



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 12/07/17

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.

Lc11/02-12/04

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

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1100541

CASE NAME: LAWRENCE FUSHA ***MF***

HEARING:
Hearing re Final Discharge

COUNSEL:

ANTHONY SMITH	()...
DEBRA TAYLOR	(ARMAND D THRUSTON
DENNIS R SMITH	(PET)...JACK B OBORNE
LAWRENCE FUSHA	(DEC)...
MARK J. ANDREW FLORY	(PET)...MARK J. ANDREW FLORY
MATTHEW TAYLOR	(OBJ)...ARMAND D THRUSTON
SAMUEL WALKER	()...
WALTER REED	()...

XREF: CONPS1100109 (*Lawrence Fusha*)

GENERAL INFORMATION

Continued from 11/17/16, 02/09/17, 04/06/17 and 10/05/17.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Dennis Smith, nephew, approved on 11/30/15.
2. Receipts and/or cancelled checks filed.
3. **Need** Ex Parte Petition for Final Discharge and Order resubmitted.

RECOMMENDATION

Inquire status of order. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with C.C.P. §§ 128 & 1209.

(lc)

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

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1100621

CASE NAME: MAURICE FRANCIS BUSCH

HEARING:

Hearing re Final Discharge

COUNSEL:

ARLENE SOUZA	(HAROLD S NELSON
ARON TABOR MITCHELL	(PET)...MARIVEL M ZIALCITA
ELSIE BUSCH	(PET)...MOORE & ASSOCIATES, PLC
KENNETH H BUSCH	(OBJ)...MOORE & ASSOCIATES, PLC
MAURICE FRANCIS BUSCH	(DEC)...
RONALD LEE BUSCH	(PET)...JACK B OSBORN
VELMA GUSTAFSON	(HAROLD S NELSON

GENERAL INFORMATION

Continued from 05/25/17.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Ronald Busch approved on 03/30/17. **Need** actual final distribution order.
2. **Need** receipt for Trustee of Maurice Francis Trust.
3. **Need** Ex Parte Petition for Final Discharge and Order once order for final distribution is submitted and approved.

RECOMMENDATION

Inquire status of receipts and orders

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300620

CASE NAME: John Joseph Mall

HEARING:

Accounting Review

COUNSEL:

GAIL A LEVACY

(PET)...CHARLES S ALTHOUSE

JOHN JOSEPH MALL

(DEC)...

GENERAL INFORMATION

Continued from 02/26/17, 04/20/17 and 05/25/17; telephonic request for continuance.

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 Gail Levacy, sister, on 09/17/16; full authority, no bond.
2. Previous status report approved on 02/29/16.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1301068

CASE NAME: The Robert Bruce Cumming & Lois Wielen Cumming tru

SEE ALSO 5

HEARING:

OSC re: Status of Default Judgment pursuant to CRC 3.740

COUNSEL:

JANET ANNE CUMMING	(PET)...EDWARD B FISCHER &
NATALIE BLICKENSTAFF	(PET)...JENNIFER M DANIEL
NATALIE BLICKENSTAFF	(SC)...JENNIFER M DANIEL
ROBERT BRUCE CUMMING & LOIS WI	(TRU)...
STEVEN ROBERTSON CUMMING	(APP)...PRO/PER
STEVEN ROBERTSON CUMMING	(RES)...PRO/PER
THE ROBERT BRUCE CUMMING& LOIS	(TRU)...
US SPECIALTY INSURANCE COMPANY	(PRO/PER
WILLIAM HENRY CUMMING	(PET)...EDWARD B FISCHER &

Matter no longer appears in the Register of Actions.

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1301068

CASE NAME: The Robert Bruce Cumming & Lois Wielen Cumming tru

SEE ALSO 4

HEARING: Accounting Review

COUNSEL:

JANET ANNE CUMMING	(PET)...EDWARD B FISCHER &
NATALIE BLICKENSTAFF	(PET)...JENNIFER M DANIEL
NATALIE BLICKENSTAFF	(SC)...JENNIFER M DANIEL
ROBERT BRUCE CUMMING & LOIS WI	(TRU)...
STEVEN ROBERTSON CUMMING	(APP)...PRO/PER
STEVEN ROBERTSON CUMMING	(RES)...PRO/PER
THE ROBERT BRUCE CUMMING& LOIS	(TRU)...
US SPECIALTY INSURANCE COMPANY	(PRO/PER
WILLIAM HENRY CUMMING	(PET)...EDWARD B FISCHER &

CCP170.6 filed as to Judge James Michael Welch, case reassigned to Judge Stanford Reichert for all purposes.

GENERAL INFORMATION

Continued from 10/19/17.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 1st and Final Account by Trustee Natalie Blickenstaff was taken under submission on 08/25/16. On 09/16/16 accounting was *approved in part as a first account*; order 10/26/16.
2. **Need** accounting beginning with 06/30/16.
3. Copy of Petition for Review re Court of Appeals Case E066569 filed 10/25/17.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400492

CASE NAME: The Jack Whitey Clair Revocable Trust

HEARING:

Hearing Re: OSC RE CONTEMPT FOR FAILURE TO FILE

COUNSEL:

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

GENERAL INFORMATION

OSC set on 11/30/17 when proof of blocked account was not filed. Steven Rein's ability to appear via court call revoked.

THIS CASE SET FOR HEARING ON **OSC re Content for FTF**/Status of Blocked Account.

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

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

RECOMMENDATION

Court's discretion re OSC. Inquire status of blocked account.
(lc)

Future Hearing:

12/11/17 Hearing re: Trial setting conference/results of Dr apt

12/11/17 Hearing re: OSC re: Sanctions/surcharge of

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400692

CASE NAME: Janis Antoinette Moudy

HEARING:
Accounting Review

COUNSEL:
DANA R MOUDY (PET)...ALEXANDER W WALLACE
JANIS ANTOINETTE MOUDY (DEC)...

GENERAL INFORMATION

Continued from 06/01/17 and 09/07/17.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Dana Moudy, spouse, on 03/24/16; full authority, no bond.
2. Final Inventory and Appraisal filed 10/14/15; however, personal property such as vehicles and furnishings are to be appraised by probate referee. **Need** corrected final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of Inventory and Appraisal and accounting.

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600332

CASE NAME: MTR OF VESTA L GUGGISBERG

SEE ALSO 8

HEARING:

Hearing Re: STATUS CONFERENCE

COUNSEL:

AMY LYNN PHILLIPS

(CRAIG E WILSON

AMY LYNN PHILLIPS

(PET)...FULLERTON LEMANN SCHAEFER

BRIAN R GUGGISBERG

(PET)...BRUNICK, MCELHANEY &

KERI LEIGH GUGGISBERG

(PET)...FULLERTON LEMANN SCHAEFER

KERI LEIGH GUGGISBERG

(TP)...CRAIG E WILSON

TED A GUGGISBERG

(PET)...BRUNICK, MCELHANEY &

VESTA L GUGGISBERG

(DEC)...

Status conference – No notes – JTD

Future Hearing:

12/27/17 Petition to compel accounting remove trustees etc.

10/25/18 *Court Trial*

12/03/18 *Court Trial*

12/04/18 *Court Trial*

12/05/18 *Court Trial*

12/06/18 *Court Trial*

12/07/18 *Court Trial*

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

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600332

CASE NAME: MTR OF VESTA L GUGGISBERG

SEE ALSO 7

HEARING:

FIRST AND FINAL Account and Report of TED A GUGGISBERG, BRIAN R GUGGISBERG and Petition for allowance of fees filed.

COUNSEL:

AMY LYNN PHILLIPS	(CRAIG E WILSON
AMY LYNN PHILLIPS	(PET)...FULLERTON LEMANN SCHAEFER
BRIAN R GUGGISBERG	(PET)...BRUNICK, MCELHANEY &
KERI LEIGH GUGGISBERG	(PET)...FULLERTON LEMANN SCHAEFER
KERI LEIGH GUGGISBERG	(TP)...CRAIG E WILSON
TED A GUGGISBERG	(PET)...BRUNICK, MCELHANEY &
VESTA L GUGGISBERG	(DEC)...

GENERAL INFORMATION

Continued from 06/22/17. Petitioner's counsel to be personally present on 08/31/17. Response to objections to be filed by 07/20/17 and if objectors have a reply to response, then to be filed by 08/10/17.

Continued from 08/31/17. All future petitions must be filed under this case number. All parties to meet and work on resolution. Counsel Brunick stated there are depositions scheduled for 09/13/17. Court sets a deadline for 09/07/17 for counsel to communicate whether the depositions will go forward on 09/13/17 or if the parties will be able to hold their informal meeting. Matter set for trial.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees for Ted and Brian Guggisberg, Sons/Co-Trustees.

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

1. Petitioners and attorney request statutory fees of \$23,298.99 each; petitioners to divide their fees equally. Ok.
2. Attorney requests reimbursement of costs totaling \$2,507. Itemized [Acct. 04/12 LFpg6].
3. **Objections filed by Amy Philips and Keri Guggisberg, granddaughters, filed 06/21/17.**

4. **Response to objections by Ted and Brian Guggisberg filed 07/19/17.**
5. **Reply and Amended reply to response to objections by Amy Philips and Keri Guggisberg filed 08/10/17 and 08/23/17 respectively.**
6. ~Proposed Order: 04/12/17.

RECOMMENDATION

Matter is contested. If approved, set hearing on the filing of receipts and final discharge for **12/13/18**.

(lc)

Future Hearing:

12/27/17 Petition to compel accounting remove trustees etc.

10/25/18 *Court Trial*

12/03/18 *Court Trial*

12/04/18 *Court Trial*

12/05/18 *Court Trial*

12/06/18 *Court Trial*

12/07/18 *Court Trial*

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

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600412

CASE NAME: ARTHUR G. RUIZ

HEARING:

Probate status report filed.

