PRO/PER
ANTHONY GALINDO	(CEP)...WALTER T. MOORE
ANTHONY GALINDO	(HARTNELL LAW GROUP
ANTHONY GALINDO	(OBJ)...SHERRI L KASTILAHN
ISMARY DIAZ-GALINDO	(CPE)...HORSPOOL & HORSPOOL
ISMARY DIAZ-GALINDO	(CPE)...MORAN AND MORAN, LLP
TAMORA GALINDO	(CPE)...MARK J. ANDREW FLORY
TAMORA SUE GALINDO	(PET)...JACK B. OSBORN

XREF: CIVDS1405052 (*Galindo-v-Adan etal*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Tamora Galindo, former Spouse, appointed successor Conservator on 09/15/16; person and estate; \$40,000 bond.
2. **Need** accounting.

RECOMMENDATION

Inquire status of accounting.

(lc)

Future Hearing: 05/23/18 Final Discharge for ***Ismary Diaz-Galindo, former Conservator/souse.***

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

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

CASE#: CON PS1600145

CASE NAME: MTR OF BETTY MAY CAVENAUGH

HEARING:
Accounting Review

COUNSEL:

BETTY MAY CAVENAUGH	(CEP)...
COLLEEN ANN CAVENAUGH	(CPE)...SHERRI L KASTILAHN
DEPARTMENT OF AGING AND ADULT	(TP)...COUNTY COUNSEL
KATHY BREITENBACH	(PCR)...PRO/PER
PATRICK M CAVENAUGH	(PET)...YASHA BRONSHTEYN
SURETEC INSURANCE COMPANY	()...

XREF: CONPS1600146 (*Patrick Richard Cavenaugh, spouse*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Colleen Cavenaugh, daughter, appointed Conservator on 06/12/17; person and estate, \$300,000 bond.
2. Final Inventory and Appraisal filed.
3. **Need** first and final accounting as conservatee passed away 07/22/17.

RECOMMENDATION

Inquire status of accounting.
(lc)

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

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

CASE#: CON PS1700086

CASE NAME: MTR OF CRYSTAL CHACON

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ALEJANDRA CHACON

COUNSEL:

ALEJANDRA CHACON (CP)...PRO/PER
CRYSTAL CHACON (CTP)...J. DAVID HORSPOOL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Alejandra Chacon, mother, appointed conservator of the person only on 04/20/17.
2. **Need** proof of service of a copy of the Order for Conservatorship with 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, local rule 20-1403.

RECOMMENDATION

Need to clear notes 2-4.

(lc)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: CON PS1700335

CASE NAME: MTR OF TERESA DEL C MORALES

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CYNTHIA C ARRIAGADA (CP)...PRO/PER
TERESA DEL C MORALES (CTP)...CRAIG M PARKER

GENERAL INFORMATION

Temporary orders denied on 09/19/17. Craig Parker appointed counsel.

Continued from 10/19/17.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Cynthia Arriagada, daughter.

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

1. Petitioner seeks dementia powers. **Need** report of Counsel Craig Parker.
2. Petitioner seeks medical powers. **Need** Capacity Declaration.
3. Citation served; however, was served 7 days prior to 10/19/17 last hearing.
4. Court Investigator report filed 10/16/17.
5. Certificate of Completion of the Conservatorship Training Class filed 10/16/17.
6. ~Proposed Form Order: 09/07/17

RECOMMENDATION

Need to clear notes 1-3. If approved, set hearing for Compliance Review for **07/05/18** 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/lc)

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

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

CASE#: CON PS1700336
CASE NAME: HERMAN JORDAN JR
HEARING: Petition for Appointment of Conservator

COUNSEL:

HERMAN JORDAN III (PET)...PRO/PER
HERMAN JORDAN JR (CEE)...MARIVEL M ZIALCITA

GENERAL INFORMATION

Temporary orders denied on 09/19/17. Marivel Zialcita appointed counsel.

Continued from 10/19/17. Public Guardian to be notified for possible appointment.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Herman Jordan III, son.

