



Superior Court of California
County of San Bernardino
Probate Department

Second/Final Check

Probate Notes for Calendar Date: 12/06/17

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.

11/16/17 lh; 11/30/17lh

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: 12/06/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1200012

CASE NAME: ESTATE OF JOE BEVACQUA

HEARING:

Hearing re Final Discharge

COUNSEL:

GUADALUPE FERNANDEZ

(PET)...ROBBINS & HOLDAWAY

JOE BEVACQUA

(DEC)...

MERCEDES SANCHEZ

(PET/APP/OBJ)...ELDER LAW CENTER

SURETEC INSURANCE COMPANY (PET)...WILSON, ELSER, MOSKOWITZ, ED

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge re Guadalupe Fernandez De Gutierrez, executor/sole beneficiary

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

1. Account for Guadalupe Fernandez De Gutierrez approved on 11/30/16.
2. No receipts needed as petitioner is sole beneficiary.
3. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1200623

CASE NAME: MARTHA SHOAF

HEARING:

Hearing re Final Discharge

COUNSEL:

PATRICIA O'HAGAN	(PET)...ROGER I. STEIN
MARTHA SHOAF	(DEC)...
BERNARD M BIDART	(TP)...

GENERAL INFORMATION

Continued from 08/09/17 at request of counsel to obtain receipts from heirs.

Continued from 10/18/17. No appearance. No stipulation as there is no appearance.

Court orders counsel and administrator to be personally present at next hearing of 12/06/17. Court notes Counsel and Administrator will be excused from appearing if probate notes are cleared before 12/06/17.

THIS CASE IS SET FOR HEARING ON Final Discharge re Patricia O'Hagan

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

1. Order approving final distribution entered on 11/18/16.
2. Need receipt from Shirley Helmick re television set.
3. Ex Parte Petition for Final Discharge and Order rejected on 11/21/17.

RECOMMENDATION

Inquire status of receipt.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400693

CASE NAME: ELAINE LEVITT

HEARING:

Hearing re Final Discharge

COUNSEL:

JOHN BABROWSKI (PET)...COSGROVE, CO SGROVE & HUM PHRE

ELAINE LEVITT (DEC)...

STATE OF CA FRANCHISE TAX BOARD (TP)...PRO/PER

GENERAL INFORMATION

Continued from 04/26/17; petitioner is finishing up taxes.

Continued from 06/07/17 at request of counsel re taxes.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of John Babrowski, son, approved on 04/20/16.
2. Receipt filed.
3. Creditor's Claim by Franchise Tax Board for \$7,420.65 filed 08/15/17.
4. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of creditor's claim.

(lc/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500673

CASE NAME: Margaret L. Beauvais 2000 Revocable Trust

HEARING:
Hearing Re: OSC RE CASE CLOSURE

COUNSEL:
RICHARD ALAN BEAUVAIS (PET)...CHARLES S ALTHOUSE
MARGARET L. BEAUVAIS 2000 REVOCABLE TRUST (TRU)...
ALAN R BEAUVAIS (PET/APP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON OSC re Case Closure

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

1. Matter set on 08/23/17, wherein, Court signed Judgment After Trial and set OSC re case closure.
2. Remittitur from Fourth Appellate District filed 09/01/17.

RECOMMENDATION

Court's discretion.

(lh)

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

DATE: 12/06/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501062

CASE NAME: MTR OF MICHAEL LYLE RILEY

HEARING:

First and final Account and Report of SHAWN WALKER and Petition
for allowance of fees filed.

COUNSEL:

SHAWN WALKER	(PET)...JOHN F WEBER
MICHAEL LYLE RILEY	(DEC)...
SCOTT A HANCOCK	(TP)...
KATHLEEN EVENSON	(PRO/PER)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Shawn Walker, administrator/equitably adopted son

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

- 1 Accounting period 08/03/16 to 06/30/17
- 2 Assets on hand: \$235,630.94, consisting of \$122,780.94 in cash and remaining in real property and vehicles.
- 3 Statutory attorney and administrator fees requests of \$8,142.86 each. Calculated.
- 4 **Need** bank/financial statements or letter from financial institution verifying account balances supporting I&A as of date of death on 09/06/15 per Local Rule 20-908.
- 5 **Need** Bank of America bank statement for account ending in 4937 verifying assets on hand per Local Rule 20-908.
- 6 **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr.C. § 1064(a)(5).
- 7 Schedule B Disbursements indicate petitioner reimbursed himself \$3,341.42 for bills paid prior to his appointment as administrator. **Need** verified supplement with itemization of expenses.
- 8 Petitioner alleges the real property has remained vacant throughout administration. However, Schedule B Disbursements include monthly utility payments paid totaling over \$1,200. **Need** verified supplement clarifying if the property was occupied during administration.

- 9 Petitioner alleges a water pipe burst in the vacant real property causing extensive water damage to the property. A homeowner's insurance claim was paid out totaling \$49,051.79; however, administrator did not use the funds to repair the property. **Need** verified supplement clarifying status of damage to real property.
- 10 **Inventory and Appraisal was filed 03/01/17.** Attachment 2 lists a 1965 Cessna Airplane, 1958 Clayplane airplane, smoker craft boat and trailers. **Need** verified supplement stating actions taken under IAEA e.g. whether assets were sold and whether a Notice of Proposed Action were sent.
- 11 **Petitioner** is the purported equitably adopted son of decedent seeking 100% distribution of estate. However, Kathleen Evenson (decedent's niece) filed an Objection to Petition for Letters of Administration on 05/23/16. A stipulation withdrawing objection was filed 07/01/16 reserving on the issue whether or not petitioner is the decedent's equitably adopted son. **Court to rule on issue in order to determine proper distribution.** See prior supplement and declaration in support of equitable adoption filed 03/15/16. **JTD**
- 12 Proposed Order submitted 08/22/17 is missing omnibus clause. Submit corrected order after hearing.

RECOMMENDATION:

Need to clear notes 4-11, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **12/12/18.**

(lh)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 12/06/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600052

CASE NAME: RAYMOND STUART MORFORD

HEARING:

Accounting Review

COUNSEL:

WINDA GALE MORFORD

(PET)...PRO/PER

RAYMOND STUART MORFORD

(DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to Winda Morford on 09/27/16 with full authority and no bond.
2. Need final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. No accounting or status report of administration. Need same.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 12/06/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600130

CASE NAME: MTR OF OSCAR DE JESUS PALACIOS

HEARING:

FIRST AND FINAL Account and Report of RICHARD L GOMEZ and
Petition for allowance of fees filed.

COUNSEL:

RICHARD L GOMEZ (PET)...KELLY F RYAN
OSCAR DE JESUS PALACIOS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by Richard Gomez, executor/sole beneficiary

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

1. Assets on Hand \$207,500, consisting solely of real property.
2. Petitioner waives statutory compensation.
3. Attorney waives statutory compensation.
4. No proposed order submitted. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set hearing re receipts and final discharge for 12/12/18.
(lh)

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

DATE: 12/06/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700582

CASE NAME: MTR OF WILLIAM ALLEN HOLMES

SEE ALSO 9

HEARING:

Hearing Re: STATUS OF RELATED CASE

COUNSEL:

DAVID W MUSICK	(PET)...THOMAS W DOMINICK
WILLIAM J DAUP JR	(PET)...THOMAS W DOMINICK
WILLIAM ALLEN HOLMES	(DEC)...
JOANNE BUXTON	(RES)...COPENBARGER & ASSOCIATES
SHERI AUTREY	(COPENBARGER & ASSOCIATES)

XREF: PROPS1700680 (*William A Holmes Separate Property Trust*)

GENERAL INFORMATION

Continued from 10/25/17 to track with PROPS1700680.

THIS CASE SET FOR HEARING ON Status of Related Case.

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

1. Matter set at 09/06/17 hearing where David Musick & William Daup, Jr, nephews, were appointed co-executors and it was noted a related trust matter was filed with the court PROPS1700680.

RECOMMENDATION

Court's discretion. See matter 9.
(lc/lh)

Future Hearing: 11/14/18: Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700680

CASE NAME: WILLIAM A HOLMES SEPARATE PROPERTY TRUST

SEE ALSO 8

HEARING:

Hearing Re: PETITION TO INVALIDATE TRUST AMENDMENT

COUNSEL:

JOANNE BUXTON (PET)...LAUREN
SHERI AUTREY (PET)...LAUREN

XREF: PROPS1700582 WILLIAM ALLEN HOLMES

Currently under review by legal research

(LR)

NOTICE: Need 30 days' notice for parties listed in petition [Pet. 06/30 LFpg6-7].

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

DATE: 12/06/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700710

CASE NAME: ASHER EMMANUEL

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

SABA MASIH (PET)...DALE K BETHEL
ASHER EMMANUEL (DEC)...

GENERAL INFORMATION

Continued from 10/18/17.

On 10/24/17, Court appointed Saba Misih as Special Administrator, no bond. Funds to be placed in a blocked account.