COUNSEL:

ADVANCE INHERITANCE, LLC	(TP)...JAMES L LEESTMA
ARTHUR G. RUIZ	(DEC)...
AUCTION CA FINANCIAL SRVCS	(PRO/PER
CALIFORNIA VICTIM COMPENSATION	()...
LAURA DIAZ	(PET)...MATTHEW ALDEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Laura Diaz, daughter on 06/21/16; full authority, \$20,000 bond.
2. Petitioner seeks an additional 4 months to close the estate.
3. ~Proposed Order: 08/24/17

RECOMMENDATION

None. Accounting has been filed; hearing **02/26/18**.

(lc)

Future Hearing: 02/26/18 First and final account and report

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

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600423

CASE NAME: MTR OF JOYCE LOUISE MOORE

HEARING:

Probate status report filed.

COUNSEL:

JOYCE LOUISE MOORE (DEC)...
LIZA S MARTINEZ (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration Testamentary issued to Liza Martinez, daughter, on 06/28/16; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. Status report filed using a Los Angeles County form. Executor, who appears to be sole beneficiary, states no additional time is needed to close the estate. However, there is no Inventory and Appraisal, accounting or waiver of accounting with report filed. If executor wishes to waive accounting, executor must file a final report of administration per CRC 7.550, Pr. C. § 1064 and Pr. C. §10954(c)(1). **Need** same.
4. No proposed order submitted.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

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

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600611
CASE NAME: MTR OF BONITA JEAN JOHNSON
HEARING: Hearing Re: APPLICATION FOR WAIVER OF ACCOUNTING AND
REPORT

COUNSEL:

BONITA JEAN JOHNSON	(DEC)...
JEFFREY HAYWARD JOHNSON	(PET)...CAROLYN J SCHAUF
TAMMY DEE SANCHEZ	(PET)...CAROLYN J SCHAUF

Fees due of \$465 for Jeffrey Johnson.

GENERAL INFORMATION

Continued from 10/05/17 to clear notes.

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Jeffrey Johnson and Tammy Sanchez, son and daughter.

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

1. Executors filed waiver of account originally as an ExParte. It appears that accounting full filing fees were ***not collected.***
2. Petitioners and attorney seek statutory fees of \$6,385.
3. **Need** actual assets on hand per CRC§7.550(b).
4. Proposed order submitted; however, all orders need to be complete in themselves. Need property on hand, distribution, statements that taxes and creditors were paid etc.

RECOMMENDATION

RFA subject to note 3. If approved, set hearing on the filing of receipts and final discharge for **12/13/18.**

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700852

CASE NAME: DENNIS HARVEY LABADIE II

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

DENNIS HARVEY LABADIE II (DEC)...
ROSEMARIE LABADIE (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Rosemarie Labadie, spouse.

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

1. All heirs waive bond. Net estate value is \$244,000 of which \$40,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Petition indicates no child; however, relatives section lists 3 children. Court to clarify.
3. Dominic Labadie is listed in section 8; however, no relationship indicated. **Need** verified supplement.
4. **Need** proof of publication.
5. **Need** Notice to Petition to Administer Estate and proof of service.
6. ~Proposed Form Order: 08/24/17.

RECOMMENDATION

Need to clear notes 3-5, Court's discretion re bond. If approved, set Accounting/Status Review for **02/14/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 12/07/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700853

CASE NAME: MTR OF CONSTANTINA REYNA RUIZ

HEARING:

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

COUNSEL:

CONSTANTINA REYNA RUIZ (DEC)...

JULIAN CAMPARAN (PET)...PRISCILLA C SOLARIO ESQ

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Julian Camparan, son.

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

1. All heirs waive bond. Net estate value is \$90,000 in real property. Court for good
cause could require bond per Pr.C. § 8481(b).
2. Petitioner is nominated by all other heirs.
3. ~Proposed Form Order: 08/25/17.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **02/14/19**.
Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of
local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 12/07/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS0700081

CASE NAME: ALEXANDRA ENTRIKIN

SEE ALSO 15

HEARING:

Hearing Re: STATUS OF RESIDENCY OF CONSERVATOR

COUNSEL:

ALEXANDRA ENTRIKIN	(CEP)...
JACQUELINE CANDELARIA	(CPE)...EDWARD B FISCHER
JACQUELINE ESTRADA	(CPE)...EDWARD B FISCHER &

GENERAL INFORMATION

Continued from 11/01/17.

THIS CASE SET FOR HEARING ON Status of Residency of Conservator.

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

1. Jacqueline Candelaria, mother, appointed Conservator or person and estate on 06/04/17, \$10,000 bond.
2. Matter set after review of no report by Court Investigator and post move notice filed indicating conservatee lives in Indiana.

RECOMMENDATION

Court's discretion. See next matter.

(lc)

Future Hearing: 08/29/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS0700081

CASE NAME: ALEXANDRA ENTRIKIN

SEE ALSO 14

HEARING:

Petition for TO FIX RESIDENCE OUTSIDE THE STATE OF CALIFORNIA

COUNSEL:

ALEXANDRA ENTRIKIN (CEP)...
JACQUELINE CANDELARIA (CPE)...EDWARD B FISCHER
JACQUELINE ESTRADA (CPE)...EDWARD B FISCHER &

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Fix Residence Outside State of California by Jacqueline Estrada, mother.

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

1. Jacqueline Candelaria [Estrada], mother, was appointed Conservator on 06/04/07, person and estate; \$10,000 bond and remainder in blocked account.
2. It appears Conservator's last name has changed to Estrada since appointment. However, new letters do not appear to have been issued.
3. Conservator seeks to fix residence of conservatee to Indianapolis, Indiana. Conservator alleges that employment relocation is necessary.
4. Petition reflects that conservatee could possibly return to California and be reevaluated in one year. It appears this move would be over 4 months; therefore, a conservatorship matter should commence in Indiana Pr.C. § 2352(d)(2)(B).
5. Request to excuse notice filed re maternal grandfather. JTD
6. No proposed order.

RECOMMENDATION

Court's discretion. If approved, set hearing for proof of conservatorship in Indiana.
(lc)

Future Hearing: 08/29/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 12/07/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1200103

Vacated

CASE NAME: DAVID JAMES OWENS JR

HEARING:

Accounting Review

COUNSEL:

DAVID JAMES OWENS JR

(CEP)...EDWARD B FISCHER &

INLAND COUNTIES REGIONAL CENTE

(CE)...LAYNE A BARTHOLOMEW

(lc)

Future hearing dates: 01/16/18 3rd Account and Report by IRC

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

DATE: 12/07/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400150

CASE NAME: MTR OF KATHLEEN DURHAM

HEARING: Hearing re Final Discharge

COUNSEL:

JAMES S DURHAM	(CPE)...J. DAVID HORSPOOL
JAMES S DURHAM	(PET)...EDWARD B FISCHER &
KATHLEEN DURHAM	(PRO/PER
KATHLEEN DURHAM TRUST DATED	(TRU)...
KYLE A. PATRICK	(PET)...KYLE A PATRICK
LAWRENCE A DEAN II	(CPE)...SHERRI L KASTILAHN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN, case reassigned to Judge TARA REILLY for all purposes.

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. 2nd and Final Account for Lawrence Dean, prior Conservator, approved on 12/01/16.
2. Receipt filed for \$1,267.33; however, \$2,219.04 was balance on hand. **Need** reconciliation or updated receipt from James Durham.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipts and discharge order.

(lc)

Future Hearing:

01/11/18 Hearing re: Status of mediation

01/11/18 Petition to recover property for Gail Hammer etc.

01/11/18 Second account and report by James S Durham

03/15/18 Readiness calendar

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

DATE: 12/07/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500302
CASE NAME: MURIEL ENID BRYANT
HEARING: First Account and Report of LINDA JEAN HENRY and Petition for allowance of fees filed.

COUNSEL:

LINDA HENRY (CE)...VOORHEES LAW GROUP
LINDA JEAN HENRY (CE)...BROCK, MARTIN & VOORHEES, PC
LINDA JEAN HENRY (PET)...VOORHEES LAW GROUP
MURIEL ENID BRYANT (CEP)...DONNASUE ORTIZ
TERRY WAYNE ATTKISSON (CP)...BROCK, MARTIN & VOORHEES, PC

XREF: CONPS1600017 (*James William Bryant matter 19*)

GENERAL INFORMATION

Continued from 10/26/17.

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for Allowance of Fees by Linda Henry, daughter.

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

1. Accounting appears to include Terry Attkisson, son; however, Terry is Conservator of person only.
2. Accounting period 02/16/16 – 12/31/16.
3. Assets on hand \$268,504.24; cash.
4. Conservator of person Terry Attkisson waives compensation.
5. Conservator of Estate Linda Henry requests fees of \$3,930 for 131 hours at \$30 per hour. Itemized [Acct.09/18/17 LFpg21-29].
6. Attorney seeks fees of \$6,714.50 for 39 hours at \$115/300 per hour for paralegal and attorney services. Itemized [Acct.09/18/17 LFpg31-35].
7. Attorney seeks reimbursement of costs totaling \$711.50. Itemized with fees.
8. Inventory and Appraisal/beginning balance indicates US bank account ending in 5601 is ½ community property; however, the entire account is valued as opposed to 50%. **Court cleared on record.**
9. A withdrawal from US bank account ending in 5601 06/20/17 for \$88,071.57 appears to be a separation of community property [Confidential10/18 LFpg24]. However, it is not clear what bank account received the funds. **Court cleared on record.**

10. Petitioner seeks a reduction in Current bond of \$395,000 to \$335,216.46; however, projected long term care does not appear to be an option in the calculation Cal Rules of Ct 7.207. JTD
11. **NOTE:** Accounting review appears to have not been set for Trust that was recently created by substituted judgment on 08/24/17; Cal Rules of Ct 7.903.
12. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **04/26/18** (if one year) or **04/25/19** (if two years). Accounting to be filed 30 days in advance. Set Accounting review *re Trust* for **10/25/18**.