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

1. Petitioner seeks medical powers. **Need** Capacity Declaration.
2. Petitioner does not request dementia powers; however, dementia attachment is included. **Need** verified supplement clarifying requested powers.
3. Petition indicates proposed conservatee is developmentally disabled; however, this is not a petition for limited conservatorship. **Need** verified supplement clarifying.
4. **Need** report of Counsel Marivel Zialcita.
5. List of required contacts is missing Jaysan Jordan. **Need** completed form.
6. **Need** return of Citation.
7. **Need** Notice of Hearing and Proof of Service.
8. Court Investigator report filed 10/17/17.
9. Certificate of Completion of the Conservatorship Training Class filed 09/12/17.
10. ~Proposed Form Order: 09/08/17

RECOMMENDATION

Need to clear notes 1-7. If approved, set hearing for Compliance Review for **07/05/18** 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/lc)

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

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

CASE#: CON PS1700364
CASE NAME: BRANDON YEPEZ
HEARING: Petition for Appointment of Conservator

COUNSEL:

BRANDON YEPEZ (CTP)...JEANNE KENNEDY
MARIA GUADALUPE PONCE (CPE)...PRO/PER

GENERAL INFORMATION

Jeanne Kennedy appointed counsel.

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

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. **Need** Capacity Declaration.
4. Proposed conservatee is developmentally disabled. **Need** report of Counsel Jeanne Kennedy.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. **Need** return of citation.
7. List of required contacts (Local form SB-12224) filed; however, paternal grandparents and sibling Hivette are not listed. **Need** complete list.
8. **Need** notice of hearing and proof of service including 30 days' notice to IRC per Pr.C. § 1822(e).
9. Certificate of Completion of the Conservatorship Training Class filed 11/01/17.
10. Court Investigator report filed 11/16/17.
11. Petitioner alleges all grandparents live in rural Mexico and do not receive mail. Does court wish to require due diligence? JTD
12. ~Proposed Form Order: 10/05/17.

RECOMMENDATION

Need to clear notes 3-8. If approved, set hearing for Compliance Review for **07/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. § 1830(c); Level of Care and Care Plan per Pr.C. § 2352.5.
(lc)

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

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

CASE#: VC VS00116
CASE NAME: MTR OF CONSERVATORSHIP OF MARTIN ACOSTA
HEARING: Petition for TO DISMISS CONSERVATORSHIP PETITION

COUNSEL:

JOAQUIN A ACOSTA (PET)...
MARTIN ACOSTA (CEP)...PRO/PER
SANDRA ACOSTA (PET)...STANLEY W HODGE

GENERAL INFORMATION:

Continued from 05/26/16. Court deemed petition as a petition to terminate conservatorship of person and estate.

Continued from 08/11/16 and 10/27/16. Parties are still attempting to obtain a conservatorship in Nebraska.

Continued from 01/05/17. Counsel advised petitioner and conservatee may have moved out of California without the court's authority. Matter referred to Public Guardian and Court Investigator to gain information on the whereabouts of parties. Referred to Court Investigator.

Continued from 03/09/17. Conservator directed to register the conservatorship according to Nebraska Law. Case will be dismissed once proof is filed.

Continued from 07/13/17. No appearance. On 3/9/17 Court ordered petitioner Sandra Acosta to register a conservatorship in accordance to Nebraska law. There being no proof of a conservatorship in Nebraska the Court orders petitioner and counsel to appear in court on 8/31/17 with Martin Acosta. Conservator Sandra Acosta removed conservatee from California without the Courts permission.

Continued from 08/31/17. Sandra Acosta able to appear via court call at next hearing.

THIS CASE IS SET FOR HEARING ON Declaration and Petition to Dismiss [Terminate] Conservatorship Petition.

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

1. Mother, Sandra Acosta, appointed Limited Conservatorship, person/estate, on 7/11/97, no bond. (Last waiver of account approved 10/19/10 and appears the estate consist solely of public benefits. Proposed Waiver of Account and Order returned for correction on 4/25/14 and 6/4/15.) Accounting Review on 1/6/16. Counsel stated that the conservators will not be returning to California and appears will not be filing an accounting. **Need** waiver of account or proof of guardianship of

estate in other state. Petitioner waives accounting; however, **need** actual waiver of accounting with report or local form.