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

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

1. Bond in the amount of \$150,000 is being requested. Ok.
2. Decedent is survived by 2 minor children- Shamir and Sharon. Age unknown.
3. Need proof of publication.
4. Need proof of blocked account.
5. ~Proposed Form Order: 07/14/17

RECOMMENDATION

Need to clear notes 3-4. Court's discretion re \$150,000 bond. If approved, set Accounting/Status Review **02/13/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700832

CASE NAME: DAVID T TRUE

HEARING:

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

COUNSEL:

DEBRA CORDOBA SMITH (PET)...GREGORY L ZUMBRUNN
DAVID T TRUE (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate, Letters Testamentary with
Full Authority under IAEA by Debra Cordoba Smith (executor)

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

1. Will waives bond. Estimated net value of estate is \$86,000, consisting of \$5,000 cash and remaining in real property. The court may for good cause require that a bond be given, either before or after issuance of letters. (Prob. Code, § 8481(c))
2. ~Proposed form Order: 08/17/17

RECOMMENDATION:

RFA, Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **02/13/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 12/06/17 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1700851

CASE NAME: MCMASTER LIVING TRUST

HEARING:

Petition for CONFIRM TRANSFER OF ASSETS TO REVOCABLE TRUST
(HEGGSTAD PETITION)

COUNSEL:

DONNA L CLEM

MCMASTER LIVING TRUST

BETTY J MCMASTER

(PET)...CHRISTOPHER A SCHUMATE

(TRU)...

(DEC)...

Currently under review by legal research.

(LR)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 12/06/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600332

CASE NAME: DAVID KINNEY, JR.

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of DAVID KINNEY

COUNSEL:

DAVID KINNEY

(PET)...PRO/PER

DAVID KINNEY JR

(CEE)...ROSE C ROSADO

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. David Kinney appointed Conservator of the person on 05/03/17.
2. Need Notification of Conservatee's rights per Pr. C. §1830(c).
3. Need a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
4. Care Plan filed.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700322

CASE NAME: MTR OF BILL TEAGUE

HEARING:

Petition for Appointment of Conservator

COUNSEL:

GREGORY VINCENT TEAGUE (CPE)...DAVID M GROSSMAN
BILL H TEAGUE (CEP)...MARIVEL M ZIALCITA

GENERAL INFORMATION

Gregory Teague appointed temporary Conservator person and estate, \$20,000 bond on 09/06/17.

Continued from 10/18/17 for receipt of report of Counsel for Bill Teague. Attorney Marivel M Zialcita is appointed for Bill H. Teague. Notice given by Judicial Assistant.

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

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

1. Petitioner seeks bond of \$150,000. Ok.
2. Proposed conservatee was residing in New Mexico until July of 2017. Court does not appear to have jurisdiction until after January 14, 2018 Pr.C. § 1993. **Supp. 10/13/17 petitioner alleges proposed conservatee is a longtime resident of San Bernardino County. Prior to living with his nephew in New Mexico, he resided in Upland, California for over 30 years. JTD**
3. Petitioner seeks medical powers. Capacity Declaration filed 09/29/17 is incomplete at item #7b initials; page 1 signature is not dated. **Need** completed form. **Supp. 10/13/17 contends Capacity Declaration is substantially executed and should be accepted. JTD.**
4. Petitioner seeks dementia powers. **Need** report of appointed Counsel Zialcita.
5. **CI Report filed 10/12/17.**
6. Proof Completion of the Conservatorship Training Class filed 10/05/17.
7. Return of Citation with proof of service filed 09/29/17.
8. Conservatee appeared on 09/06/17.
9. ~Proposed Form Order: 08/24/17

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

RECOMMENDATION

Need to clear notes 3-4. Court may wish to continue matter until **01/18/18**. If approved, set hearing for Compliance Review for **07/11/18** for the filing of the required documents and hearing re Accounting Review for **02/13/19**. Any accounting to be filed 30 days in advance.

(lc/lh)

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

DATE: 12/06/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700391

CASE NAME: MTR OF: AMETHYST OF HEAVEN OTUVAI

HEARING:

Petition for Appointment of Conservator

COUNSEL:

VILIAMI M OTUVAI (CP)...PRO/PER
AMETHYST OF HEAVEN OTUVAI (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Vilami Otuvai, father

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 10/26/17.
4. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. **Need** IRC report. **See IRC letter filed 11/07/17.**
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. **Need** Court Investigator report.
8. Return of Citation with proof of service filed 10/26/17.
9. ~Proposed Form Order: 10/23/17

RECOMMENDATION

Need to clear notes 4-7. If approved, set hearing for Compliance Review for **07/11/18** 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)

Superior Court of Calif, County of San Bernardino
Page: 15A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 12/06/17 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

SEE ALSO 19 20

HEARING:

Hearing Re: Petition for Appointment of Successor Conservator of the Person

COUNSEL:

STAN MANDELL	(CPE)...LAMB MORRIS & LOBELLO
CHRISTINA ERICKSON-TAUBE	(CP)...SHERRI L KASTILAHN
VICKI LISTER	(CPE/CP)...HARTNELL LAW GROUP
SHANIKA A LISTER	(CECEEP/)...EDWARD B FISCHER & ASSO
EDWARD B FISCHER	(PET)...EDWARD B FISCHER & ASSOC
YO TASHI KO Y. TUCKER	(PET)...HARTNELL LAW GROUP
CARMELA C JOHNSON	(CP)...PRO/PER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
BANK OF THE WEST	(RANDOLPH M SHARON)

Waiver of Court Fees and Costs filed by CARMELA C JOHNSON is GRANTED

XREF: PROPS1400134 Vicki R. Lister **CIVDS1309039** HARTNELL-V-LISTER

See notes on matter #19

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 12/06/17 TIME: 9:35 DEPT: S35P

CASE#: SC SS00220

CASE NAME: IN THE MATTER OF ARIC PEAVIE JR

HEARING:

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

COUNSEL:

ARIC PEAVIE

(CEP/CTE)...

INLAND COUNTIES REG CNTR

(CPE)...STEVEN K BECKETT

ARIC PEAVIE JR

(CEE)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 14th Account Current and Petition for Fees

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

1. Account period covers 08/01/15 to 06/30/17
2. Assets on hand \$165,409.45, cash (pooled account)
3. Petitioner requests confirmation of \$5,288.83 in fees taken and authority to continue payment of annual trustee fees billed annually at \$1,250 for the first \$50,000 plus 2% of the trust assets over \$50,000 and up to \$250,000. JTD
4. Attorney requests fees of \$1,310; billed at \$250/hour for attorney at 250/hour and paralegal at \$100/hour. Itemization filed separately.
5. Petitioner proposes a revised Master Trust of California Agreement to include reimbursement of any benefits paid by any other state's Medicaid program and notice to such other's state agencies to comply with Social Security regulations. JTD
6. No current bond set. Suggested bond: \$182,000. JTD
7. Proposed order submitted 10/12/17 does not comply with Local Rule 20-614(d) as no matter may appear after judge's signature. Need corrected order. Legal Research to review proposed trust revision.

RECOMMENDATION:

Court's discretion re bond. If approved, set hearing re next Accounting Review for **08/29/18** (if one year) or **08/28/19** (if two years). Accounting to be filed 30 days in advance. (lh)

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

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 12/06/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300129

CASE NAME: OLEN RALPH BALES

HEARING:

Hearing re Final Discharge

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

OLEN RALPH BALES

(CPE)...HARTNELL LAW GROUP

SHERRI L KASTILAHN

(PET)...SHERRI L KASTILAHN

TENNA VAUGHN COOK

(TP)...THOMAS G MARTIN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. First and Final Account for Public Guardian approved on 11/28/16. Need Order.
2. Need receipts from Tenna Vaughn Cook, administrator of Estate of Olen Bales.
3. Need Ex Parte Petition for Final Discharge and Order form GC-395.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 12/06/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600184

CASE NAME: MTR OF PATRICIA WISE

HEARING:

Accounting Review

COUNSEL:

PUBLIC GUARDIAN

(PET)...COUNTY COUNSEL

PATRICIA WISE

(PCE)...EDWARD B FISCHER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Patricia Wise

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

1. Patricia Wise appointed Conservator of the person and estate on 09/26/16, no bond.
2. Inventory and Appraisal filed.
3. No accounting or status report of administration. Need same.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 12/06/17 TIME: 1:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

SEE ALSO 15A 20

HEARING:

Hearing Re: PETITION FOR CONSERVATORSHIP

COUNSEL:

STAN MANDELL	(CPE)...LAMB MORRIS & LOBELLO
CHRISTINA ERICKSON-TAUBE	(CP)...SHERRI L KASTILAHN
VICKI LISTER	(CPE/CP)...HARTNELL LAW GROUP
SHANIKA A LISTER	(CECEEP/)...EDWARD B FISCHEL & ASSO
EDWARD B FISCHEL	(PET)...EDWARD B FISCHEL & ASSOC
YO TASHI KO Y. TUCKER	(PET)...HARTNELL LAW GROUP
CARMELA C JOHNSON	(CP)...PRO/PER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
BANK OF THE WEST	(RANDOLPH M SHARON)

XREF: PROPS1400134 Vicki R. Lister **CIVDS1309039** HARTNELL-V-LISTER

GENERAL INFORMATION:

Ex parte orders denied 10/28/15: no emergency

Continued from 12/09/15 and 12/17/15. Christina Erickson-Taube appointed Temporary Conservator of person only.

GENERAL INFORMATION:

Temporary orders granted 3/5/14 to Ms. Tucker.

Continued from **3/17/14**. The court orders IRC to conduct an investigation of conservatorship. The Court also refers matter to Court Investigator

At **06/04/14** hearing, Court appointed, Stan Mandell, conservator of the estate, \$110,000 bond. Bond filed 06/11/14. Continued from 04/16/14 and 6/26/14. The Court recommends Shanika Lister continue therapy. Therapy to be confidential. FCS may not contact therapist without Shanka Lister's consent. Matter referred to FCS mediation to discuss issues. Mediation not to occur prior to 6/9/14. Re-referred to FCS.

On **6/26/14**, the Court orders Ms. Johnson to provide a budget to GAL within 10 days.