(lc)

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

DATE: 12/07/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600017
CASE NAME: JAMES WILLIAM BRYANT
HEARING: First Account and Report of LINDA JEAN HENRY and Petition for allowance of fees filed.

COUNSEL:

JAMES WILLIAM BRYANT (CEP)...DONNASUE ORTIZ
LINDA JEAN HENRY (CE)...VOORHEES LAW GROUP
TERRY WAYNE ATTKISSON (CP)...VOORHEES LAW GROUP

XREF: CONPS1500302 (*Muriel Enid Bryant matter 18*)

GENERAL INFORMATION:

Continued from 10/31/17 to clear notes and keep same date as spouse CONPS1500302.

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Conservator of the Person, Terry Attkisson (son) and Conservator of the Estate, Linda Henry (daughter).

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

1. Petition indicates that at the time conservators were appointed, there existed community property accounts; and at the end of this accounting period, all community property accounts have been separated equally.
2. **Need** copy of conformed final Inventory and Appraisal, filed 09/02/16, with supporting bank/financial copies per Local Rule 20-908. Clerk's office notified.
3. Terry Attkisson's signature does not appear to be original. **Need** same.
4. Accounting period 04/28/16 to 01/12/17.
5. Assets on Hand \$207,122.10 in cash.
6. Current bond of \$395,000. Petitioner requests bond reduction in the amount of \$86,084.08 for a total new bond in the amount \$308,915.00. Appears sufficient. JTD.
7. Conservator of the Person, Terry Attkisson, waives compensation.
8. Conservator of the Estate, Linda Henry, requests compensation in the amount of \$3,255.00 for 108.5 hours, billed at \$30/hour. Itemized [LF, pgs. 19-27]. JTD.
9. Attorney requests fees and costs of \$5,139.50. Billed at \$300/hour for 11.60 hours' attorney time and \$115/hour for 10.10 hours' paralegal time. Itemized [LF, pgs. 29-30]. JTD.

10. Petitioner has not used the mandatory Summary of Account (GC-400/405) adopted 0/01/08. Court to direct petitioner to use the mandatory form on future accountings.
11. **Need** residential facility statements and/or written verification of rent per Pr.C. §2620(c)(5) for Oakmont Assisted Living.
12. **Need** bank/financial statements to support date of appointment balances per Local Rule 20-908.
13. **Need** account statement prior to appointment Pr.C. § 2620(c)(2).
14. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 2-3 & 11-13 then Court's discretion re: fees and bond decrease. If approved, set next hearing for Accounting Review to **03/13/18** if one year (annual) and **03/12/19** if two years (biennial).

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600052

CASE NAME: HOMER N. SILACCI

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of STEVE COX

COUNSEL:

HOMER N SILACCI (CEE)...MITCHELL I ROTH
STEVE COX (PET)...FRANKLIN S ADLER

GENERAL INFORMATION

Continued from 04/27/17, 06/01/17 and 07/20/17. Court read and considered report of Counsel Roth. Conservator to file declaration re all aspects of the sale of Fontana property by 07/27/17. Declaration to include purchase contract, counter-offers, escrow instructions and closing statement. Steven cox and Franklin Alder to be present.

Continued from 08/24/17. Todd Nuccio appointed as 730 Expert [fee capped at \$750]. Parties to cooperate with investigation. Counsel to file declaration as to Conservator's knowledge of realtor who purchased property.

Continued from 09/28/17.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Steve Cox, friend, appointed conservator of the person and estate on 09/22/16, \$350,000 bond.
2. Determination of Conservatee's Appropriate Level of Care form filed 05/31/17.
3. Notification of Conservatee's rights filed 05/31/17 & 08/23/17.
4. Care Plan in accord with Pr.C.§2352.5 filed 08/23/17.
5. Final Inventory and Appraisal filed 08/23/17. However; **need corrected.**
 - a. Real and personal property needs to be on attachment 2 and appraised by probate referee.
 - b. Bank account needs account number and bank statement to support.
 - c. Caption is incomplete as to date of appointment.
 - d. Bond amount is incorrect.
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. Declaration filed by Counsel Adler re sale of real property of conservatee on 07/27/17.
 - a. **Declaration filed 09/28/17** by Sara Lopez, agent, alleging the property was sold as is to investment company.
 - b. **Declaration filed 09/28/17** by neighbor John Carlo alleging the real property was inhabitable.
8. **Need** 730 evaluation.
9. **Response filed by conservatee through counsel on 08/02/17.**

RECOMMENDATION

Need to clear notes 5-8.

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PG

DATE: 12/07/17 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300265

Vacated

CASE NAME: MTR OF LUCINDA NOLEN

HEARING:

Nineteenth Account and Report of KERN COUNTY PUBLIC GUARDIAN and
Petition for allowance of fees filed.

COUNSEL:

KERN COUNTY PUBLIC GUARDIAN

(CE)...KERN COUNTY

LUCINDA NOLEN

(CEP)...

PUBLIC GUARDIAN

(CE)...COUNTY COUNSEL

Future hearing dates: 08/20/18 19th Account of Kern County Public Guardian.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

Readiness Calendar

DATE: 12/07/17 TIME: 8:29 DEPT: S36P

CASE#: CON PS1600269

CASE NAME: PATRICIA MAE LAWRENCE PARK

SEE ALSO 2

HEARING: Hearing Re: PTN FOR CONSERVATORSHIP

COUNSEL:

JANICE L PARK (CP)...PRO/PER

PATRICIA MAE LAWRENCE PARK (CTP)...JENNIFER M DANIEL

GENERAL INFORMATION

Ex Parte orders denied on **09/12/16**. Referred to Court Investigator for investigation and report. Attorney Jennifer M. Daniel appointed for proposed conservatee. Notice by Judicial Assistant.

Continued from 10/03/16. Parties report Patricia Park has moved into Judith Park's home. Parties note that in a related action, CIFNS1600004, Judith Park is restrained from removing Patricia Park for her placement and from being financially connected to Patricia Park. Ms. Daniel is ordered to go to Patricia Park's bank to ensure that there is no comingling of funds and that Judith Park has no access to Patricia Park's funds. The Court appoints Walter Moore as guardian ad litem for Patricia Park. Notice by Judicial Assistant.

Continued form 11/15/16. Court finds CIFMS1600004 should be heard in probate court. Court orders Judith Park to provide all bank records from 01/01/16 to 10/21/16 to Mr. Moore by 11/30/16. Court is concerned about Patricia Park's living and financial arrangements, and medical capacity declaration filed by Patricia Park. Janice Park intends to file a contempt action in related matter for Judith Kathleen's violation of court order. Court appoints Robert Sawicky as 730 experts in this matter. Mr. Moore to prepare order appointing Dr. Sawicky.

Continued from 02/28/17. Janice L. Park is ordered temporary conservator of Patricia Mae Lawrence Park, no bond. Order signed this date. Dr. Sawicky is working on 730 report waiting for subpoena documents.

Continued from 05/09/17. The Court advises the parties that the sealed Adult Protective Services documents she received yesterday have not been opened or reviewed at this time. PATRICIA PARK informs the Court that she has retained counsel, CHRIS NELSON, who could not be present today. The Court will not appoint an attorney not on our court-appointed list. The Court will allow private counsel to be retained, but conservatee will bear the cost of privately retained counsel. JANICE PARK as temporary conservator will need to speak with Mr. Nelson

about retaining his services. JENNIFER DANIEL is relieved as counsel of record for PATRICIA PARK. Ms. Carey-Wilson informs the Court that Adult Protective Services has provided a report to the Court regarding the appropriateness of PATRICIA PARK'S current residence in the sealed envelopes provided to the Court. The Court gives PATRICIA PARK two options of how to proceed. All existing orders shall remain in full force and effect.

Continued from **05/30/17**. The matter trailing other hearings in CIFMS1600004. The Court orders the redacted documents provided by Adult Protective Services be provided to Counsel in this matter along with the protective order. The Court orders that any monies received since the time the temporary conservatorship has been in place given to Janice Park for appropriate distribution. All temporary orders to remain in full force and effect.

Continued from 08/07/17 to be heard with Court trial in related case. Continued from 09/18/17. Petition for elder abuse restraining order in CIFMS1600004 is dismissed as petitioner had no standing at the time of the filing of that petition. All existing orders shall remain in full force and effect.

Continued from 10/03/17. Matter is contested, trial requested.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by non-resident, daughter.

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

- 1 Proposed Conservatee admitted 08/27/16 to a Rehab Center in Palm Springs (Riverside County).
- 2 Petitioner requests no bond be required but does not include Attachment 1c explaining why. However, review of the estimated value of property reflects income consisting of only Social Security and does not include estimated value of conservatee's real property. Need verified supplement with reasons to support why bond should not be required and estimated value of real property in order to determine a bond amount.
- 3 Petitioner seeks Pr. C. § 2590 powers. Suggest Court require a separate petition after appointment with required showing per Pr. C. 2540 et seq. JTD
- 4 Need proper completion of Section 3b to petition, sections (1)(2)(4) and (7) via verified supplement.
- 5 Petitioner requests dementia powers; Need report of court-appointed counsel, Jennifer Daniel.
- 6 Petition, Section 1g, seeking medical powers is incomplete. Need completed Capacity Declaration (see note 6).
- 7 Capacity Declaration filed 11/10/16 is incomplete at item 5 and declarant's initials on page 3. Need same.
- 8 Need return of Citation.
- 9 Need Notice of Hearing with proof of service.
- 10 Need Certificate of Completion re Conservatorship Class.
- 11 Court to review Confidential Conservator Screening Form, #8. Need Attachment 8 to Confidential Conservator Screening Form.
- 12 Need 730 Report of Dr. Robert Sawicky.
- 13 Oral report presented by GAL, Walter Moore, on 10/17/16.

- 14 CI Report filed 11/09/16. **CI Special Report filed 04/27/17.**
- 15 **Objections filed 10/03/16 on behalf of proposed conservatee by Court-appointed counsel, Attorney Daniel.**
- 16 ~Proposed Form Order/Letters 09/02/16.