2. Petitioner, Sandra, is currently in Nebraska with the conservatee and will be moving to Colorado and is requesting dismissal; court deemed as termination. Petitioner and conservatee will not be returning to California.
3. Court Investigator memos/reports filed 2/15/13, 3/3/14, 6/25/14, 8/12/15 and **02/22/17**.

RECOMMENDATION:

Court's discretion re note 1. Need proof of conservatorship of estate in Nebraska or Colorado.

(sa/lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 11/30/17 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1501189

CASE NAME: INGEBURG ELISABETH GOETZ

SEE ALSO 1A, 1B

HEARING: FIRST AND FINAL Account and Report of MELODIE Z SCOTT and
Petition for allowance of fees filed.

COUNSEL:

FRIEDJOF SCHWARZ	(OBJ)...HOLGER SIEGWART
HOLGER SIEGWART	(PET)...SIEGWART GERMAN AMERICAN
HOLGER SIEGWART	(PET)...SIEGWART GERMAN AMERICAN
INGEBURG ELISABETH GOETZ	(DEC)...
MELODIE Z SCOTT	(HARTNELL LAW GROUP
MELODIE Z SCOTT	(PET)...RYAN J GALLANT

XREF: PROPS1300322 (*Ingeburg Goetz*) **CONPS1400211** (*Ingeburg Elisabeth Goetz*)

GENERAL INFORMATION:

Continued from 09/12/17 and 10/31/17. Matter is contested. Need declarations and receipt of fees.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Special Administrator, Melodie Scott.

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

1. Accounting period 11/05/15 to 04/04/17.
2. Assets on Hand \$961.71 consisting of cash.
3. Petitioner and her counsel reserve on the issue of statutory and extraordinary fees until close of administration.
4. During the accounting period, petitioner paid to Annmarie Scott for case management fees; Raumeay Wilson and Vivian Kavigan for account management services. Receipts filed 11/02/17.
5. Petition indicates distribution of the estate is to be made to the Administrator of the estate, Holger Siegwart.
6. Petitioner request bond exoneration and discharge upon filing of receipts. However, discharge does not occur until entry of final discharge order.
7. **Objections filed 09/12/17 by Friedjof Schwarz.**
8. **Reply to Objections filed by Melodie Scott.**
9. ~Proposed Order 06/27/17.

RECOMMENDATION:

Matter is contested. Court's discretion. If approved, set hearing for receipts and final discharge for **12/06/18**.

(nb/lc)

Superior Court of Calif, County of San Bernardino

Page: 1A ADD ON

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

DATE: 11/30/17 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1501189

CASE NAME: INGEBURG ELISABETH GOETZ

SEE ALSO 1, 1B

HEARING: Probate status report filed.

COUNSEL:

FRIEDJOF SCHWARZ	(OBJ)...HOLGER SIEGWART
HOLGER SIEGWART	(PET)...SIEGWART GERMAN AMERICAN
HOLGER SIEGWART	(PET)...SIEGWART GERMAN AMERICAN
INGEBURG ELISABETH GOETZ	(DEC)...
MELODIE Z SCOTT	(HARTNELL LAW GROUP
MELODIE Z SCOTT	(PET)...RYAN J GALLANT

XREF: PROPS1300322 (Ingeburg Goetz) **CONPS1400211** (Ingeburg Elisabeth Goetz)

GENERAL INFORMATION:

Continued from 10/17/17 and 10/31/17.

THIS CASE IS SET FOR HEARING ON Status Report.

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

1. Letters of general administration issued to **Holder Siegwart**, nominee, on 07/27/16; full authority, \$601,500 bond.
2. Administrator seeks an additional 3 months to close estate. Administrator alleges the estate is not in a condition to be closed as the account of the **Special Administrator Melodie Scott** has not been viewed and/or approved by court.
3. ~Proposed order: 07/20/17

RECOMMENDATION:

Court's discretion. If approved, set next Accounting/Status Review for **10/16/18**.