Temporary orders granted 11/19/14, 01/22/15, 03/06/15, 07/10/15 and 08/13/15.

Conservatee's counsel Ed Fischel submitted 2014 Capacity Declaration.

Continued from 11/12/15 and 12/16/15. Christina Erickson-Taube appointed Temporary Conservator of person only on 12/17/15.

Continued from 06/21/16, 10/19/16, 03/23/17, 06/01/17 and 06/07/17.

THIS CASE IS SET FOR HEARING ON

- Petition 1 – Petition for Appointment of Successor Conservator, person only, filed by aunt, Yo Tashi Ko Y. Tucker
- Petition 2 - Petition for Appointment of Successor Conservatorship, person only, by sister-in-law, Carmela Johnson
- Petition 3 - Petition for Appointment of Conservator, person only, filed by Stan Mandell PPF.
- Petition 4 Petition for Success Conservatorship, person only, by Christina Erickson-Taube

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

Petitioner 1 Yo Tashi Ko Y, Tucker aunt:

1. Petitioner nominated by father. Petitioner also alleges proposed conservatee prefers petitioner to be her conservator.
2. Petitioner requests medical powers. **Need** Capacity Declaration.
3. **Need** return of Citation.
4. Court Investigator's report filed 3/25/14
5. Report of Counsel Fischel, filed 4/2/14
6. IRC indicated that proposed conservatee is ineligible for services on 01/05/15.
7. Conservatorship Training Class Certificate filed 04/18/14.
8. FCS report filed 06/09/14.

Petitioner – 2 Carmela Johnson, sister-in-law:

9. Nomination attached to Conservator Screening form filed 03/10/14.
Stipulation and Order entered 03/11/14 advancing this petition to 4/16.
10. Report of Counsel Fischel filed 04/02/14.
11. Court to review Court Investigator's Reports filed 03/11/14 and 03/25/14.
12. IRC indicated that proposed conservatee is ineligible for services on 01/05/15.
13. Petitioner seeks medical powers. **Need** Capacity Declaration.
14. **Need** return of Citation.
15. Certificate of Completion re Conservatorship Class filed 05/16/14.
16. Attorney Mitchell Roth appointed GAL on 05/28/14 and 05/29/14.

Petitioner 3 – Stan Mandell PPF.

17. Petitioner is current conservator of **estate** as of 6/4/14; bond of \$110,000.
18. Petitioner requests medical powers. **Need** to file Capacity Declaration.
19. Petitioner requests the authority to fix the residence of conservatee (Pr.C. § 2352) and the power to employ Wendy Doring of Wendy Doring Care Management Services in Monrovia as care manager for the conservatee and to pay for said services from the conservatorship estate assets. Conservatee lives in Rialto, CA.

Question if there is a care manager closer in proximity to conservatee should a care manager be needed? **Need** verified supplement.

Additionally, a Declaration filed by petitioner on 11/18/14, shows that a live-in caregiver, Mrs. Carmela Johnson, from Synergy Homecare would be employed beginning 10/20/14 at the rate of \$9,300/month. Why are two caregivers needed? The rate of \$9,300 exceeds the customary rate of caregivers and Board and Care facilities. Question why the excessive costs? **Need** verified supplement.

20. 730 evaluation by Dr. Leeb filed 09/12/17.
21. Court Investigator report filed 03/25/14.
22. FCS report filed 09/09/14.
23. Report of counsel filed on 01/20/15.
24. Report of GAL Mitchell Roth filed 10/12/17.
25. Court to review IRC information filed 01/05/15.
26. Citation returned served.
27. No proof of Conservatorship Training Class as petitioner is a PPF.

Petition 4 by Christina Erickson-Taube PPF (temp. conservator/person)

28. Petition is incomplete at item #11 as to Sylvester Lister, Jr (father), Sylvester Lister, Sr (paternal grandfather) and Vicki Lister (mother).
29. Petitioner seeks medical powers. **Need** Capacity Declaration.
30. **Need** list of required contacts to include relatives in note #29.
31. **Need** CII Referral Form.
32. **Need** return of Citation.
33. **Need** notice of hearing and proof of service at to Karimi Sutton (brother) and Sylvester Lister, Jr (father), Sylvester Lister, Sr (pgf) and Vicki Lister (mother).
34. **Need** Court Investigator report.
35. **Need** GAL Report.
36. No proposed order submitted by Christina Erickson-Taube

RECOMMENDATION

Need to clear notes 2-3, 14-15, 19-20,29-35. If approved, set hearing for Compliance Review for **07/11/18** for the filing of the required documents including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).
(gls/vet/cbr/kra/lc/lh)

Future hearing date:

04/19/18 Accounting Review Stan Mandell.

06/29/18 Conservatorship Investigator Review

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

DATE: 12/06/17 TIME: 1:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

SEE ALSO 15A 19

HEARING:

Hearing Re: STATUS RE SETTLEMENT

COUNSEL:

STAN MANDELL	(CPE)...LAMB MORRIS & LOBELLO
CHRISTINA ERICKSON-TAUBE	(CP)...SHERRI L KASTILAHN
VICKI LISTER	(CPE/CP)...HARTNELL LAW GROUP
SHANIKA A LISTER	(CECEEP/)...EDWARD B FISCHEL & ASSO
EDWARD B FISCHEL	(PET)...EDWARD B FISCHEL & ASSOC
YO TASHI KO Y. TUCKER	(PET)...HARTNELL LAW GROUP
CARMELA C JOHNSON	(CP)...PRO/PER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
BANK OF THE WEST	(RANDOLPH M SHARON)

Waiver of Court Fees and Costs filed by CARMELA C JOHNSON is GRANTED

XREF: PROPS1400134 CIVDS1309039

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status Re Settlement

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

1. Pre-Trial Conference Hearing came on 10/25/17, wherein, Court ordered Mr. Roth to prepare a draft Settlement Agreement of all issues and file with Court on or before 11/20/17.
2. Declaration of Trustee re status of settlement filed 11/15/17 regarding status of purchasing personal residence pursuant to Court order on 12/08/16, and schedule conflicts resulting in the stalling of purchase.

RECOMMENDATION

Inquire status.

(lh)

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: 12/06/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300805

CASE NAME: Twana R. McCallon

HEARING:

Probate status report filed.

COUNSEL:

AURELL P CATER

(PET)...PRO/PER

TWANA R MCCALLON

(DEC)...

GENERAL INFORMATION:

Continued from 09/06/16, 11/22/16, 01/31/17, 05/31/17, 08/09/17 to effectuate proper service.

THIS CASE IS SET FOR HEARING ON Status Report.

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

1. Status Report indicates real property has already been distributed. See final discharge filed prematurely on 04/12/16; deed attached.
2. Petitioner alleges the estate is not in a condition to be closed as responses by the IRS; FTB; and DHS have not been received.
3. Petitioner requests an additional 2 months to close the estate. Suggest 12 months.
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion. If approved, set next Accounting Review for **02/06/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lc/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400984

CASE NAME: MANUEL D PEREZ

HEARING:

FIRST AND FINAL Account and Report of LINDA MAXWELL and Petition
for allowance of fees filed.

COUNSEL:

GLORIA M CHAVARRIA	(PET)...G STEVEN GACKLE
MANUEL D PEREZ	(DEC)...MITCHELL I ROTH
HELENA PEREZ	(PET/OBJ)...MCGARRIGLE, KENNEY & ZAMPIELLO
BRIANNA ESCONTRIAS	(MIN)...
RAYMOND PEREZ	(MIN)...
MITCHELL I ROTH	(PET)...PRO/PER
LINDA MAXWELL	(PET)...ELISABETH KEMPE-OLINGER

XREF: PROPS1400956 MANUEL & IRENE PEREZ LIVING TRUST

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Linda Maxwell (administrator/successor trustee)

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

- 1 02/09/16 to 07/19/17
- 2 Assets on hand: \$614,215.51, cash
- 3 Statutory administrator and attorney fees of \$22,418.49 requested. Calculated.
- 4 Petitioner requests reserve of \$7,000. JTD.
- 5 Proposed order submitted 09/11/17. Proposed distribution sum does not balance
with cash on hand less fees and reserve.

RECOMMENDATION:

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

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/06/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501175

CASE NAME: MARIA GONZALEZ CORTEZ

HEARING:

Probate status report filed.

COUNSEL:

JAIME GONZALEZ JIMENEZ (PET)...SUSAN

MARIA GONZALEZ CORTEZ (DEC)...

GENERAL INFORMATION

Continued from 10/04/17. Counsel is going to file an 850 petition.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters Testamentary issued to Jaime Jimenez, son, on 04/13/16; full authority, no bond.
2. Executor seeks additional time in order to settlement real property agreement; however, does not specify time sought.
3. Need notice of hearing and proof of service per Pr. C. § 12201(b) advising the recipients of the right to petition for an account.

RECOMMENDATION

Need notice. If approved, set Accounting/Status Review for **10/10/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.
(lc/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501186

CASE NAME: MTR OF ROSE CORRA

HEARING:
Accounting Review

COUNSEL:
JOHN PAUL CORRA (PET)...PRO/PER
ROSE CORRA (DEC)...

GENERAL INFORMATION

Continued from 08/16/17. No appearance and no accounting filed. John Corra ordered to appear.

Continued from 10/11/17. Citation to be issued for John Paul Corra for failure to appear and failure to file an accounting; John Paul Corra to be present at next hearing. Should he fail to appear, a bench warrant will be issued.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Testamentary issued to John Corra, son, on 04/20/16; full authority, no bond.
2. Need final Inventory and Appraisal
3. Need accounting or status report.
4. Need return of citation re John Paul Corra with proof of service.