RECOMMENDATION: Matter is contested.

Need to clear notes 2, 4-12, bond to be determined. If approved, set hearing for Compliance Review for **07/12/18** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr. C. §2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **02/14/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: CON PS1100062

CASE NAME: *MF* LORIANNE M. DURAN.

HEARING:

Hearing Re: TRUSTEE OF SPECIAL NEEDS TRUST

COUNSEL:

ADAN JOHN M.D.	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(QUINTAROS, PRIETO, WOOD &
DOUGLAS ZIPRICK MD	(MCNEIL TROPP & BRAUN LLP
ESTHER DURAN	(CPE)...PRO/PER
JANET DURAN	(PET)...BANKS GARCIA & JANIS
JANET DURAN	(PLA)...KAMPF SCHIAVONE & ASSOC
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
JOHN ADAN MD	(MCNEIL TROPP & BRAUN LLP
LORIANNE DURAN	(PET)...KAMPF SCHIAVONE &
LORIANNE M. DURAN	(CEE)...JENNIFER M DANIEL
LORIANNE M. DURAN	(PET)...JEANNE E KENNEDY
RICHARD DURAN	()...
RONALD DURAN	()...
STEVEN DURAN	(CP)...DAVID E FOATE
STEVEN DURAN	(PCR)...DAVID E FOATE
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL

XREF: PROPS1300446 (*Esther Duran estate*)

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000106
CASE NAME: MTR OF SIV LJUNGWE

SEE ALSO 3

HEARING: Hearing Re: Status of second & final account by S.Dimeff

COUNSEL:

ALEX R BORDEN	(PET)...BORDEN LAW OFFICE
ANDERS L LJUNGWE	(BURKLEY & BRANDLIN LLP
MARILYN KRIEBEL	(PET)...KEENEY WAITE & STEVENS
NPR FOUNDATION, SAN DIEGO STAT	(TP)...LUCE HOWARD HAMILTON &
SIV H LJUNGWE	(DEC)...
SUZANNE C. DIMEFF	(PET)...DIMEFF LAW OFFICE LLP
SUZANNE COWAN DIMEFF	(PET)... KIRK MILLER

GENERAL INFORMATION

Matter reset on 2/1/17, court noted that 2nd and Final Account filed by Suzanne Dimeff, matter is contested and set for 08/16/17. Status of account was set for this date. Continued from 03/30/17, 06/29/17 and 07/06/17. **Matter is contested and set for trial.** Continued from 09/21/17. Matter set for status to set mediation date.
Continued from 10/19/17.

THIS CASE SET FOR HEARING ON Second Amended (03/24/16) First and Final Account by **prior administrator, Suzanne Cowan Dimeff:**

1. Accounting period 01/16/10 to 11/24/15 (5.10 years)
2. Zero assets on hand.
3. Partial No.1 and corrected I&As filed. **Need** Final Inventory and Appraisal.
4. Petitioner does not seek compensation.
5. Petitioner requests extraordinary fees of \$81,993.00 for years of work, and reimbursement of costs totaling \$41,872.46 including cost of legal counsel which her law firm advanced [LF, p. 41-49]. Billed at the lower rate of \$375 /hour for attorney time, \$65/hour for administrative support and reduced paralegal fees of \$75/hour. Itemized [LF, pgs. 29-40]. JTD.
6. Petitioner requests the total amount of compensation in the sum of \$123,865.46 to be a lien against Trust Assets. JTD.
7. Petitioner informs the Court that Successor Personal Representative, Alex Borden, was appointed Special Administrator by Ex Parte Application, without bond on 11/06/14, for the express purpose of substituting into Los Angeles Civil Action, Case Number YC069475, wherein, the petitioner estimates the value of decedent's one-

half interest in these community property assets in exclusive control of the estranged spouse to be \$1,694,500.00. Petitioner indicates that on 06/26/15, with no Notice or explanation to this Court, Administrator Borden dismissed this Civil Action, without prejudice. Estranged spouse, Anders Ljungwe then transferred a \$1M annuity, titled in the name of the Ljunge Family Trust, and declared by Siv Ljungwe as having her one-half interest funded into her separate trust, and into his personal name. Does Court wish to set a Surcharge Hearing? JTD

8. Copy of the Siv Ljungwe Trust filed 06/24/10 and 07/06/15.
9. **Objections to First Accounting filed 6/1/15 by Alex Borden administrator, CTA to prior accounting. Supplement to Objections filed 8/19/15**
10. **Response to Objections filed 09/03/15 and 09/13/16 by Suzanne Dimeff.**
11. **Objections to 2nd Amended First Account filed 9/6/16 by Marilyn Kriebel.**
12. **Notice of lodgment in support of objections filed on 09/07/16.**
13. **Request for judicial notice filed 10/28/16 re San Diego Case and appeal.**
14. **Statement of issues filed 10/28/16.**
15. **Status Conference Report filed by Marilyn Kriebel.**

RECOMMENDATION:

Need to clear note 3. Matter is opposed. If approved, set hearing for receipts and final discharge for **09/27/18**.

(sa/lc)

Future Hearing: 04/05/18 Final Discharge

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000106

CASE NAME: MTR OF SIV LJUNGWE

SEE ALSO 2

HEARING:

Hearing Re: STATUS RE: SETTING OF MEDIATION DATE

COUNSEL:

ALEX R BORDEN	(PET)...BORDEN LAW OFFICE
ANDERS L LJUNGWE	(BURKLEY & BRANDLIN LLP
MARILYN KRIEBEL	(PET)...KEENEY WAITE & STEVENS
NPR FOUNDATION, SAN DIEGO STAT	(TP)...LUCE HOWARD HAMILTON &
SIV H LJUNGWE	(DEC)...
SUZANNE C. DIMEFF	(PET)...DIMEFF LAW OFFICE LLP
SUZANNE COWAN DIMEFF	(PET)... KIRK MILLER

GENERAL INFORMATION

Continued from 10/19/17. Status re mediation/global settlement.

THIS CASE SET FOR HEARING ON Status re Setting of Mediation Date.

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

1. Matter set on 09/21/17 when parties discussed scheduling mediation.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing: 04/05/18 Final Discharge

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300446
CASE NAME: ESTHER DURAN

SEE ALSO 5, 6

HEARING: Hearing Re: PTN FOR ORDER DETERMINING TITLE AND
REQUESTING ETC

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPPOOL & HORSPPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

XREF: CONPS1100062 (Lorianne Duran)

GENERAL INFORMATION:

Continued from 8/5/13, 8/6/13, 8/23/16, 4/30/14, 8/21/14, 11/14/14, 11/25/14, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 4/4/16, 8/18/16, 08/22/16, 02/14/17, 03/16/17, 05/25/17, 08/10/17, 09/28/17 and 10/26/17. No appearance. Mitchell Roth recused himself.

THIS CASE IS SET FOR HEARING ON Petition to Determine Title of real and personal property and a finding of a Breach of Fiduciary Duty and Elder Abuse

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

1. Petitioner, Steven Duran, was appointed Special Administrator \$100,00 bond. Petitioner is one of six children and a beneficiary of the decedent's estate. Decedent died 2/11/13. Petitioner alleges that at all times described in the petition, the decedent was an "elder" as described in W&I§15610.27.
2. Petitioner alleges that the decedent held title to bank accounts containing proceeds from winnings and a settlement) and to 6 parcels of real property and that prior to her death, decedent was hospitalized for unknown reasons and on 7/29/12 decedent executed a Durable Power of Attorney, naming daughter, Janet Duran, as attorney in fact. Copy of POA attached (see LF pages 29-36).
3. Petitioner alleges that on 2/12/13 (one day after decedent's death) respondent, Janet Duran, through her power of attorney, recorded six Grant Deeds transferring the real property to decedent and her as joint tenants, and then on 5/10/13, Janet Duran filed Affidavit of Death of Joint Tenant on each parcel. Copies of Deeds and

Affidavits attached (see LF pages 37-58). Petitioner refers to the text of the POA that informs the agent that the property may not be transferred without adequate consideration. As the POA is terminated at death, it would appear that the Grant Deeds have created a cloud on title as they transfer title to a deceased person with a terminated POA.

4. Petitioner requests the property be transferred back to the estate. However, as the Grant Deeds were recorded after date of death of decedent creating a cloud on title, Court may wish to find the Grant Deeds and Affidavits of Joint Tenant as void.
5. Petitioner requests the Court find that Janet Duran exceeded her scope of authority, acted in bad faith, breached her fiduciary duty, and under Pr.C.§859 should be held liable for twice the value of the property in an amount to be determined.
6. Petitioner requests the Court find that prior to decedent's death, Janet Duran, fraudulently misappropriated funds from decedent's accounts, and under W&I§15657.5 for financial elder abuse be held liable for treble damages, punitive damages, prejudgment interest and costs.
7. Order on Stipulation to void and cancel four grant deeds approved on 01/15/14.
8. **Need report of Ms. Michealis.**
9. **Need settlement.**

RECOMMENDATION:

Need settlement and report.

(sa/lc/nb/lc/dl/lc/sa/nb/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300446

CASE NAME: ESTHER DURAN

SEE ALSO 4, 6

HEARING:

Hearing Re: PTN FOR ORDER DETERMINING TITLE AND REQUESTING ETC

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

Appears to be duplicate matter.

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300446

CASE NAME: ESTHER DURAN

SEE ALSO 4, 5

HEARING:

Hearing Re: PTN FOR PROBATE OF WILL AND LTS TESTAMENTARY

COUNSEL:

ESTHER DURAN (DEC)...
JANET DURAN (PET)...BANKS GARCIA & JANIS
LORIANNE M DURAN (PET)...PRO/PER
STEVEN DURAN (PET)...HORSPOOL & HORSPOOL
TOYOTA MOTOR CREDIT CORP (TP)...SCOTT WELTMAN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

XREF: CONPS1100062 (Lorianne Duran

GENERAL INFORMATION:

Order appointing Steven Duran as Special Administrator entered 06/03/13, \$100,000 bond required (see prior matter).