(cs/nb/lc)

Superior Court of Calif, County of San Bernardino

Page: 1B ADD ON

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

DATE: 11/30/17 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1501189

CASE NAME: INGEBURG ELISABETH GOETZ

SEE ALSO 1, 1A

HEARING:
Readiness Calendar

COUNSEL:

FRIEDJOF SCHWARZ	(OBJ)...HOLGER SIEGWART
HOLGER SIEGWART	(PET)...SIEGWART GERMAN AMERICAN
HOLGER SIEGWART	(PET)...SIEGWART GERMAN AMERICAN
INGEBURG ELISABETH GOETZ	(DEC)...
MELODIE Z SCOTT	(HARTNELL LAW GROUP
MELODIE Z SCOTT	(PET)...RYAN J GALLANT

XREF: PROPS1300322 (*Ingeburg Goetz*)
CONPS1400211 (*Ingeburg Elisabeth Goetz*)

Readiness – No notes – JTD

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

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

CASE#: PRO PS0700988

CASE NAME: SALLY FORLANO TRUST

HEARING:
Accounting Review

COUNSEL:

ANGELICA MARIA FORLANO	(MIN)...
DONNASUE SMITH ORTIZ	(PET)...
ELIZABETH ENRIQUEZ	(STE)...HARTNELL
GABRIELLE ELIZABETH FORLANO	(MIN)...
LILLIAN ROSALES	(JOHN L FALLAT
LINDA MAXWELL	(PET)...ELISABETH KEMPE-
SALLY FORLANO FAMILY TRUST	(TRU)...

GENERAL INFORMATION
Continued from 07/06/17.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 6th Trust Account of Linda Maxwell, PPF, approved on 09/08/16.
2. **Need** 7th Account beginning with 05/01/16.

RECOMMENDATION
Inquire status of accounting.

(lc)

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

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

CASE#: PRO PS0900709

CASE NAME: MTR OF ROGELIO QUINTERO

HEARING:

Hearing re Final Discharge

COUNSEL:

ARACELI QUINTERO	(PET)...	MARIO D VEGA
ARMANDO QUINTERO	(MIN)...	
JESUS EDUARDO QUINTERO	(MIN)...	
ROGELIO QUINTERO	(DEC)...	

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Araceli Quintero, daughter, approved on 11/17/16.
2. **Need** receipts for Rogelio, John, Marilyn, Jesus and Armando Quintero; Jorge Armando.
3. **Need** reconciliation for \$20,000 reserve.
4. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipts and discharge order.

(lc)

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

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

CASE#: PRO PS1300487
CASE NAME: LESLIE ALAN BUTLER
HEARING: FIRST AND FINAL Account and Report of DAYNA BUTLER and Petition
for allowance of fees filed.

COUNSEL:

DAYNA BUTLER (PET)...KAYSER LAW GROUP
LESLEY BUTLER (MIN)...PRO/PER
LESLIE ALAN BUTLER (DEC)...

GENERAL INFORMATION

Continued from 04/20/17 and 06/29/17. Donnasue Smith Ortiz appointed GAL for minor Lesley Butler.

Continued from 09/07/17.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees and Exoneration of Bond by Dayna Butler, spouse.

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

1. Petitioner waives statutory compensation.
2. Attorney requests statutory fees of \$7,900. Ok.
3. Attorney requests reimbursement of costs advanced totaling \$2,239.70. Itemized [Acct.02/10LFpg8].
4. Petitioner proposed distribution to herself as spouse. However, the estate consisted of separate property; therefore, daughter Lesley Butler, **minor at time of filing**, is an heir of the estate [50%] per Pr.C. § 6401. **Need** verified supplement with proper distribution or points and authorities to how Lesley is not entitled.
 - a. **Supp 08/25/17: Petitioner alleges the property is community; however, petitioner appears to have chosen to probate as separate property. An election must be filed within four months after the issuance of letters or within further time that the court may allow before entry of any order determining passing to surviving spouse (Pr. C.13650 § 13656). However, no election was filed per Pr. C. § 13502.**
5. **Need** report of GAL Donnasue Smith Ortiz.
6. Petitioner alleges they became aware of a cloud in the title to real property as there was a civil judgment in case CIVDS1512221 [Acct.02/10LFpg16-20]. Court may wish to inquire.
7. No proposed order; submit after hearing.