RECOMMENDATION

Inquire status of accounting and I&A.
(ww/lh)

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

DATE: 12/06/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600525

CASE NAME: KARL PROBERT-ENBORG SPECIAL NEEDS TRUST
HEARING:
Petition for REQUESTING AUTHORITY TO PURCHASE A VEHICLE AND HIRE
A CAREGIVER

COUNSEL:

JENNIFER PROBERT (PET/TEE)...PIERRE J RODNUSKY
KARL PROBERT-ENBORG 2016 SPECIAL NEEDS TRUST (BEN)...
KARL PROBERT SR (RODNUSKY & ASSOCIATES)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to Request Authority to Purchase a Vehicle and Hire a Caregiver filed by Jennifer and Karl Probert, Sr, parents/trustees

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

1. Creation of SNTfor Karl Probert, Jr, approved on 08/02/16. Jennifer and Karl Probert Sr., parents, appointed Trustees, \$661,300 bond.
2. Current assets: \$590,000 in cash, plus \$2,132.60/month from Pacific Life Insurance Co.
3. Petitioner alleges the family currently owns a 2002 Ford Expedition used to transport Karl Jr to various physical therapy and medical appointments. However, Karl Jr's safety has been compromised as he consistently removes the seatbelt. Petitioner requests authority to purchase a more reliable full-sized utility vehicle to fit Karl Jr and his equipment in an amount not to exceed \$30,000. **JTD**
4. Petitioners request authority to hire Jennifer Probert, trustee, as beneficiary's caregiver and for monthly compensation of **\$2,000**. Petitioners allege Karl Jr lives with and is cared for by both of his parents/trustees. Prior to Karl Jr's injury, Jennifer Probert, trustee, worked for Lucerne Valley School District, working with children with special needs at \$22.50/hour. Jennifer Probert has not been able to return to work due to Karl Jr's constant care, and thus requests compensation. **JTD**
5. Notice was given.
6. No proposed Order. Submit after hearing.

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/06/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600616

CASE NAME: MTR OF EVA AVILA

HEARING:

FIRST & FINAL Account and Report of GINA M PEREZ and Petition
for allowance of fees filed.

COUNSEL:

GINA M PEREZ

(PET)...PRO/PER

EVA AVILA

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Gina M. Perez, administrator

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

- 1 Assets on hand: \$64,538.52, cash
- 2 Statutory administrator and attorney's fees requested at \$8,601.60 each.
Calculated.
- 3 Petitioner requests reimbursement for advanced costs in the amount of \$12,114.43.
Itemized. [Acct, 09/11/17, LFpg6].
- 4 ~Proposed Order: 09/11/17

RECOMMENDATION:

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

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700296

CASE NAME: MTR OF LOUIS MENDOZA CARBAJAL

HEARING:

Motion Re: PRELIMINARY INJUNCTION Filed by Petitioner MARTHA
LILAH PADILLA

COUNSEL:

MARTHA LILAH PADILLA (PET)...PRO/PER
LOUIS MENDOZA CARBAJAL (DEC)...

Waiver of Court Fees and Costs filed by MARTHA LILAH PADILLA is GRANTED

Future Hearing: 9/04/18: Accounting Review

Currently under review by Legal Research.

(LR)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700896

CASE NAME: CHRISTINE BROWN SPECIAL NEEDS TRUST DATED:11-28-16

HEARING:

Petition for Void or terminate trust or replace trustee of
fraudulently established trust

COUNSEL:

CHRISTINE BROWN (PET)...RONALD W ASK
CHRISTINE BROWN SPECIAL NEEDS TRUST (TRU)...

Waiver of Court Fees and Costs filed by CHRISTINE BROWN is GRANTED

Currently under review by Legal Research.

(LR)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 12/06/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200292

CASE NAME: ANNIE LEE GRAHAM

HEARING:

Hearing re Final Discharge

COUNSEL:

WILLIE ALLEN GRAHAM	(CPE)...PRO/PER
ANNIE LEE GRAHAM	(CEP)...
WALTER T MOORE	(PET)...
JUDIE GRAHAM MORRISON	(CPE)...PRO/PER
JETHRO GRAHAM	(OBJ)...PRO/PER
CHARLENE HOOPER	(CHRISTOPHER NELSON)
HELEN LAMAR	(CHRISTOPHER NELSON)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Court approved final account of conservator Judie Morrison on 05/12/17. Court ordered funds remaining in the conservatorship to be disbursed to conservator as fees. **Need Order.**
2. Need receipt of Judie Morrison.
3. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Need Order approving first and final account.

Inquire status of receipt and Ex Parte Petition for Final Discharge.

(lh)

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

DATE: 12/06/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400016

CASE NAME: Escott M Nicholson

HEARING:

Third current Account and Report of LINDA CONLEY and Petition
for allowance of fees filed.

COUNSEL:

LINDA CONLEY	(CPE)...HORSPPOOL & HORSPPOOL
ESCOTT M NICHOLSON	(CEP/CEE)...DONNASUE ORTIZ
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Third Account Current and Petition for Fees by
Conservator, Linda Conley.

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

1. Accounting covers 06/01/16 to 05/31/17
2. Assets on hand: \$1,056,407.87 consisting of \$1,051,407.87 in cash and \$5,000 in carry value for 2005 Buick SD.
3. Petitioner does not request compensation but reserves her right to request her fees and be compensated for services.
4. Attorney requests fees of \$16,292 billed at \$350-\$395/hour for 45.70 hours' attorney time. Itemized [3rd acct. filed 10/20/17 LFpgs19-24]. JTD.
5. Current bond of \$165,000. Appears sufficient.
6. Administrative expenses include two reimbursed payments of \$863.93 each for miscellaneous FedEx expenses on 06/16/16 and 06/24/16. **Need** verified supplement clarifying expenses. [3rd Acct, 10/20/17, LFpg15].
7. Notice given.
8. ~Proposed Order: 10/20/17

RECOMMENDATION:

Need to clear note 6, then Court's discretion. If approved, set hearing on next accounting review for **08/01/18**. Account to be filed 30 days' in advance of hearing.

(lh)

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

DATE: 12/06/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500050

CASE NAME: Glen William Heymans

SEE ALSO 12 13

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CHARMAINE GONZALEZ

COUNSEL:

CHARMAINE GONZALEZ	(PET)...G STEVEN GACKLE
JASON HEYMANS	(PET)...G STEVEN GACKLE
GLEN WILLIAM HEYMANS	(CEE)...MATTHEW E. SHEASBY

GENERAL INFORMATION

Continued from 2/4/16, 03/07/16, 06/06/16, 09/08/16, 01/11/17, 04/05/17 and 07/12/17. A status is needed as well as Inventory and Appraisal. Counsel represents that conservatee was released and not currently incarcerated. Counsel Sheasby to contact Conservator's Counsel Steven Gackle to discuss this matter. Counsel Sheasby to appear on 10/04/17. **Continued from 10/04/17. Court and counsel confer on the record. Court continues matter; Mr. Sheasby to file a report regarding the information provided to Court this date. Notice waived.**

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Charmaine Gonzalez and Jason Heymans, daughter and son, appointed conservators of the person and estate on 07/02/15, \$20,000 bond.
2. Conservatee's rights, Care Plan and Level of Care forms filed.
3. Need final Inventory & Appraisal per Pr.C.§2610.
4. Need accounting.
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.
7. **Need report from Mr. Sheasby.**

RECOMMENDATION
Need to clear notes 3-7.
(lc/ds/dl/lc/lh)

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

DATE: 12/06/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500050

CASE NAME: Glen William Heymans

SEE ALSO 11 13

HEARING:

Petition for Return of Personal Property Pursuant to Probate
Code 850, etc

COUNSEL:

CHARMAINE GONZALEZ	(PET)...G STEVEN GACKLE
JASON HEYMANS	(PET)...G STEVEN GACKLE
GLEN WILLIAM HEYMANS	(CEE)...MATTHEW E. SHEASBY

GENERAL INFORMATION

Continued from 03/07/16, 06/06/16, 09/08/16, 01/11/17, 04/05/17 and 07/12/17. Counsel Sheasby to contact Conservator's Counsel Steven Gackle to discuss this matter.

Continued from 10/04/17. Mr. Sheasby to file a report regarding information provided to Court this date.

THIS CASE IS SET FOR HEARING ON

Petition for return of personal property (Pr.C. § 850), for breach of contract, conversion, and common count: goods and services rendered.

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

1. **Need** proof of publication re Jerome Carver per 12/15/16 amended order.
2. Petitioner is Glen Heymans, conservatee. Question standing for conservatee to bring action in his own name, as opposed to by conservator for conservatee by a GAL, etc. (Note also that the petition is signed by counsel only, not by a party.) **Need** verified supplement and/or P&As addressing.
3. Petitioner states that the petition involves two vans that were the subject of a purchase and sale agreement between conservatee and defendant, Jerome Carver (agreement at Exhibit A).
4. Petitioner states that respondent has taken possession of the two vans but refuses to sign the purchase and sale agreement. Petitioner adds that respondent has made some payments pursuant to a note on the sale of the vans but that respondent is in arrears. Petitioner sets forth causes of action for return of personal property (Pr.C. § 850), for breach of contract, conversion, and common count: goods and services rendered.

5. Due Diligence Declaration filed 03/27/17 as to service respondent Jerome Carver and request for payment of publication costs of \$1,514. JTD.
6. **Need report from Mr. Sheasby.**

RECOMMENDATION

Need to clear notes 1-2 and 6, then set for evidentiary hearing.