Continued from **7/11/13** and **8/22/13**.

On **8/6/13** Court denied an Ex-parte order on Motion to Set Aside Order filed by Janet Duran. Need order.

Continued from **8/26/13, 12/16/13, 1/9/14, 4/30/14 and 8/21/14**. New trial dates set.

Continued from 11/25/14, 2/11/15, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 3/30/16, 04/04/16 08/22/16 02/14/17, 03/16/17, 05/25/17, 08/10/17, 09/28/17 and 10/26/17. No appearance. Mitchell Roth recused himself.

THIS CASE IS SET FOR HEARING ON

- Petition for Letters Testamentary with full authority under IAEA, by **Steven Duran**, son.
- Petition for Letters Testamentary with full authority under IAEA, by **Janet Duran**, daughter.

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

Petition by Steven Duran - son:

1. Petitioner, Steven Duran, requests admission of decedent's Will dated 7/6/93 only.

2. Petitioner is the third nominated executor. Will dated 7/6/93 nominates first Manuel Duran (now deceased) and second Janet Duran. Petitioner believes Janet Duran should not be appointed. Objections and competing petition filed by Janet Duran.
3. Will waives bond as to nominated executors. However, Court required \$100,000 bond for Special Administrator. JTD
- 4. Objection filed by Janet Duran.**
5. Notice of Lis Pendens filed by Steven Duran on 03/30/15.

Petition by Janet Duran – daughter – second named executor:

6. Petitioner, Janet Duran, requests admission of decedent's Will dated 7/6/93 and holographic codicils dated 11/12/06 and 1/29/09.
7. Will waives bond. Estimated estate value is \$14,200. JTD
8. Decedent's will nominates Janet Duran as executor and the codicil of 1/29/09 restates/reconfirms the nomination.
- 9. Objection to appointment and admission of purported codicils filed by Steven Duran.**
- 10. Need settlement.**

RECOMMENDATION:

Need settlement. It appears Janet Duran has priority of appointment.

Court to determine bond. If approved, set hearing for Accounting/Status Review on **02/14/19**. Any accounting to be filed 30 days in advance. Note Local Rule requirements.

(sa/nb/gls/nb/lc/nb/lc/sa/dl/lc/sa/nb/lh/lc)

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

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400685

CASE NAME: BETTEANNE BURCHELL

HEARING:

Probate status report filed.

COUNSEL:

BETTEANNE BURCHELL	(DEC)...
DENNIS SHOGREN	(PET)...E JOAN NELMS
DENNIS SHOGREN	(PET)...JAMES B CHURCH
MELVIN L FRIEDLAND	(PET)...MELVIN L FRIEDLAND

GENERAL INFORMATION

Continued from 08/10/17 and 10/05/17.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Dennis Shogren, PPF, on 10/08/14; current bond \$450,000.
2. Petitioner seeks an additional 6 months to close to estate in order to claim proceeds of sale of real property that was sold at a trustee's sale on 07/18/16 unbeknownst to petitioner.
3. Supplement filed **10/02/17** alleging there were no cash assets except for funds in Bermuda that were held in joint tenancy with minor beneficiary. There were also a reported \$67,000 in approximate repairs to be made. The property was allegedly sold at a loss of \$18,000 at Trustee's sale.
4. ~Proposed Order: 05/12/17.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **03/15/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500250

CASE NAME: Steven Charles Vaughan

HEARING:

(AMENDED) WAIVER OF Account and Report of RANDY VAUGHAN and
Petition for allowance of fees filed.

COUNSEL:

RANDY VAUGHAN (PET)...PRO/PER
STEVEN C VAUGHAN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON **Amended** Petition for Final Distribution upon
Waiver of Account and for Fees by Randy Vaughan, brother.

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

1. Administrator is sole heir, waives accounting and statutory compensation.
2. Assets on hand \$109,333.52 in cash.
3. ~Proposed Order: 11/16/17; however, it appears administrator is seeking statutory compensation in order; however, waived in petition. Court may wish to interlineate.

RECOMMENDATION

Court's discretion. If approved, set next hearing for final discharge on **09/18/18**.
(nb/lc)

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

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600565
CASE NAME: MTR OF BILLIE FAYE FREEMAN
HEARING: FIRST AND FINAL Account and Report of TONY L FREEMAN and
Petition for allowance of fees filed.

COUNSEL:

BILLIE FAYE FREEMAN (DEC)...
TONY L FREEMAN (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Tony Freeman, executor/son.

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

1. All heirs waive accounting.
2. Assets on hand \$9,549.74
3. Executor seeks statutory compensation of \$7,207.00. Ok.
4. Executor seeks a reserve of \$2,793.93.
5. Executor alleges the estate has already been distributed. A personal representative may **only** preliminary distribute personal property per Pr.C. § 10520; if it is pecuniary per terms of a will under \$10,000 and/or personal property under \$50,000. However, the estate does not appear to have suffered harm.
6. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **12/13/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700146

CASE NAME: BARBARA J CRAVEN

HEARING:

First and final Account and Report of GUAY P WILSON and Petition
for allowance of fees filed.

COUNSEL:

BARBARA J CRAVEN (DEC)...
GUAY P. WILSON (PET)...GUAY P WILSON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Guay Wilson, executor.

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

1. Assets on hand cash/securities of \$448,460.74.
2. Executor seeks statutory fees of \$12,211.00. Ok.
3. **Need** bank statements to support ending balance per local rule 20-908 [08/2017].
4. Personal property items stated in will are not listed on Inventory and Appraisal.
Question if items remained at date of death and/or already distributed? **Need**
verified supplement.
5. Proposed Order: 09/15/17; however, need specific distribution and percentages
stated. Submit order after hearing.

RECOMMENDATION

Need to clear notes 3-4. If approved, set hearing on the filing of receipts and final
discharge for **12/13/18**.

(lc)

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

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700904

CASE NAME: BEVERLY BATES

HEARING:

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

COUNSEL:

BEVERLY BATES (DEC)...
MICHELLE DAVIS (PET)...PRO/PER

GENERAL INFORMATION

Letters of special administration issued on 09/19/17.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Michelle Davis, daughter.

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

1. Petition states bond TBD. Net estate value is \$125,000 of which \$50,000 is
personal property. However, petitioner is a non-resident and court has discretion to
require bond per Pr.C. §8571.
2. **Need** proof of publication.
3. **Need** Notice to Petition to Administer Estate and proof of service.
4. ~Proposed Form Order: 09/12/17.

RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond. If approved, set Accounting/Status
Review for **02/14/19**. Any accounting to be filed 30 days in advance local rule 20-901.
Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/07/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700905

CASE NAME: MTR OF ETHEL RYAN

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ETHEL RYAN

(DEC)...

ROBERT RYAN

(PET)...GAUDY LAW, INC

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Robert Ryan, son.

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

1. Petitioner seeks 100% interest in decedent's interest in real property per terms of the will.
2. ~Proposed Form Order: 11/28/17.

RECOMMENDATION

RFA.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 9:30 DEPT: S36P

CASE#: CIF DS1700014

CASE NAME: **MASTER FILE** CASAREZ VS. CASEREZ

SEE ALSO 14

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

CARLOS CASAREZ JR (RP)...MILLIGAN, BESWICK LEVINE & KNO
ELEANOR CASAREZ (PP)...RANDOLPH R MELENDEZ

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Matter continued from 09/29/17. All respondents and/or counsel appear to have been present.

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 9:30 DEPT: S36P

CASE#: CIF DS1700014

CASE NAME: **MASTER FILE** CASAREZ VS. CASEREZ

SEE ALSO 13

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

CARLOS CASAREZ JR (RP)...MILLIGAN, BESWICK LEVINE & KNO

ELEANOR CASAREZ (PP)...RANDOLPH R MELENDEZ

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Matter continued from 09/29/17. All respondents and/or counsel appear to have been present.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 12/07/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100285

CASE NAME: GILBERT E. MADRID

SEE ALSO 16

HEARING:

OSC re: Suspension/Removal of Conservator filed by GILBERT MADRID

COUNSEL:

GILBERT E. MADRID	(CEP)...MITCHELL I ROTH
GILBERT MADRID	(CPE)...DAVID M GROSSMAN
GILBERT MADRID	(PET)...JOHN
MITCHELL I. ROTH	(CPE)...MITCHELL I ROTH
W. A. HLAVATY	(SC)...RICHARD W S PERSHING

GENERAL INFORMATION

OSC continued from 08/31/17 at request of counsel to submit report of W.A. Hlavaty.
Notice waived.

Continued from 10/12/17.

THIS CASE SET FOR HEARING ON OSC re Suspension/Removal of Conservator.

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

1. OSC set on 07/27/17. Gilbert Madrid was suspended as the trustee of the trust and as conservator of the estate. W A Hlavaty is appointed successor interim trustee and conservator of the estate. Court ordered no payments be made other than the facility bills from the trust or the conservatorship accounts. W A Hlavaty to personally be present and submit a report on the 08/31/17 hearing.
2. **Declaration which appears to be a report of efforts to Marshal conservatorship and Trust Assets filed by W.A. Hlavaty 12/01/17.**

RECOMMENDATION

Court's discretion.

(lc/lh/lc)

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

DATE: 12/07/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100285
CASE NAME: GILBERT E. MADRID

SEE ALSO 15

HEARING: FOURTH Account and Report of GILBERT MADRID and Petition for allowance of fees filed.

COUNSEL:

GILBERT E. MADRID	(CEP)...MITCHELL I ROTH
GILBERT MADRID	(CPE)...DAVID M GROSSMAN
GILBERT MADRID	(PET)...JOHN
MITCHELL I. ROTH	(CPE)...MITCHELL I ROTH
W. A. HLAVATY	(SC)...RICHARD W S PERSHING

GENERAL INFORMATION

Continued from **07/06/17 and 07/13/17**. Gilbert Madrid to pay \$72 overdraft fees and get his rent up to date. Rent is payable monthly on the 15th. Declaration to be filed as to payments made. Gilbert Madrid suspended as Conservator and trustee on 07/27/17.
Continued from 08/31/17 and 10/12/17 to clear notes.