RECOMMENDATION

Need to clear notes 4-5. If approved, set hearing on the filing of receipts and final discharge for **12/06/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1400747

Vacated

CASE NAME: Kenneth J Schultz

HEARING:
Hearing re Final Discharge

COUNSEL:
KENNETH J SCHULTZ (DEC)...
TANYA M PATINO (PET)...ASTOR & KINGSLAND

Final Discharge order sent to clerk's office for processing on 11/15/17.

(lc)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1600057

CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 6, 7

HEARING:

Hearing Re: Status of Mediation

COUNSEL:

DARCY CLOUTIER-FERNALD	(PET)...FULLERTON LEMANN SCHAEFER
IRIS ROBERTSON	(OBJ)...JACK B. OSBORN
THE CASSIE C SHARP TRUST	(TRU)...PRO/PER

Status – No notes – JTD

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1600057

CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 5, 7

HEARING: Petition for TO DETERMINE INVALIDITY OF TRUST

COUNSEL:

DARCY CLOUTIER-FERNALD (PET)...FULLERTON LEMANN SCHAEFER

IRIS ROBERTSON (OBJ)...JACK B. OSBORN

THE CASSIE C SHARP TRUST (TRU)...PRO/PER

Currently under review by legal research.

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1600057

CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 5, 6

HEARING:
Trial Setting Conference

COUNSEL:

DARCY CLOUTIER-FERNALD	(PET)...FULLERTON LEMANN SCHAEFER
IRIS ROBERTSON	(OBJ)...JACK B. OSBORN
THE CASSIE C SHARP TRUST	(TRU)...PRO/PER

T.S.C. – No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 7A ADD ON

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

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

CASE#: PRO PS1600169

CASE NAME: BETTY LOUS SCHLAICH

HEARING:

Hearing Re: POSTING OF BOND/PROOF OF PAYMENT TO CREDITORS

COUNSEL:

BETTY LOU SCHLAICH (DEC)...
LINDI K DAYTON (PET)...CHRISTOPHER A SHUMATE

GENERAL INFORMATION:

Continued from 11/21/17. Proof of payment to Bank of America not filed.

THIS CASE IS SET FOR HEARING ON Posting of Bond/Proof of Payment to Creditors.

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

1. Matter set at 10/17/17 hearing, wherein, the Court required bond of \$1000,000 and indicated if counsel filed proof that all the creditors have been paid, then bond would not be required.
2. Declaration re Allowances to Creditor's Claims and No Bond Requirement filed 10/26/17 states all creditors' claims (3) were paid on or about 08/23/17, after the court approved the administrator's creditor's claim.
3. Counsel indicates bond is not required for the creditors' claims that are filed in this estate since they have already been paid from the estate.

RECOMMENDATION:

Court's discretion. If continued, set on next available Tuesday, Monday or weds hearing.
(nb)

Future Hearing: 10/16/18 Accounting Review.

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1600668

CASE NAME: JOSEPH RANYAK

HEARING:
Accounting Review

COUNSEL:
JOSEPH RANYAK (DEC)...
MARTHA RANYAK (PET)...MITCHELL I ROTH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Martha Ranyak, daughter, on 09/16/16; full authority, \$301,000 bond.
2. Final Inventory and Appraisal filed.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.
(lc)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1600927

CASE NAME: FELIPE DE JESUS LEAL

SEE ALSO 10, 11

HEARING:

Hearing Re: STATUS OF SETTLEMENT

COUNSEL:

FELICITAS HERNANDEZ	(PET)...JOSHUA W CENTENO
FELIPE DE JESUS LEAL	(DEC)...
MARIA LEAL	(OBJ)...
MARIA LEAL	(PET)...LINDA ROBERTS ROSS
MINOR CHILDREN	(MIN)...PRO/PER