(ds/dl/lc/lh/lc/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/06/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500050

CASE NAME: Glen William Heymans

SEE ALSO 11 12

HEARING:

Accounting Review

COUNSEL:

CHARMAINE GONZALEZ

(PET)...G STEVEN GACKLE

JASON HEYMANS

(PET)...G STEVEN GACKLE

GLEN WILLIAM HEYMANS

(CEE)...MATTHEW E. SHEASBY

See notes on matter #11.

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

DATE: 12/06/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700386

CASE NAME: ESTEBAN MARIO REYES LOPEZ

HEARING:
Petition for Appointment of Conservator

COUNSEL:
GLORIA LOPEZ BRAVO (PET)...PRO/PER
ESTEBAN MARIO REYES LOPEZ (CEE)...

GENERAL INFORMATION

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

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

1. Petition appears to have been filed prematurely as proposed conservatee is still a minor. **Court may wish to trail to 12/27/17 for proposed conservatee to reach age of majority. JTD**
2. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 10/20/17.
4. Petitioner seeks civil rights not be limited without court order.
5. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
6. Proposed conservatee is developmentally disabled. Need IRC report.
7. **Need** Court Investigator report.
8. **Need** Certificate of Completion of the Conservatorship Training Class.
9. **Need** Notice of Hearing and proof of service and include 30 days' notice to Inland Regional Center.
10. Return of Citation filed 10/26/17.
11. ~Proposed Form Order: 10/20/17

RECOMMENDATION

Court's discretion re continuance.

Need to clear notes 5-9. If approved, set hearing for Compliance Review for **07/11/18** 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)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/06/17 TIME: 9:30 DEPT: S36P

CASE#: PRO PS1500855

VACATE

CASE NAME: DOLORES W. STABNAU REVOCABLE TRUST ETC

HEARING:

Accounting Review

COUNSEL:

DOLORES W. STABNAU REVOCABLE TRUST (TRU)...

SUSAN PETERS

(TEE)...PATRICIA A LOBELLO

XREF: CONPS1300159 *MANUEL & IRENE PEREZ LIVING TRUST*

Second Account Current by Trustee Susan Peters filed 11/15/17.

Future hearing date: 02/13/18 Second Account and Report of Trustee

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 9:30 DEPT: S36P

CASE#: SC SS02960

CASE NAME: MTR OF TIMOTHY TODD BRITT

HEARING:
Accounting Review

COUNSEL:

BENJAMIN BRITT (CPE)...PRO/PER
TIMOTHY TODD BRITT (CEP)...
TIMOTHY TODD BRITT SPECIAL NEEDS TRUST (TRU)...
JESSICA CARTER ANTHONY (SC)...HARTNELL LAW GROUP

Waiver of Court Fees and Costs filed by BENJAMIN BRITT is GRANTED

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re SNT

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

1. First Account Current re SNT, by Jessica Carter Anthony, approved on 08/31/16.
2. Need Second Account Current re SNT.

RECOMMENDATION

Inquire status.
(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 12/06/17 TIME: 8:30 DEPT: S37P

CASE#: PRO DS1000419

CASE NAME: KENYA ELIZABETH DAY SPECIAL NEEDS TRUST (MSTR)

HEARING:

SEVENTH Account and Report of LAWRENCE A DEAN II and Petition
for allowance of fees filed.

COUNSEL:

LAWRENCE A DEAN II	(PET/TEE)...SHERRI L KASTILAHN
KENYA ELIZABETH DAY SPECIAL NEEDS TRUST	(TRU)...
GLINDA L. DAY	(PET)...JUDITH L HUBERT
KENYA ELIZABETH DAY	(MIN)...
LENITA A SKORETZ	(PET)...LENITA A SKORETZ
LAWRENCE A DEAN III	(SHERRI L KASTILAHN)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 7th Account Current by Trustee of Special Needs Trust, Lawrence A. Dean II

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Accounting covers 05/01/16 to 05/31/17
2. Assets on hand: \$55,579.77, of which \$3,006.09 is cash and remaining in investment accounts. Note: assets down approximately \$36,795 since last period.
3. Attorney requests fees of **\$3,272.50** for 9.35 hours billed at \$350/hour for attorney time. Itemized [Acct.10/19 LFpg61-63]. JTD
4. Petitioner requests fees of \$6,279.80 less periodic payments of \$500, for a total of **\$5,779.80**. Petitioner bills at \$125.00 per hour. Itemized [7th Acct, 10/11/17 LFpg45-51]. JTD
5. Trust beneficiary resides in Washington. Petitioner requests trust continue to be administered in San Bernardino County.
6. Current bond is \$165,000. Ok.
7. ~Proposed Order: 10/11/17

RECOMMENDATION:

Court's discretion. If approved set next hearing re accounting review for **08/01/18**.

(lh)

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

DATE: 12/06/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1200027

CASE NAME: ** MF** RAY JACKSON REVOCABLE TRUST

HEARING:

THIRD Account and Report of LAWRENCE A DEAN II and Petition for allowance of fees filed.

COUNSEL:

JOHN SCARLATELLA	(PET)...MICHAEL D FINLEY
RAY JACKSON REVOCABLE TRUST	(TRU)...
KARL H GRIESBAUM	(PET)...FRAZIER LAW FIRM
SALLY SMITH DOYLE	(PET)...THE GROSSMAN LAW FIRM
LINDA MAXWELL	(PET)...ELISABETH KEMPE-OLINGE
LAWRENCE A DEAN II	(PET)...SHERRI L KASTILAHN
WESLEY SPERRY	(OBJ)...DIANA J CARLONI
DIANE HADDOCK	(GRESHAM SAVAGE NOLAN & TILDE
JAMES W BROWN SR	(PRO/PER)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 3rd Account Current for Successor Trustee Lawrence Dean and Petition for Allowance of Fees

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

1. Accounting period 07/01/15 to 08/31/17
2. Assets on hand \$426,502.73 (\$8,136.24 cash, remainder in interest in real property).
3. Petitioner is seeking fees of \$7,913.20 at \$125/ hour, less periodic payments of \$3,000; leaving a balance of **\$4,913.20**. Itemized [3rd Acct, 10/11/17, LFpgs17-21]. JTD
4. Attorney is requesting fees of **\$4,480** for 14.8 hours at which appears to be \$350/hour. Itemized [3rd Acct, 10/11/17, LFpgs22-24]. JTD
5. There does not appear to be a bond in place.
6. ~Proposed Order: 10/11/17

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **10/31/18** (if one year) or **10/30/19** (if two years). Accounting to be filed 30 days in advance.

(lh)

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

DATE: 12/06/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400925

CASE NAME: ***MASTER FILE THE KERBY TRUST

HEARING:

Spousal Property Petition hearing.

COUNSEL:

LARRY E HOOVER	(PET)...SU P CHEAH
THE KERBY TRUST	(TRU)...
BRENDA SUE LAWER	(PET)...LAW OFFICES OF EDWARD B. FISCH
ZINA MICHELLE KERBY	(PET)...PRO/PER
CHARLES A KERBY	(OBJ)...JEANNE E KENNEDY
PUBLIC GUARDIAN	(COUNTY COUNSEL)
JEANNE E. KENNEDY	(JEANNE E KENNEDY)

GENERAL INFORMATION:

Continued from **08/21/17**.

Continued from 10/18/17. Court states they will allow one last continuance to file a verified supplement.

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

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

1. Petitioner requests a determination and confirmation of property passing to the surviving spouse as community property. Specifically real property at Victorville, CA, in San Bernardino County. However, petitioner does not set forth facts sufficient to establish a community property interest in the California real property. When were petitioner and decedent married? How was the property interest acquired – with community funds, etc? **Need** verified supplement.
2. Section 1a re determination is blank but section 1a and 1 b are complete.
3. Section 8 indicates there exists a written agreement between the deceased spouse and the surviving spouse. **Need** copy of the agreement as Attachment 8.
4. Section 9 to petition does not include ages of Natalie and Mathew Lawer or relationship and age of Nicole Lawer. **Need** verified supplement.
5. Section 10 indicates petitioner is named as executor in the decedents will. **Need** copy of will as Attachment 10.

6. Section 12 indicates a petition for administration of the decedent's estate was filed on 12/10/14. However, review of documentation indicates Order Granting Petition to Accept Resignation of, and to Succeed San Bernardino County Public Guardian as Trustee; and Petition to Enjoin Foreclosure and Trustee Sale Proceedings was entered on 04/18/17, wherein, the Court appointed Brenda Sue Lawer, as Third Successor Trustee of the Kirby Trust.
7. **Need** Notice of Hearing with proof of service.
8. **Objection to Spousal Property Petition filed by Third Successor Trustee, Brenda Sue Lawer.**
9. **Amended Spousal Petition filed 11/20/17. Court trial matter no sooner than 12/27/17.**
10. ~Proposed Form Order 06/05/17.

RECOMMENDATION:

Matter appears moot due to amended petition filed 11/20/17.

Need to clear notes then set for contested hearing. *If continued, set matter on Tuesday as originally set.*

(nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500217

CASE NAME: CHARLINE MCFARLING

HEARING:
Accounting Review

COUNSEL:

COLLIN CHARLES MUNRO	(PET)...GARY H BLAYLOCK
CHARLINE MCFARLING	(DEC)...
BRANDON MUNRO	(PET)...NANCY E LOFDAHL

GENERAL INFORMATION

Continued from **05/24/17**. Counsel Gary Blaylock ordered to prepare an accounting to the best of his ability as he is unable to find his client.