THIS CASE SET FOR HEARING ON 4th Account Current and Petition for Allowance of Fees by Gilbert Madrid, son.

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

1. Accounting period 07/03/15 – 01/05/17.
2. Assets on hand \$369,873.76 of which \$73,614.03 is cash and remainder in investment accounts. **Supp 10/12: amended** cash amount is \$68,658.88; however, no amended accounting submitted. **Need** same.
3. No request for fees made.
4. Disbursements indicate two overdraft fees totaling \$72.00. Petitioner has since deposited his own funds to prevent a reoccurrence.
5. Charges are not totaled and appear to total as \$424,421.79 which is off from the Credits of \$408,502.76. **Need** accounting that balances.
6. Prayer is incomplete and does not match report for items 2 & 4 re balance and fee request. **Supp 07/03/17 indicates assets of \$408,502.76; however, the assets are incorrect.**
7. Supplemental report of Counsel Roth filed 05/31/17.
8. Declaration filed **07/27/17** indicating \$45,000. \$17,000 and \$72 deposit into conservatee's account.

9. **Objections filed by conservatee through counsel on 05/02/17. Need** proof of service for bonding company.
10. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 2, 5-6 & 9. If approved, set hearing on the next accounting review for **04/11/18** (if one year) or **04/10/19** (if two years). Accounting to be filed 30 days in advance.

(lc/lh/lc)

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

DATE: 12/07/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300060
CASE NAME: DORIS M. CARROLL
HEARING: FIRST Account and Report of LOWETA CARROLL and Petition for allowance of fees filed.

COUNSEL:

DORIS M CARROLL (CEP)... MARK J. ANDREW FLORY
LOWETA CARROLL (PET)...KEITH S WALKER

GENERAL INFORMATION:

Continued from **6/17/15, 09/02/15, 10/29/15, 01/05/16, and 02/23/16**. At hearing on 02/23/16 Court appointed Walter Moore as Guardian Ad Litem for Doris M. Carroll. Clerk's office to notify of appointment.

Continued from **04/25/16, 07/12/16 and 09/20/16**. Notice to be given by Attorney Keith Walker.

Continued from 11/29/16. Court orders an account to be filed on the trust by 12/31/16. Matter is contested and set for trial. No account filed.

Continued from 02/21/17, 03/23/17 (accounting not filed as ordered) and 03/30/17 and 04/06/17. Notice given by Judicial Assistant to bonding company. All documents to be filed by 04/26/17. Mediation date requested.

Continued from **06/15/17** at request of Counsel. Matter set for voluntary mediation.

Continued from 07/05/17. Counsel is informed 2 separate accountings must be submitted to the court by the next hearing on 8-1-17: the accounting for the trust from 8-15-12 to present and the conservatorship accounting from 5-30-13 to present.

Continued from 08/01/17 and 11/06/17.

THIS CASE IS SET FOR HEARING ON **Amendment [05/02/17]**^{1st} Account Current and Petition for fees by Loweta Carroll, daughter.

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

1. **Conservatee recently passed away on 09/18/17.**
2. Daughter, Loweta Carroll, was appointed conservator, person/estate, on 4/16/13. Recent amendment filed did not appear to have many changes.
3. Account period covers **05/30/13 - 05/29/14** and begins as of date letters were issued instead of as of date of appointment. As petitioner did not have authority until bond was posted, Assets may not have been marshaled on date of appointment.
4. Assets on hand \$4,291.33 in cash.

5. Accounting shows conservatee's estate was considerably spent down; the beginning balance was \$52,456.75 in cash. The only income is from SS benefits; Court may wish to inquire as to the **current** care plan.
6. Conservatee and conservator reside together in conservatee's home and is her full time caregiver with no alleged respite. Petitioner has not sought compensation for her services or reimbursement of funds advanced.
7. Attorney does not seek fees; however, reserves the right for a later date.
8. The \$11,918.80 paid to Keith Walker, of which \$7,465 was for services performed prior to the conservatorship and was allegedly due prior to issuance of letters.
 - a. **Declaration with itemization filed on 08/01/17. Counsel stands prepared to refund Conservator all of part of \$12,085 in fees taken out of client trust account.**
9. The \$2,500.00 paid to Ben Selters was for services rendered prior to conservatorship and were paid per Pr.C. § 2430(a)(1).
10. The \$3,000.00 paid to Margaret Arter for "attorney fees were related to creation of conservatorship per Pr.C. § 2430(a)(1).
11. Disbursements show a total of \$85.00 paid for overdraft fees [05/02 Accounting LF p.26]. Petitioner previously suggests fees are de minimis given fees are currently waived.
12. Original Report states: "Conservatee was the victim of financial and physical elder abuse perpetrated by her son, Davey Eugene Carroll and his wife and other persons. This abuse has been reported to the San Bernardino County Sheriff and Wells Fargo Bank and investigations are pending with both the Sheriff and the Bank."
 - a. Disbursements show many payments totaling \$897.58 to various payees "to locate brother and his wife."
13. Disbursements show many payments totaling \$776.03 for forms "to begin civil suit against Lillie Norton or for "access to legal website". As Conservatee is represented, question the need of these expenditures. **Supp. (11/10/15) indicates use of Conservatee's counsel for these endeavors would have cost the conservatorship attorney fees far in excess of the funds expended. JTD.**
14. Disbursements show several payments for auto supplies and AAA membership renewal. **Supp. (11/10/15) indicates Petitioner uses her own vehicle to provide all transportation for the Conservatee. JTD.**
15. Disbursements show several payments for Nico-derm beginning 11/18/13. As prior to this date there are no entries for tobacco purchases, question if these purchases were for the conservatee's benefit. **Supp. (11/10/15) indicates these purchases were for Petitioner who did not want to smoke around Conservatee; has successfully stopped smoking; and benefits Conservatee as residence remains smoke-free. JTD.**
16. Disbursements show many payments for repairs: supplies and labor. Does Court wish to require further explanation for these payments as no petition for authority to expend funds for repairs filed. **Supp. (11/10/15) indicates Conservator is not required to obtain authority to expend funds for repairs to Conservatee's home. However, as home is held in trust, question why trust should not be liable for cost of repairs? JTD.**

17. Disbursements show several payments noted as “unknown” payee. Does Court wish to require further explanation for these payments **[05/02 LF, p. 74-75]**.
18. Disbursements show 2 payments to psychiatrist of \$115.00 each. Court may wish to inquire as to conservatee’s care plan. **Supp. (11/10/15) indicates these payments were for fees incurred by Petitioner, personally, in her efforts to cope with caring for Conservatee full-time. JTD.**
19. Bond was set at \$21,000. Petitioner requests bond exonerated as the estate now qualifies for bond waiver under Pr.C.”§2323, 2628. Ok.
20. Waiver of Objections to First Account Current filed 01/05/16 by counsel, Margaret Helen Arter, on behalf of conservatee.
21. **Objections filed 09/20/16 by GAL, Walter Moore, for Conservatee.**
 - a. **Need proof of service.**
 - b. **No objections to amendment filed at time of review.**
22. **Supplement filed 03/30/17 by Loweta Carrol, Conservator, which appears to be a reply to objections.**

RECOMMENDATION:

Matter is contested. If approved, set next Accounting Review in **60 days** as second account is overdue and conservatee is now deceased. Account to be filed 30 days’ in advance of hearing date. Note requirements of Local Rules.

(kra/cbr/nb/dl/nb/lc/lh/nb/lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300261

CASE NAME: Jarred Parker Nelson

HEARING:

Hearing Re: TRANSFER CASE TO RIVERSIDE COUNTY

COUNSEL:

DOREEN A NELSON	(CP)...VALERIE A POWERS SMITH
JARRED PARKER NELSON	(CEE)...
MICHAEL C NELSON	(CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Transfer to Riverside County.

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

1. Michael Nelson, father, appointed limited Conservator of person only on 02/06/14.
2. Matter set on calendar after review of post move notice and Court Investigator report. Conservatee appears to live in Indio; Riverside County since 05/2015.

RECOMMENDATION

Court's discretion. If transfer approved, set hearing for proof of transfer in **60** days.
(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/07/17 TIME: 9:30 DEPT: S36P

CASE#: SC SS02136

CASE NAME: MTR OF MICHAEL LYNN MC NABB

HEARING: Accounting Review

COUNSEL:

JEFFREY C. MC NABB

(CPE)...JAY OBERHOLTZER

MARSHA M. BUCK

(CPE)...JAY OBERHOLTZER

MICHAEL LYNN MC NABB

(CEP)...MARK J. FLORY

GENERAL INFORMATION

Continued from **05/04/17, 07/06/17, 08/24/17 and 10/19/17.**

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 8th Account of Jeffrey McNabb and Marsha Buck, siblings, approved on 08/04/16.
2. **Need** 9th Account beginning with 03/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc/cs/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

MISC.

DATE: 12/07/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1300190

CASE NAME: NORMAN FRED AND RAMONA ROSE STREY FAMILY TRUST

SEE ALSO 21, 22

HEARING:

Hearing Re: STATUS REPORT BY LINDA ROGERS

COUNSEL:

DUAYNE DALE BLISS	(PET)...	GRESHAM SAVAGE NOLAN & TILDEN
DUAYNE DALE BLISS	(PET)...	RICHARD G ANDERSON
LINDA M. ROGERS	(TEE)...	PRO/PER
LYLE STREY	(PET)...	GREGORY T ANNIGIAN
PAULA ANN KENT	(PET)...	PRO/PER
TERRY STREY	(BEN)...	ZUMBRUNN LAW CORPORATION
THE NORMAN FRED AND RAMONA ROS	(TRU)...	