Status – No notes – JTD

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

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

CASE#: PRO PS1600927
CASE NAME: FELIPE DE JESUS LEAL

SEE ALSO 9, 11

HEARING: Petition for LETTERS OF ADMINISTRATION W/ FULL IAEA

COUNSEL:

FELICITAS HERNANDEZ	(PET)...JOSHUA W CENTENO
FELIPE DE JESUS LEAL	(DEC)...
MARIA LEAL	(PET/OBJ)...LINDA ROBERTS ROSS
MINOR CHILDREN	(MIN)...PRO/PER

GENERAL INFORMATION

Continued from 01/18/17. Maria Leal, surviving spouse, to file written objections. Court suggests Maria Leal to seek counsel. Joan Nelms appointed GAL for minors.

Continued from 04/05/17. Default was filed in family law matter, but a default judgment was not filed. Maria Leal needs to file a competing petition. A settlement is being negotiated, but not yet in writing. **Bond required \$119,000.**

Continued from 06/05/17 trailing settlement hearing.

Continued from 09/06/17. Competing petition filed.

THIS CASE SET FOR HEARING ON

- Petition 1- Petition for Letters of Administration with full authority under IAEA by ***Felicitas Hernandez, former spouse.***
- Petition 2- Petition for Letters of Administration with full authority under IAEA by ***Maria Leal, spouse.***

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

Petitioner 1 - Felicitas Hernandez, former spouse

1. Petitioner does not state amount of bond. Court requires bond of \$119,000.
2. Decedent left minor issue; Jennifer 12 and Patricia 9.
3. Report of GAL Joan Nelms filed 04/05/17. Supplement report filed on 06/07/17.
4. **Objections by Maria Leal, surviving spouse, filed 03/14/17.**
5. Proposed Form Order: None.

Petitioner 2 – Maria Leal, spouse

6. No reason stated for no bond. Net estate value is \$119,000 in real property. Court may for good cause could require bond per Pr.C. § 8481(b); alternatively, grant limited authority. JTD
7. ~Proposed Form Order: 08/31/17.

RECOMMENDATION

Matter is contested. Petitioner 2 appears to have higher priority Pr.C. § 8461(a). If approved, set Accounting/Status Review for **02/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.
(lc/lh/lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1600927

CASE NAME: FELIPE DE JESUS LEAL

SEE ALSO 9, 10

HEARING:

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

COUNSEL:

FELICITAS HERNANDEZ	(PET)...JOSHUA W CENTENO
FELIPE DE JESUS LEAL	(DEC)...
MARIA LEAL	(OBJ)...
MARIA LEAL	(PET)...LINDA ROBERTS ROSS
MINOR CHILDREN	(MIN)...PRO/PER

See notes on matter 11.

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

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

CASE#: PRO PS1601108

CASE NAME: LUCY A SHATZ

HEARING:

Petition for TERMINATION OF PROCEEDINGS AND DISCHARGE OF PERSON
AL REPRESENTATIVE

COUNSEL:

LUCY A SHATZ (DEC)...
SAMMY MICHAEL DRAKE (PET)...CARLA D ALLEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Termination per Pr.C. § 12251 by
Sammy Drake, son.

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

1. Sammy Drake was appointed administrator on 01/19/17, limited authority \$20,000 bond. However, bond has never posted, nor letters issued. Therefore, petitioner does not currently have authority as administrator.
2. Petitioner seeks termination and discharge for lack of assets. There is allegedly no need for the estate to remain open as the civil wrongful death case was rejected. Pr.C. § 12251(c) allows discharge.

RECOMMENDATION

RFA.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: PRO PS1601108

CASE NAME: LUCY A SHATZ

SEE ALSO 12

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

LUCY A SHATZ

(DEC)...

SAMMY MICHAEL DRAKE

(PET)...CARLA D ALLEN

GENERAL INFORMATION

Continued from 04/13/17, 06/22/17, 08/31/17 and 11/02/17. No appearance.

THIS CASE SET FOR HEARING ON Receipt of Bond.