Continued from 10/18/17. No appearance. Court orders Collin Charles Munro and/or his Counsel of record to appear at the next hearing.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to **Collin Munro**, son, on 09/14/15; full authority, no bond. Collin was removed as administrator on 10/19/16. **Brandon Munro**, son was appointed temporary, then later successor administrator and letters issued 03/06/17.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting by Gary Blaylock for Collin Munro Pr.C. § 10953.

RECOMMENDATION

Need to clear notes 2 & 3.

(lc/ww/lc/ww/lh)

Future Hearing: 05/14/18 Accounting Review for **Brandon Munro**

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

DATE: 12/06/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

SEE ALSO 5A 5B

HEARING:

FIRST AND FINAL Account and Report of WAYNE FAWCETT and Petition
for allowance of fees filed.

COUNSEL:

WAYNE FAWCETT
MARILYN MILLER

(PET)...J. PETER WAKEMAN
(DEC)...

GENERAL INFORMATION

Continued from 10/18/17. Court called this matter with Mr. Wakeman appearing via court call. After matter had been heard, Ms. Delman appeared stating she objects to the accounting as filed. Due to the objection of Ms. Delman, Court vacates its prior ruling and continues the matter to 12/06/17. Court orders Ms. Delman to file and serve written objections no later than 11/06/17. Notice given by Judicial Assistant.

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Wayne Fawcett/Trustee.

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

1. Petitioner waives accounting and statutory compensation as trustee.
2. Attorney requests statutory fees of \$36,216.50. Ok.
3. **Objection to Final Accounting by Carlton Larrabee filed 11/06/17. Need proof of service.**
4. **Objection to Executor's 1st and Final Accounting by Debbie Delman filed 11/06/17 with proof of service.**
5. **Response to Objections of Debbie Delman by Wayne Fawcett filed 11/13/17.**
6. **Response to Objections of Carlton Larrabee filed 11/13/17.**
7. No proposed order. Submit after hearing.

RECOMMENDATION

Matter is contested.

If approved, set hearing on the filing of receipts and final discharge for **10/24/18**.

(lc/lh)

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Page: 5A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 12/06/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER
SEE ALSO 5 5B
HEARING:
Hearing Re: REQ FOR WAIVER OF COURT FEES FILED BYDEBBIE DELMA

COUNSEL:
WAYNE FAWCETT (PET)...J. PETER WAKEMAN
MARILYN MILLER (DEC)...

No notes—JTD

Superior Court of Calif, County of San Bernardino

Page: 5B add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/06/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

SEE ALSO 5 5A

HEARING:

Hearing Re: REQ FOR WAIVER OF COURT FEES FILED BY CARLTON LARR

COUNSEL:

WAYNE FAWCETT

(PET)...J. PETER WAKEMAN

MARILYN MILLER

(DEC)...

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: 12/06/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700747

CASE NAME: MTR OF BEVERLY JEAN DYER

HEARING:

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

COUNSEL:

WILLIAM H DYER

(PET)...JOHN F WEBER

MARILYN DYER KRUSE

(PET)...JOHN F WEBER

BEVERLY JEAN DYER

(DEC)...

GENERAL INFORMATION

Continued from 10/18/17.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by William Dyer & Marilyn Dyer Kruse, son & daughter/co-executors/co-trustees

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

1. Will waives bond. The estate consists of \$435,000 of which \$335,000 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. The will conditionally incorporates decedent's Trust. Copy of decedent's trust attached. [LF pg. 10-42]
3. ~Proposed Form Order: 07/26/17

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **02/13/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lh)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 12/06/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701129

CASE NAME: MTR OF WILL OF CLIFFORD WYNN

HEARING:

Hearing Re: PTN FOR ORDER TO DELIVER EST PLANNING DOCS

COUNSEL:

ROBERT WYNN	(PET)...HARTNELL LAW GROUP
KATHLEEN POOLE	(PET)...HARTNELL LAW GROUP
EDNA MAXINE WYNN	(RES)...
TAMARA SUE WYNN PROSISE	(RES)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON PTN FOR ORDER TO DELIVER EST PLANNING DOCS

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

1. Matter set on 11/15/17, wherein, Court approved ex parte petition for immediate relief to have estate planning documents delivered to beneficiaries and for attorneys' fees and costs to be scheduled for 12/06/17. Court vacated future hearing date for 03/01/18 and reset to 12/06/17.
2. Notice given.

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/06/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701029

CASE NAME: JOHANNES B. VESSUP

HEARING:

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

COUNSEL:

ERLYNDA VESSUP

(PET)...SRG LAW GROUP

JOHANNES B VESSUP

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Erylnda Vessup, daughter

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

1. Minimum bond requested at \$20,000. Estimated net value of estate is \$300,000,
real property only. Suggested bond \$300,000. JTD
2. Need Proof of Publication.
3. ~Proposed form Order: 10/13/17

RECOMMENDATION:

RFA subject to note 2. Court's discretion re bond. If approved, set future hearing for
Accounting/Status Review on **02/13/19**. Any accounting to be filed 30 days in advance.
Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 12/06/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600525

CASE NAME: KARL PROBERT-ENBORG SPECIAL NEEDS TRUST

HEARING:
Petition for ACCOUNTING REVIEW

COUNSEL:

JENNIFER PROBERT (PET/TEE)...PIERRE J RODNUSKY
KARL PROBERT-ENBORG 2016 SPECIAL NEEDS TRUST (BEN)...
KARL PROBERT SR (RODNUSKY & ASSOCIATES)

GENERAL INFORMATION

Continued from 11/09/17. No appearance. Court orders Jennifer Probert and/or Counsel to be present at next hearing if accounting is not filed.

THIS CASE SET FOR HEARING ON Accounting Review.

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

1. Creation of SNT approved on 08/02/16. Jennifer and Karl Probert Sr., parents, appointed Trustees, \$661,300 bond.
2. **Need** 1st Account.

RECOMMENDATION

Inquire status of accounting.

(lc/lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 12/06/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300021

CASE NAME: JANE JOLLY

HEARING:

FIRST AND FINAL Account and Report of JOHN JOLLY and Petition
for allowance of fees filed.

COUNSEL:

JOHN JOLLY	(CP/CPE)...EDWARD B FISCHER
JANE JOLLY	(CTP)...MARK J. ANDREW FLORY
NATALIE BLICKENSTAFF	(CE/CPE)...JENNIFER M DANIEL
JANE JOLLY	(CEP)...JAMES B CHURCH
MARK J ANDREW FLORY	(PET)...PRO/PER

XREF: CONPS1200265 WILLIAM JOLLY

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON FIRST AND FINAL Account and Report of JOHN JOLLY and Petition for allowance of fees and distribution

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

1. John Jolly was appointed conservator of the estate on 08/15/16. Conservatee passed away on 08/25/17.
2. Accounting period: 08/15/16 to 09/29/17
3. AOH: \$58,148.55, of which \$33,829.41 is cash, and remaining in investment account and annuity.
4. Petitioner waives fees.
5. Attorney requests discounted fees totaling **\$4,610** for 13.30 hours at \$375/hour for attorney services and \$465.00 for reimbursement of filing fee. Itemized. [Acct, 10/24/17, LFpg22-24]. JTD.
6. Petitioner requests distribution as the sole surviving beneficiary pursuant to Pr. C. §13100. See attached Affidavit and Statutory Will. [Acct, 10/24/17, LFpg25,29]. JTD
7. **Need** Notice of Hearing and Proof of Service to Mark Flory, appointed counsel.
8. ~Proposed Order: 10/24/17

RECOMMENDATION

Need to clear note 7, then Court's discretion. If approved, Court to set hearing re final discharge for **12/12/18**.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/06/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300159

CASE NAME: DOLORES W STABNAU

VACATED

HEARING:

Accounting Review

COUNSEL:

SUSAN PETERS

(CPE)...LAMB MORRIS & LOBELLO

DOLORES W STABNAU

(CEP)...DONNASUE ORTIZ

XREF: PROPS1500855 *DOLORES W. STABNAU REVOCABLE TRUST*

Waiver of Account sent to department for signature.

(lh)

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

DATE: 12/06/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400045

CASE NAME: Vivian Bertrand

HEARING:

AMENDED SECOND Account and Report of MELODIE Z SCOTT and
Petition for allowance of fees filed.

COUNSEL:

MELODIE Z SCOTT	(CPE)...HARTNELL LAW GROUP
VIVIAN BERTRAND	(CEP)...JEANNE E KENNEDY
ANNMARIE M SCOTT	(PET)...RYAN J GALLANT
JAMES L OBERMAN	(PET)...DONNASUE ORTIZ
SURETEC INSURANCE CO	(PET/TP)...PRO/PER
BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Continued from **05/02/17**. Compliance review re Melodie deemed moot.

Continued from 06/14/17. The Court confirms Judge McCarville's order that **Melodie Scott's fees are not to be paid to Melodie Scott, but instead go to Pacific Western Bank. Petition for surcharge may be filed**. Amended 2nd or 3rd and final accounting to be filed. Melodie Scott's posted bond amount and whether AnneMarie Scott's bond has been brought current to be addressed. The Court orders accounting to be filed by 8/16/17.

Continued from 10/02/17 for Counsel to file reply to written objections. Court orders request for attorney's fees to be filed by Ms. Scott. At request of Counsel, matter is set on a Wednesday. Notice is waived.

THIS CASE IS SET FOR HEARING ON **Amended (08/16/17) Second Account Current to Create Second and Final Account** and Petition for Fees by **former** Conservator of the Person and Estate and Successor Trustee, Melodie Z. Scott.