GENERAL INFORMATION:

Continued from 07/31/17. Linda Rogers and Counsel Cheryl Walsh are waiting for documents from Attorney Annigian.

Continued from 10/30/17.

THIS CASE IS SET FOR HEARING ON Status Report

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

1. Linda Rogers PPF appointed Successor Trustee on 04/04/17.
2. Report filed on 10/26/17.

RECOMMENDATION:

Court's discretion.

(/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/07/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1300190

CASE NAME: NORMAN FRED AND RAMONA ROSE STREY FAMILY TRUST

SEE ALSO 20, 22

HEARING:

Mandatory Settlement Conference

COUNSEL:

DUAYNE DALE BLISS	(PET)...	GRESHAM SAVAGE NOLAN & TILDEN
DUAYNE DALE BLISS	(PET)...	RICHARD G ANDERSON
LINDA M. ROGERS	(TEE)...	PRO/PER
LYLE STREY	(PET)...	GREGORY T ANNIGIAN
PAULA ANN KENT	(PET)...	PRO/PER
TERRY STREY	(BEN)...	ZUMBRUNN LAW CORPORATION
THE NORMAN FRED AND RAMONA ROS	(TRU)...	

M.S.C. – No notes – JTD

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

DATE: 12/07/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1300190

CASE NAME: NORMAN FRED AND RAMONA ROSE STREY FAMILY TRUST

SEE ALSO 20, 21

HEARING: FIRST FORMAL Account and Report of LYLE STREY and Petition for allowance of fees filed.

COUNSEL:

DUAYNE DALE BLISS	(PET)...	GRESHAM SAVAGE NOLAN & TILDEN
DUAYNE DALE BLISS	(PET)...	RICHARD G ANDERSON
LINDA M. ROGERS	(TEE)...	PRO/PER
LYLE STREY	(PET)...	GREGORY T ANNIGIAN
PAULA ANN KENT	(PET)...	PRO/PER
TERRY STREY	(BEN)...	ZUMBRUNN LAW CORPORATION
THE NORMAN FRED AND RAMONA ROS	(TRU)...	

GENERAL INFORMATION:

Continued from 03/27/17, 06/05/17, 07/31/17 and 10/30/17.

THIS CASE IS SET FOR HEARING ON **Amended** (07/31/17) 1st Account by Successor Trustee, Lyle Strey.

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

1. Accounting period 07/15/15 to 12/07/16.
2. Assets on Hand \$130,843.00 consisting of cash.
3. Trustee does not request compensation.
4. Petition indicates Attorney Annigian has been paid \$14,170.00 [LF, p. 8 & 17] for fees and costs. Billed at \$360/hour for 37.40 hours' attorney time. Itemized [supp07/31/17LFpgs.7-13]. Does Court wish to ratify fees? JTD
5. Disbursements include items usually considered overhead or not normally allowed. However, petitioner is not seeking fees.
6. Bank statement covering 12/07/16 appears to be greater; \$147,778.50, than assets stated as \$130,843 [10/27suppLFpg25]. **Need** corrected accounting or reconciliation of statement.
7. **Objections filed by Duayne Dale Bliss on 02/23/17.**
8. No proposed order. Submit Order after Hearing.

RECOMMENDATION: Matter is contested.

Need to clear note 6. If approved, set next hearing for Accounting Review **01/07/19**.

(nb/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 12/07/17 TIME: 8:29 DEPT: S37P

CASE#: CON PS1600269

CASE NAME: PATRICIA MAE LAWRENCE PARK

SEE ALSO 2

MOVED TO S36P CALENDAR

HEARING: Hearing Re: PTN FOR CONSERVATORSHIP

COUNSEL:

JANICE L PARK (CP)...PRO/PER

PATRICIA MAE LAWRENCE PARK (CTP)...JENNIFER M DANIEL

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/07/17 TIME: 8:29 DEPT: S37P

CASE#: CON PS1600269

CASE NAME: PATRICIA MAE LAWRENCE PARK

SEE ALSO 1

MOVED TO S36P CALENDAR SEE PG 1A

HEARING:

Readiness Calendar

COUNSEL:

JANICE L PARK

(CP)...PRO/PER

PATRICIA MAE LAWRENCE PARK

(CTP)...JENNIFER M DANIEL

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: CON PS0900053

CASE NAME: MTR OF JORGE CAMPOS PEREZ

HEARING:
Accounting Review

COUNSEL:

JACK B. OSBORN	(PET)...JACK B OSBORN
JORGE CAMPOS PEREZ	(CEP)...WALTER T. MOORE
LETICIA PEREZ	(OBJ)...WILLIAMS BECK & FORBES
MARIA ESTELA PEDROZA	(CPE)...BRYAN C HARTNELL
WALTER T MOORE	(PET)...WALTER T. MOORE

GENERAL INFORMATION

Continued from 05/18/17, 07/13/17 and 09/21/17.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 2nd Account of Maria Pedroza, sister, approved on 11/05/15.
2. **Need** 3rd Account beginning with 03/05/15.

RECOMMENDATION

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

(lc/cs/lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

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

COUNSEL:

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

GENERAL INFORMATION

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

Continued from 09/07/17 and 11/30/17. Court is inclined to approve; however, need written report from GAL Donnasue Smith Ortiz.

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

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

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

7. No proposed order; submit after hearing.

RECOMMENDATION

Need to clear notes 4-5. If approved, set hearing on the filing of receipts and final discharge for **12/13/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400789

CASE NAME: Frances Sylvia Williams

HEARING:
Hearing re Final Discharge

COUNSEL:
ANGELIA WOOD (PET)...MILES & HATCHER
FRANCES SYLVIA WILLIAMS (DEC)...

GENERAL INFORMATION

Continued from 05/18/17 and 07/13/17.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Angelia Woods, daughter, approved on 05/25/16.
2. **Need** receipts for Bernard Bidart and Eli Yoder.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipts and order.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500897

CASE NAME: the Mitchell Family Trust

SEE ALSO 6, 7

HEARING:

Petition for /TO COMPEL REMOVAL OF TRUSTEE; FOR APPOINTMENT OF
SUCCESSOR TRUSTEE ETC

COUNSEL:

CHERIE KEITH

(OBJ)...RICHARD L BARRETT

KEITH MITCHELL

(PET)...ROBBINS & HOLDAWAY

MITCHELL FAMILY TRUST

(TRU)...

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500897

CASE NAME: the Mitchell Family Trust

SEE ALSO 5, 7

HEARING:

Petition for to Recover Trust Assets, to Impose Constructive Trust, to Impress Equitable Lien etc

COUNSEL:

CHERIE KEITH

(OBJ)...RICHARD L BARRETT

KEITH MITCHELL

(PET)...ROBBINS & HOLDAWAY

MITCHELL FAMILY TRUST

(TRU)...

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500897

CASE NAME: the Mitchell Family Trust

SEE ALSO 5, 6

HEARING:

Accounting Review

COUNSEL:

CHERIE KEITH

KEITH MITCHELL

MITCHELL FAMILY TRUST

(OBJ)...RICHARD L BARRETT

(PET)...ROBBINS & HOLDAWAY

(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 1st Trust Account for Keith Mitchell, Trustee, approved on 09/21/17.
2. **Need** 2nd Account beginning with 01/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600099

Vacated

CASE NAME: CRUZ LOPEZ

HEARING:

Hearing re Final Discharge

COUNSEL:

CRUZ LOPEZ

(DEC)...

SAYER HAROLD

(PET)...DENNIS M SANDOVAL

Final discharge approved and filed on 02/21/17.

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

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600178

CASE NAME: BRIDGET ANN GOMEZ

HEARING:

Petition for Settlement of Second and Final Account and Report
of TIM GOMEZ and Petition for allowance of fees filed.

COUNSEL:

BRIDGET ANN GOMEZ (DEC)...
TIM GOMEZ (PET)...BANDY & BANDY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2nd and Final Account, Distribution and Petition for Allowance of Fees by Tim Gomez, brother.

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

1. Estate consists of \$755,795.39 in cash.
2. Administrator and counsel seek statutory fees of \$26,110.71 each. Ok.
3. Counsel seeks extraordinary fees of \$6,580 for 18.8 hours at \$350 per hour regarding sales of personal and real property. [Acct.10/18LFpg16-17].
4. Firearms were sold at auction. Counsel states the sale complied with Penal Code §§ 27875 and/or 27920 for the firearm transfers.
5. Administrator seeks a reserve of \$5,000.
6. ~Proposed Order: 10/18/17.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **12/13/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600479

CASE NAME: MTR OF NORMA LEE BOYNE

SEE ALSO 11

HEARING:

Hearing Re: OSC RE: SANCTIONS FAILING TO FILE ACCT/TO APPEAR

COUNSEL:

LARRY BOYNE (PET)...A STEPHEN RAMADAN
NORMA MAE BOYNE (DEC)...

GENERAL INFORMATION

OSC set on 09/28/17 when there was no appearance or accounting filed. Larry Boyne and Counsel ordered to appear and who why sanctions of \$500 should not be imposed.

THIS CASE SET FOR HEARING ON **OSC re Sanctions/FTF/FTA/Accounting** review/Status.

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

1. Letters of Administration issued to Larry Boyne, son/sole heir, on 10/31/16; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Court's discretion re OSC. Inquire status.
(/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600479

CASE NAME: MTR OF NORMA LEE BOYNE

SEE ALSO 10

HEARING:

Accounting Review

COUNSEL:

LARRY BOYNE

NORMA MAE BOYNE

(PET)...A STEPHEN RAMADAN

(DEC)...

See notes on matter 10.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601190

CASE NAME: MTR OF BARBARA L CROSLEY

HEARING: Petition for LETTERS OF ADMINISTRATION W/LIMITED IAEA

COUNSEL:

BARBARA L CROSLEY

(DEC)...

DARLEEN BITTER

(PET)...PRO/PER

GENERAL INFORMATION

Continued from 07/13/17. Court accepts due diligence as to Debbie Bilderain. Bond required \$151,800.00.