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

1. Sammy Drake, son, appointed administrator on 01/19/17; limited authority, \$20,000 bond.
2. **Need** bond in order for letters to issue.
3. Petition to terminate filed 08/31/17.

RECOMMENDATION

See other matter 12.

(lc)

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

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

CASE#: PRO PS1700868

CASE NAME: MTR OF HAROLD WEIZENECKER

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS TESTAMENTARY WITH
FULL AUTH TO ADMIN UNDER IAEA

COUNSEL:

HAROLD WEIZENECKER (DEC)...
WENDY E LOPEZ (PET)...ELISABETH KEMPE-OLINGER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Wendy Lopez, daughter.

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

1. All heirs bond. Estate consists of personal property of \$320,708. Court may for good cause could require bond per Pr.C. § 8481(b). JTD
2. The will conditionally incorporates decedent's Trust. Copy of Trust filed 08/31/17.
3. **Need** proof of publication
4. Current acting Successor Trustee is not listed in Section 8. **Need** verified supplement.
5. ~Proposed Form Order: 08/31/17.

RECOMMENDATION

Need to clear notes 3-4, Court's discretion re bond. If approved, set Accounting/Status Review for **02/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

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

CASE#: PRO PS1700870

CASE NAME: ETHAN MATTHEW MIZERA

HEARING:

Spousal Property Petition hearing.

COUNSEL:

ETHAN MATTHEW MIZERA (DEC)...
KIMBERLY LEZETTE AYALA (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Kimberly Ayala.

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

1. Petitioner, Kimberly Ayala, seeks determination that community property, real and personal, left by decedent passes to petitioner without administration.
2. Petitioner does not indicate date of marriage, how property was acquired or when. **Need** verified supplement explaining date of acquisition, date of marriage and funds used to purchase.
3. Only intestate heir is a minor issue, Savannah age 4. However, if property is community, then Savannah has no interest.
4. ~Proposed Form Order: 08/31/17.

RECOMMENDATION

Need to clear note 2.

(lc)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: SPR SS04478

Vacated

CASE NAME: MICHAEL MONTOYA SPECIAL NEEDS TRUST

HEARING:
Accounting Review

COUNSEL:

INLAND COUNTIES REGIONAL CENTE	(PET)...BRUNICK MCELHANEY
INLAND COUNTIES REGIONAL CENTE	(STE)...STEVEN K BECKETT
MELODIE Z SCOTT	(PET)...HARTNELL
MICHAEL MONTOYA	(DEC)...
MICHAEL MONTOYA SPECIAL NEEDS	(TRU)...

(lc)

Future hearing dates: 14th Account IRC

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 11/30/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1701077

CASE NAME: Witherell Living Trust

HEARING:

Hearing Re: PERMANENT INJUNCTION

COUNSEL:

LINDA SCHAEFER

(PET)...BEST BEST & KRIEGER

WITHERELL LIVING TRUST

(TRU)...

Currently under review by legal research.

Future Hearing: 12/14/17 Petition to invalidate transfer of funds and etc.

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 11/30/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800321

CASE NAME: KENNETH STONEBREAKER

HEARING:

Hearing re Final Discharge

COUNSEL:

DAVID S STONEBREAKER	(PCR)...PRO/PER
KATHLEEN A. STONEBREAKER	(PCR)...PRO/PER
KENNETH STONEBREAKER	(PCE)...

GENERAL INFORMATION

Continued from 05/04/17. No appearance. Personal representatives ordered to appear if notes not cleared.

Continued from 07/06/17. Donnasue Smith Ortiz relieved. Parties given copy of accounting and minute order to assist in preparing order.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of David and Kathy Stonebreaker approved on 04/28/16.
Need order.
2. No receipts needed as there were \$0 assets.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of orders.

(lc)

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

DATE: 11/30/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700367
CASE NAME: GARY M MAJINSKI

HEARING: Petition for Appointment of Conservator

COUNSEL:

CHICE A DAVISON (CE)...JOSEPHINE A RICH
CHICE A DAVISON (CE)...JOSEPHINE A RICH
GARY M MAJINSKI (CEP)...PRO/PER

GENERAL INFORMATION

Chice Davison appointed temporary Conservator of estate only on 10/18/17.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator estate only by Chice Davison, sister.