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

1. Accounting period 03/12/15 to **09/16/16 (Conservatorship)**
Accounting period 03/12/15 to 09/30/16 (Trust)
2. Assets on Hand \$0.00 (Conservatorship)
Assets on Hand \$0.00 (Trust)
3. Current bond set at \$735,000.

4. Petitioner indicates she is entitled to reasonable fees for her services as Conservator of the person and estate and as Trustee of the Trust. **Court ordered fees to be paid to Pacific Western Bank per m/o on 06/14/17.**
5. Petitioner acquired authority to make periodic payments of compensation to herself in an amount of 80% equal to her monthly billing. **The amounts of \$13,800 on the Conservatorship and \$21,844.50 on the Trust** have been paid during this period and will be subtracted from the amount requested in the supplement.
6. Attorney requests reimbursement of costs advanced of \$3,072.34. Itemized [LF, p. 72]. **JTD**
7. During this accounting period, petitioner paid caregiving services; case management fees; and account management fees **Need** verified declaration for acknowledgment of receipt of fees per Local Rule 20-1406(c) by Danielle Temby; Deborah Diaz; Jodi Loera; Annmarie Scott; Raumey Wilson; Vivian Kavigan; Lindsey Fillian; Carol Voll-Buschez; Carie Bashez; Sheryl Cook; Christopher Scott; and Right at Home Inland Valley.
 - a. **Supp 09/29/17 petitioner is gathering remaining declaration and will file with the Court. Need same.**
8. Supp 09/29/17 residential facility statements for Rose Garden Residential from 01/2015 to 08/2015. **Need to include residential statements through 09/2016.**
9. **Objections filed 09/27/17 by James Oberman, current conservator and trustee.**
10. **Declaration joining objection filed by appointed counsel Jeanne Kennedy on 10/04/17.**
11. **Request for Attorney's Fees not filed as of review. Court to inquire status.**
12. **No reply to objections filed as of review. Court to inquire status.**
13. Proposed Order 08/16/17 indicates the fees for Petition and her counsel as requested are approved; no fees have been requested. Fees remaining due and owing the Petitioner are blank; attorney fees are blank; allows discharge and exoneration of bond upon filing of documents instead of upon entry of discharge order.

RECOMMENDATION:
Matter is contested.

Need to clear notes 7-8, then Court's discretion. If approved, set hearing for receipts and final discharge for **10/15/18**.
(nb/lc/nb/lh)

Future hearing dates:
12/20/17: Accounting review re James Oberman, Successor Conservator
10/31/19: CI Review

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

DATE: 12/06/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700147

CASE NAME: ROBERT JOHNSON

HEARING:

Petition for CONSERVATORSHIP OF THE PERSON AND ESTATE (AMENDED)

COUNSEL:

BOBBIE ROBERTSON (PET)...PRO/PER
ROBERT JOHNSON (CEE)...WALTER T. MOORE

GENERAL INFORMATION:

Continued from 06/12/17. The Court determines that proposed conservatee is NOT developmentally disabled. IRC is not involved in this matter. Attorney Walter T. Moore appointed. Petitioner to file an amended petition including conservatorship of the estate. The Court recommends petitioner contact APS for assistance. Notice by Judicial Assistant.

Continued from 10/03/17. Confidential report of Counsel filed in open Court. Court appointed Jeanne Kennedy as Guardian Ad Litem.

THIS CASE IS SET FOR HEARING ON Amended Petition [filed 08/17/17] for Appointment of Conservator of the Person and Estate by daughter, Bobbie Robertson.

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

1. Suggested bond \$284,663.50 (if including real property).
2. It appears conservatee's only assets are social security benefits and real property which conservatee resides in. Question if petitioner is representative payee, and if so, question need for estate powers?
3. Petitioner requests order for powers under Pr. C. 2590 to deposit funds on behalf of conservatee, to control estate, collect funds, rents, and pay demands on estate. JTD
4. Petitioner seeks dementia powers. Report filed by Walter Moore on 10/03/17.
5. Petitioner seeks medical powers. **Capacity Declaration filed 10/02/17; however, item #1-2 are incomplete as to name and address of physician, and item #7 is missing physician's initials. Need completed form.**
6. **Need Report of Jeanne Kennedy, GAL.**
7. **Proof of Service of notice filed 11/15/17; however, only 1 day notice given. Need proper service to include at least 15 days.**

8. Return of Citation filed 11/15/17; however, only 1 day notice was given. **Need proper service to include at least 15 days' notice. Note: Attorney Walter Moore was present for proposed conservatee on 10/03/17. Does Court wish to excuse Citation?**
9. Court Investigator Report filed 05/31/17. Question if Court wishes to require a supplement CI report?
10. Certificate of Completion re Conservatorship Class filed 09/07/17.
11. ~Proposed Form Order/Letters 08/17/17

RECOMMENDATION:

Need to clear notes 5-8. Court's discretion re bond. If approved, set hearing for Compliance Review for **07/11/18** 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

Set future hearing for Accounting/Status Review on **02/13/19**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700169

CASE NAME: DEREK J. BARWICK

HEARING:

Hearing Re: PETITION FOR APPOINTMENT OF CONSERVATOR

COUNSEL:

PAMELA L BARWICK (PET)...HARTNELL LAW GROUP
DENNIS BARWICK (PET)...MATTHEW SHEASBY
DEREK JUSTIN BARWICK (CTE/CEE)...CANDICE A GARCIA-RODRIGO

GENERAL INFORMATION

Ex parte orders granted on 05/11/17. Court appoints Pamela Barwick as temporary conservator.

Continued from **06/20/17**. Father is requesting to be co-conservator. Father advised to file a petition or speak with Counsel and have an amended petition filed. Court does not require an IRC report and will allow Counsel to decide which type of conservatorship requested. Referred to Court Investigator for report.

Continued from 08/08/17. Father's competing petition has been filed. Referred to Court Investigator for investigation and report. The Court requests IRC provide a supplemental report regarding father's request for conservatorship. The Court deems competing petitions to be objections to the other petition. The Court recommends parents use OurFamilyWizard to exchange information regarding proposed conservatee. Matter continued to trail competing petition. Notice waived.

Continued from 09/12/17

THIS CASE SET FOR HEARING ON

Petition #1: Petition for Appointment of Conservator person and estate by Pamela Barwick (mother)

Petition #2: Petition for Appointment of Conservator person and estate by Dennis Barwick (father)

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

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.

Petition #1 by Pamela Barwick (mother):

1. Petitioner requests no bond as proposed conservatee has no assets or income. Question need for estate powers.
2. Proposed conservatee is developmentally disabled. It appears a petition for Limited Conservatorship may be appropriate.
3. **Report of appointed counsel Candice Garcia-Rodrigo, filed 07/24/17.**
4. **Court Investigator report filed.**
5. IRC report filed 06/15/17
6. Petitioner seeks medical powers. Capacity Declaration filed 05/05/17.
7. Certificate of Completion of the Conservatorship Training Class filed 06/01/17.
8. Return of Citation filed 05/25/17.
9. ~Proposed Form Order: 05/05/17
10. **Objection filed by Dennis Barwick on 07/31/17.**
11. **Court deems competing petition by father as Objection.**

Petition #2 by Dennis Barwick (father):

12. Petitioner requests no bond as proposed conservatee has no assets or income. Question need for estate powers? Court to inquire.
13. Petitioner requests medical powers. **Need** Capacity Declaration.
14. Proposed conservatee is developmentally disabled. **Need** report by court-appointed counsel, Candice Garcia-Rodrigo.
15. **CI Report of No Report filed 09/12/17. Need CI Report.**
16. **Need** Certificate of Completion re Conservatorship Class.
17. Proof of Personal Service filed. However, **need return** of served Citation.
18. **Need** Notice of Hearing with proof of service to Inland Regional Center
19. IRC Report filed 08/31/17.
20. ~Proposed Form Order/Letters 08/07/17.
21. **Court deems competing petition by mother as Objection.**

RECOMMENDATION:

Need to clear notes 12-17 for petition #2, then set for contested hearing. If approved, set hearing for Compliance Review for **07/11/18** for the filing of the required documents and hearing re Accounting Review for **02/13/19**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh/nb/lh/nb/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/06/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700189

CASE NAME: VIRGINIA QUEVEDO

SEE ALSO 15

HEARING:

Petition for APPOINTMENT OF CONSERVATOR OF THE PERSON AND ESTATE

COUNSEL:

MICHELLE T MAYFIELD

(PET)...CHRISTIAN U ANYIAM

AMAY GUILLEN

(CPE)...LENITA A SKORETZ

FRANK GUILLEN

(CPE)...LENITA A SKORETZ

VIRGINIA QUEVEDO

(CEE)...J. DAVID HORSPOOL

See notes on prior matter #13.

(lh)

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

DATE: 12/06/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700189

CASE NAME: VIRGINIA QUEVEDO

SEE ALSO 14

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MICHELLE T MAYFIELD	(PET)...CHRISTIAN U ANYIAM
AMAY GUILLEN	(CPE)...LENITA A SKORETZ
FRANK GUILLEN	(CPE)...LENITA A SKORETZ
VIRGINIA QUEVEDO	(CEE)...J. DAVID HORSPOOL

GENERAL INFORMATION

Ex parte orders denied 05/30/17. Court makes interim orders that no one is to discuss facts in this case nor give documents to Virginia Quevedo. No visitation ordered until further notice. Attorney J. David Horspool appointed for Virginia Quevado.