Continued from 09/21/17.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with **limited** authority under IAEA by Darleen Bitter, daughter.

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

1. All heirs waive bond except for Debbie Bilderain. Net estate value is \$138,000 of which \$80,300 is personal property. Bond of \$151,800.00 required.
2. ~Proposed Form Order: 04/26/17.

RECOMMENDATION

RFA, \$151,800 bond. If approved, set Accounting/Status Review for **02/14/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/cs/ww/lc)

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

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700458

CASE NAME: MARIE T. KNOTT LIVING TRUST

SEE ALSO 16

HEARING: FIRST Account and Report of ALBERT KNOTT and Petition for allowance of fees filed.

COUNSEL:

ALBERT KNOTT	(PET)...	L'TANYA M BUTLER
MARIE T KNOTT LIVING TRUST DAT	(TRU)...	
SHRINERS HOSPITALS FOR CHILDRE	(PET)...	KEITH L MEEKER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st Account Current and Report of Successor Trustee Albert Knott Jr.

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

1. Albert Knott Jr. was appointed successor Trustee concurrently as Albert Knott Sr. was removed on 09/09/97; Los Angeles County.
2. Accounting period 09/09/97 – 09/30/17.
3. Assets on hand \$940,956.78 of which \$246,804.53 is cash.
4. Trustee inadvertently overpaid himself \$137,122.92 in distribution and owes the Trust. Trustee proposes to rectify overpayment by placing balance of Trust funds in a blocked account and having Trust purchase a life insurance policy of \$250,000 to have Trust beneficiary.
5. Trustee alleges that prior Trustee, Albert Sr., exhausted any liquid capital held by trust prior to abandoning his family and Trustee duties. Therefore, the only remaining asset was the real property.
6. Real property in Redondo Beach was sold 06/28/16 for \$1,300,000 and real property in Rancho Cucamonga Was purchased for \$650,000.
7. **Objections filed by Shriners Hospital on 10/19/17.**
8. No proposed order. Submit after hearing.

RECOMMENDATION

Matter is contested. If approved and Court takes jurisdiction of trust, set next Accounting review for **12/13/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700657

CASE NAME: HOPE TREVINO

HEARING: Petition for PROBATE OF WILL AND FOR LETTERS TESTAMENTARY

COUNSEL:

HOPE TREVINO	(DEC)...
KAT GADDIS TREVINO	(TP)...PRO/PER
ROXANNE TREVINO	(PET)...ELISABETH KEMPE-OLINGER

GENERAL INFORMATION

Continued from 09/21/17. Kat Trevino will file request for special notice. Kat urged to consult with counsel. No further continuances for objections/questions by Kat Trevino.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Roxanne Trevino, daughter/executrix.

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

1. Will waives bond. Estate value consists of \$316,127.00 with \$50,127.00 in personal property.
2. The will conditionally incorporates decedent's Trust. Certification of trust and copy of trust filed on 09/11/17.
3. ~Proposed Form Order: 07/06/17

RECOMMENDATION

Court's discretion re bond. If approved, set Accounting/Status Review for **02/14/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/ww/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/07/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701047

CASE NAME: ESTATE OF ROSLIE HELVIE

HEARING:

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

COUNSEL:

GROVER HELVIE

(PET)...GAUDY LAW, INC

ROSALIE HELVIE

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Grover Helvie, spouse.

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

1. All heirs waive bond. Estate consists of \$262,000 in personal property. Court for
good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 10/18/17.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **02/14/19**.
Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of
local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 12/07/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700458

CASE NAME: MARIE T. KNOTT LIVING TRUST

SEE ALSO 13

HEARING:

Petition for OBJECTIONS TO TRUSTEE'S ACCOUNT DATED 01/24/17
PETITION FOR RELIEF, SURCHARGE, AND REMOVAL ETC

COUNSEL:

ALBERT KNOTT

MARIE T KNOTT LIVING TRUST DAT

SHRINERS HOSPITALS FOR CHILDRE

(PET)...L'TANYA M BUTLER

(TRU)...

(PET)...KEITH L MEEKER

Currently under review by legal research.

(LR)

Superior Court of Calif, County of San Bernardino

Page: 16A ADD ON

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

DATE: 11/28/17 TIME: 9:30 DEPT: S37P

CASE#: CIF DS1700108

CASE NAME: PATRICIA MAE LAWRENCE PARK

*****NOTE: NOTES CONTINUED BY CLERK'S OFFICE FROM [11/28/17]. NOTES WERE NOT RE-REVIEWED BY LEGAL RESEARCH*****

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

JUDITH KATHLEEN PARK (RP)...
PATRICIA MAE LAWRENCE PARK (PP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

XREF: CONPS1600269 (Patricia Mae Lawrence Park)
CIFMS1600004 (Janice Park-v-Judith Park)

Notice:

Need Notice of Hearing and proof of personal service on Respondent, Judith K. Park.
(nb)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 12/07/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400167

CASE NAME: MTR BRIAN MCGINNIS

SEE ALSO 18

HEARING: Conservatorship Compliance Review Hearing on SUPPLEMENTAL PETITION FOR CONSERVATORSHIP of GLORIA DYANN THOMAS

COUNSEL:

BRIAN MCGINNIS

(CEP)...LENITA A SKORETZ

GLORIA DYANN THOMAS

(PCR)...BRIAN G THORNE

GENERAL INFORMATION

Continued from 03/10/16, 10/13/16, 01/12/17, 04/20/17, 06/29/17 and 09/07/17. Citation issued to Conservator Gloria Thomas.

THIS CASE SET FOR HEARING ON Compliance Review/Accounting review.

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

1. Gloria Tomas, sister, appointed conservator of the person and estate on 09/10/15, \$0 bond. Notice of Withdrawal of attorney filed 01/13/16.
2. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 01/20/15.
3. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c). **(filed prematurely on 06/10/14 prior to appointment, need post notice).**
4. **Need** final Inventory & Appraisal per Pr.C.§2610.
5. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
6. Petition to dispense accounting returned for corrections by examiner on 04/27/17. **Need** accounting/waiver.
7. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.
8. **Need** proof of service of citation for Gloria Thomas.

RECOMMENDATION

Need to clear notes 3-8. When documents are not filed as ordered, court may set a hearing in accord with Pr.C. §2655.

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/07/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400167

CASE NAME: MTR BRIAN MCGINNIS

SEE ALSO 17

HEARING:

Accounting Review

COUNSEL:

BRIAN MCGINNIS

(CEP)...LENITA A SKORETZ

BRIAN MCGINNIS

(PCE)...PRO/PER

G. DYANN THOMAS

(OBJ)...PRO/PER

GLORIA DYANN THOMAS

(PCR)...BRIAN G THORNE

PETER MCGINNIS

(CPE)...SAMUEL CROWE & ASSOCIATES

THERESA MCGINNIS

(CPE)...SAMUEL CROWE & ASSOCIATES

See notes on matter 17.

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

DATE: 12/07/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600288

CASE NAME: MTR OF SIERRA INDIA DYER

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JAIME NICOLE ETHERIDGE

COUNSEL:

JAIME NICOLE ETHERIDGE (CP)...PRO/PER
SIERRA INDIA DYER (CTP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from 09/21/17. No appearance. Roberta Taylor relieved as counsel and Mitchell Roth appointed counsel. Jaime Etheridge to appear at next hearing.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Jaime Etheridge, Mother, appointed **limited** conservator of the person only on 02/16/17.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed on 09/08/17.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 07/31/17.
4. **Need** report of Counsel Roth.

RECOMMENDATION

Need report of counsel.

(lc/ww/lc)

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

DATE: 12/07/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600368

CASE NAME: MTR OF MATTHEW THOMAS KAMIYAMA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JENNIFER O'CONNOR

COUNSEL:

JENNIFER O'CONNOR	(CP)...PRO/PER
MATTHEW THOMAS KAMIYAMA	(CTP)...SHERRI L KASTILAHN
STEVEN KAMIYAMA	(CP)...PRO/PER

GENERAL INFORMATION

Continued from 09/21/17. No appearance. Conservators and/ or counsel to appear at next hearing.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Jennifer O'Connor & Steven Kamiyama, parents appointed conservator of person only on 02/16/17.
2. Notification of Conservatee's rights filed 12/13/16. However, **need** mailed service on all parties listed in required contacts list Pr.C.§1821(b).
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 03/07/17.

RECOMMENDATION

Need to clear note 2.

(lc)

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

DATE: 12/07/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700098

CASE NAME: MTR OF ASHELY KATE BIALY

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of PAUL BIALY

COUNSEL:

ASHLEY KATE BIALY	(CTP)...DONNASUE ORTIZ
DEANNE LEE BIALY	(CP)...CONFORTI & CARRAS
PAUL BIALY	(CP)...CONFORTI & CARRAS

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Deanne and Paul Bialy, parents, appointed **limited** conservators of the person only on 06/13/17.
2. Notice of conservatee's rights filed 05/22/17.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 06/01/17.

RECOMMENDATION

None.

(lc)

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

DATE: 12/07/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700199
CASE NAME: MTR OF VANESSA LARA SANTACRUZ
HEARING: Petition for Appointment of Conservator

COUNSEL:

REBECCA SANTACRUZ LUGO (CP)...REGINA Z PERALTA
VANESSA LARA SANTACRUZ (CTP)...SANDY L. TURNER

GENERAL INFORMATION

Continued from 07/06/17 and 09/21/17. Sandy Turner appointed counsel.

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

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 11/16/17.
4. Proposed conservatee is developmentally disabled. Report of Counsel Sandy Turner filed 11/13/17.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. Return of Citation filed 09/11/17; however, form is incomplete as to name of proposed Conservator. However, petitioner is listed in caption. JTD
7. CI report filed 07/05/17.
8. Proof of completion of Conservator Education Course filed 07/06/17.
9. ~Proposed Form Order: 05/18/17

RECOMMENDATION

Need to clear note 5. If approved, set hearing for Compliance Review for **07/12/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh/lc)