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

1. Petitioner seeks bond of \$55,000. Ok.
2. List of required contacts (Local form SB-12224) only lists petitioner. Court to inquire if other relatives.
3. Petitioner alleges that the proposed conservatee has been missing since April 2016 and has disappeared for a long period of time previously. As citation is unable to be served, **need** notice to proposed conservatee per Pr.C. §1842 by proof of publication.
4. **Need** Certificate of Completion of the Conservatorship Training Class.
5. Need notice of hearing and proof of service to any agency Secretary per Pr.C. § 1842 **if** required.
6. Court Investigator report filed 11/15/17.
7. There appears to be a related case CIVDS1715009 (*City of Colton v Majinski*). Court may wish to cross reference.
8. ~Proposed Form Order: 10/12/17.

RECOMMENDATION

Need to clear notes 3-5. If approved, set hearing for Compliance Review for **07/05/18** for the filing of the required documents and hearing re Accounting Review for **02/07/19**. Any accounting to be filed 30 days in advance.

(lc)

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

DATE: 11/30/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700369

CASE NAME: MTR OF JOSEPH RONALD MARTINEZ

HEARING: Petition for Appointment of Conservator

COUNSEL:

JOSE MARTINEZ RECINOS (CP)...PRO/PER
JOSEPH RONALD MARTINEZ (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Jose Recinos, father.

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 10/19/17.
4. Proposed conservatee is developmentally disabled. **Need** report of Counsel Rose Rosado.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. **Need** Court Investigator report.
8. Citation returned served.
9. ~Proposed Form Order: 10/26/17.

RECOMMENDATION

Need to clear notes 4-7. If approved, set hearing for Compliance Review for **07/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

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

DATE: 11/30/17 TIME: 9:30 DEPT: S37P

CASE#: RC RS00270

CASE NAME: JOSE A CARMONA GARCIA

HEARING:

Hearing Re: ACCOUNTING REVIEW (DIANE HARKISON)

COUNSEL:

DIANE D HARKISON	(CE)...M DANIEL SAYLOR
DIANE D HARKISON	(CPE)...M DANIEL SAYLOR
DONNASUE SMITH ORTIZ	(CP)...PRO/PER
JOSE A CARMONA GARCIA	(CEP)...DONNASUE ORTIZ
KIRK HOFFMAN	(PET)...M DANIEL SAYLOR
LOURDES SANCHEZ	(PET)...PRO/PER
VIRGINIA VASQUEZ PEREZ	(PCR)...KAMOLA L. GRAY

CCP170.6 filed as to CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review for Diane Harkison.

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

1. Virginia Perez, spouse, is Conservator of person only. **Diane Harkison** was appointed successor Conservator of estate only on 09/12/06. Kirk Hoffman PPF was appointed successor Conservator of estate on 08/17/17, \$300,000 bond.
2. **Need** accounting by **Diane Harkison**, former Conservator of estate.

RECOMMENDATION

Inquire status of accounting.

(lc)

Future Hearing: 08/16/18 Accounting Review (**Kirk Hoffman**)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/30/17 TIME: 9:30 DEPT: S37P

CASE#: SC SS02867

CASE NAME: MTR OF BETH ANN MAZZA

HEARING:
Accounting Review

COUNSEL:

BETH ANN MAZZA (CEP)...
INLAND COUNTIES REGIONAL CENTE (CE)...BRUNICK MCELHANEY &
INLAND COUNTIES REGIONAL CENTE (CPE)...STEVEN K BECKETT

Exparte Petition to dispense accounting sent to Clerk's office for processing on 11/14/17.
Clerk's office to set next Accounting review for 08/01/18.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **MISC.**

DATE: 11/30/17 TIME: 1:30 DEPT: S37P

CASE#: CIF DS1700128

CASE NAME: ROTER VS. STRAYHORN

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

SAM ROTER (PP)...PRO/PER
STANLEY L STRAYHORN (RP)...

Need notice respondent Stanley Strayhorn.