Continued from 07/11/17. Counsel's report filed in Courtroom. Court appoints Michelle Mayfield as temporary conservator of the person and estate with \$347,000 bond. Court orders powers of attorney to make healthcare decisions and of the estate are suspended pending further order of the Court. Objections and competing petition will be filed by Amay Guillen. Court has no objection to conservatee being in a non-secured facility but orders that conservatee remain in her current placement pending further order of the Court. Court makes visitation orders. Court appointed E Joan Nelms as Guardian Ad Litem for Virginia Quevado. Notice given by Judicial Assistant.

Continued from 08/29/17. Hearing on temporary and general petition continued to be heard with competing petition. Per request of Counsel, hearing on 09/5/17 advanced and continued to 10/04/17.

Continued from 10/04/17. Dr. Sawicky's report filed in Courtroom. Court orders Michelle Mayfield to arrange an evaluation of Virginia Quevado by a geriatric psychiatrist as soon as possible. She is to notify Amay and Frank Guillen who will be making evaluation. Psychiatrist to be given a copy of Dr. Sawicky's report. Dr. Sawicky's report to be provided to Counsel. Parties may review report in Counsel's office but may not release any information provided in report. Matter continued for Counsel to review Dr. Sawicky's report. No one is to discuss issues in this case with Virginia Quevado, or else it may negatively impact their positions in this matter. Court makes visitation orders.

THIS CASE SET FOR HEARING ON

- Petition #1 [filed 05/19/17] for Appointment of Conservator person and estate by Michelle T. Mayfield (friend/caregiver)
- Petition #2 [filed 08/28/17] for Appointment of Conservator of person and estate by Amay Guillen (granddaughter) and Frank Guillen (son)

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

Petition #1 by Michelle T. Mayfield (friend):

1. Petitioner seeks bond of \$347,000. Estate consists of \$15,000 in personal property, \$12,000 public benefits, and \$300,000 in real property. Question if petitioner seeks powers under Pr. C. §2591 to sell/encumber real property. If so, suggest bond of **\$382,000** (includes recovery). JTD
2. Section 11 to petition [LF, p. 8] does not indicate relationships of named individuals to conservatee. **Need verified supplement.**
3. Petition is incomplete at item 9b and 9d re medical treatment. **Need verified supplement.**
4. Petitioner seeks medical powers. Capacity Declaration filed 07/14/17 is not dated at signature. **JTD**
5. List of Required Contact Information filed 05/19/17 does not include complete addresses of relatives Robert and Virginia Guillen. Ezekiel Hernandez (brother) is missing. **Need completed form.**
6. **Need** return of Citation.
7. **Need** Notice of Hearing and Proof of Service as to Robert Guillen and Virginia Guillen, or file Due Diligence Declarations.
8. **Need** report of E. Joan Nelms, GAL.
9. Report of Counsel J. David Horspool filed 07/11/17.
10. CI Report filed 07/07/17. **Supplemental CI report filed 09/19/17.**
11. Proof of Completion of Conservatorship Training Class filed 07/17/17.
12. **Court suspended Power of Attorney and Healthcare Directive as to agent Amay Rochell Guillen.**
13. ~Proposed Form Order: 05/19/17

Petition #2 by Amay Guillen (granddaughter) and Frank Guillen (son)

14. Petitioners seek bond of \$300,000. Suggested bond \$550,000 based on bond calculation. JTD
15. Petitioners seek orders re powers under Pr. C. §2590 to: alter, improve, replace and rebuild property of the estate; requests court approval to clear, repair, and replace items in conservatee's home to preserve character and livability. JTD
16. Petitioners seeks medical powers. Capacity Declaration filed 09/15/17.
17. Petitioners seeks dementia powers. JTD
18. Supplemental Information filed 10/03/17.
19. **Need** Court Investigator report.

20. Certificate of Completion of the Conservatorship Training Class filed by Amay Guillen. **Need** proof of completion from Frank Guillen.
21. **Need** return of Citation.
22. ~Proposed Form Order: 08/29/17

RECOMMENDATION

Need to clear notes 2-8 and 19-21.

If approved, set hearing for Compliance Review for **05/09/18** for the filing of the required documents and hearing re Accounting Review for **12/12/18**. Any account to be filed 30 days in advance. Note requirements of Local Rules.

(lh/)

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

DATE: 12/06/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700328

CASE NAME: JOHN GOMEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

YASBET PENALOZA GOMEZ (PET)...PRO/PER
JUAN GOMEZ (PET)...PRO/PER
JOHN GOMEZ (CEE)...MARK J. FLORY

GENERAL INFORMATION

Yasbet and Juan Gomez, parents, appointed temporary Conservators of person on 09/06/17. Mark Flory appointed counsel.

Continued from 10/18/17.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Yasbet and Juan Gomez, parents.

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

1. Petitioner seeks medical powers even is proposed conservatee objects subject to limits per Pr.C. § 2356. Capacity Declaration filed 09/08/17.
2. Certificate of Completion of the Conservatorship Training Class filed re Juan on 09/06/17 and from Yasbet on 10/11/17.
3. **Need** report of Counsel Flory.
4. **Need** notice of hearing and proof of service.
5. **CI Report filed 10/17/17.**
6. Citation returned served.
7. **Letter from IRC filed 10/05/17 requests 30-day continuance. JTD**
8. ~Proposed Form Order: 08/30/17.

RECOMMENDATION

Need to clear notes 3-4. Court's discretion re IRC request for continuance. If approved, set hearing for Compliance Review for **07/11/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. §1830(c); Level of Care and Care Plan per Pr.C. §2352.5. (lc/lh)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 12/06/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700385

CASE NAME: MTR OF DEBORAH LYNN SPECK FERDIE

HEARING:

Petition for Appointment of Conservator of the person & estate

COUNSEL:

MICHAEL FERDIE (CPE)...BRIAN C MILES
DEBORAH LYNN SPECK FERDIE (CEP)...
CAROLE SPECK WEINSTEIN (PET)...GUY A LEEMHUIS

XREF: CIFDS1700109 *SPECK VS SPECK*

FAMSS1703119 *MICHAEL H. FERDIE -N- DEBORAH L. FERDIE*

GENERAL INFORMATION

On 11/02/17, Court appointed Carole Speck Weinstein as temporary conservator of the person and estate, \$30,000 bond. Mitchell Roth was appointed Guardian Ad Litem. Michael Ferdie to file written objections requesting third party appointed as conservator.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Carole Weinstein, mother

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

1. Petitioner seeks bond of \$30,000. Suggested bond: \$31,000. JTD
2. Proposed conservatee nominated Carole Weinstein as conservator of her person and estate. [Petition, 11/11/17, LFpg12].
3. Report of GAL filed 11/01/17.
4. Petitioner seeks medical powers. Capacity Declaration filed 11/01/17 is not signed or dated on page one of form. **Need** same.
5. List of required contacts (Local form SB-12224) is missing Elliot Weinstein (Step-father and Michael Ferdie (husband)). **Need** same.
6. Confidential Screening form filed 11/01/17 is missing attachment 12. **Need** same.
7. **Need** notice of hearing and proof of service to relatives listed in petition.

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.

8. **Need** return of citation. Note: Deborah Ferdie was personally present at temporary hearing on 11/02/17. Does Court wish to deem Citation waived?
9. **Need** Certificate of Completion of the Conservatorship Training Class.
10. **CI Report of No Report filed 11/30/17. Need CI report.**
11. ~Proposed Form Order: 11/01/17

RECOMMENDATION

Need to clear notes 4-10. If approved, set hearing for Compliance Review for **07/11/18**. for the filing of the required documents and hearing re Accounting Review for **02/13/19**. Any accounting to be filed 30 days in advance.

(lh)

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

DATE: 12/06/17 TIME: 9:30 DEPT: S37P

CASE#: SC SS01938

CASE NAME: MTR RE JENNIFER LISA REECE

HEARING:

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

COUNSEL:

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

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 7th Account and Report of IRC and Petition for
Approval of Trustee's Fees and for Attorney's Fees

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

- 1 Accounting covers period: 09/01/15 to 08/31/17
- 2 Assets on hand: \$24,807.28
- 3 Petitioner requests approval of trustee fees already taken by Master Trust of California in the amount of \$2,000. Billed at \$1,000 for the first \$50,000; 2% of the next \$250,000; 1.65% of the next \$450,000 and 1.50% of the next \$250,000.
- 4 Petitioner requests authority to allow Master Trust to continue taking its annual fee according to its fee schedule. JTD
- 5 Attorney requests fees of \$1,290 for 9 hours at \$100/250 per hour for paralegal and attorney services. Itemized in separate supplement filed 10/24/17.
- 6 Petitioner proposes a revised Master Trust of California Agreement to include reimbursement of any benefits paid by any other state's Medicaid program and notice to such other's state agencies to comply with Social Security regulations. JTD
- 7 Petitioner requests Court set next accounting in two years due to low balance of estate.

- 8 Current bond\$ 32,650.00 appears sufficient.
- 9 **Need Notice of Hearing as to Jeanne Kennedy, GAL.**
- 10 Proposed order submitted 10/24/17 includes approval of trustee fees of \$4,907.74. Order does not comply with Local Rule 20-614(d) as no matter may appear after judge's signature. Need corrected order. Legal Research to review proposed trust revision.

RECOMMENDATION

Need to clear note 9. Court's discretion re bond. If approved, set hearing on the next accounting review for **10/31/18** (if one year) or **10/30/19** (if two years). Accounting to be filed 30 days in advance.

(lh)

Future Hearing: 1/04/18 Readiness Calendar, Petition for Termination of Conservatorship