



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 12/12/17

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.

nb1115/1206

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

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

CASE#: PRO PS1500451

CASE NAME: WANDA M LEBUS AKA WANDA M SUNNY AKA WANDA

HEARING:

Accounting Review

COUNSEL:

VICKI L BISHOP

(PET)...J. TERRENCE MOYNIHAN

WANDA M LEBUS

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order on Status Report entered 04/11/17; accounting now due.
2. No accounting or updated status report. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 1A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1500520

CASE NAME: ** MASTER FILE** LYLE LEROY MALLORY
SEE ALSO 1B, 1C

HEARING:
Hearing Re: OSC RE DISMISSAL OF PETITIONS (RAYMOND MALLORY)

COUNSEL:
LYLE LEROY MALLORY (DEC)...
RAYMOND SCOTT MALLORY (PET)...PRO/PER
RICHEY LYLE MALLORY (RES)...H FORD SHERIDAN
THE CHAPPY TRUST (TRU)...

XREF PROPS1600146 (Non Master file ChappyTrust)

GENERAL INFORMATION;

Continued from **7/29/15** for Rick Mallory to serve a copy of the trust with all three amendments on all heirs. Written objections to be filed prior to next hearing.

Continued from 9/16/15 and 10/28/15 as Counsel reports a trust may be filed instead of a petition for probate.

Continued from 1/13/16 and 03/16/16 and 03/30/16. Cases PROPS1500520 and PROPS1600146 ordered consolidated. PROPS1500520 is master filed.

Continued from **06/09/16, 08/18/16, 10/31/16, 01/12/17, 03/16/17 and 07/20/17.**

Set at **11/09/17** hearing. Court sets OSC re dismissal of petitions filed by Raymond Mallory for Raymond Mallory's failure to appear at readiness hearing; court resets the exchange deadline to 4pm November 28, 2017. Court notes that if Raymond Mallory fails to appear for the OSC re dismissal set for November 28, 2017, court will dismiss the petitions filed by Raymond Mallory. Notice by Judicial Assistant.

Continued from 11/28/17. Court vacated trial dates and the pretrial orders re Exchange.

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

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

1. Petitioner requests bond of \$178,200; however, estimated estate value is \$162,000.

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

2. Proof of service with copy of Trust and Amendments filed 08/12/15.
3. No objections filed as of review of this file.
4. ~Proposed form order: 6/10/15

RECOMMENDATION:

RFA, \$162,000 bond. If approved, set hearing for Accounting/Status Review on **02/21/19**. Any accounting to be filed at least 30 days in advance. Note Local Rule requirements.

(sa/lc/nb/lc/cs/lc/nb)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1500520

CASE NAME: ** MASTER FILE** LYLE LEROY MALLORY

SEE ALSO 1A, 1C

HEARING:

Hearing Re: PETITION ON CHAPPY TRUST

COUNSEL:

LYLE LEROY MALLORY	(DEC)...
RAYMOND SCOTT MALLORY	(PET)...PRO/PER
RICHEY LYLE MALLORY	(RES)...H FORD SHERIDAN
THE CHAPPY TRUST	(TRU)...

GENERAL INFORMATION

Continued from **08/18/16, 10/31/16, 01/12/17, 03/16/17 and 07/20/17**. Mediation appointment was 02/08/17.

Continued from **11/09/17**. Court sets OSC re dismissal of petitions filed by Raymond Mallory for Raymond Mallory's failure to appear at readiness hearing; court resets the exchange deadline to 4pm November 28, 2017. Court notes that if Raymond Mallory fails to appear for the OSC re dismissal set for November 28, 2017, court will dismiss the petitions filed by Raymond Mallory. Notice by Judicial Assistant. **Continued from 11/28/17. Court vacated trial dates and the pretrial orders re Exchange.**

THIS CASE SET FOR HEARING ON Petition to Invalidate Amendment

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

1. Petitioner, Raymond Mallory, is the beneficiary of the Chappy Trust (the Trust). The original Chappy Trust was a one-page declaration of trust executed by Lyle and Vera Mallory. Vera died on 10/28/97. Lyle died in 2011.
2. On 1/14/02, Lyle executed a Restatement to the Chappy Trust (Restatement). On 8/11/06, Lyle executed a First Amendment and Restatement to the Chappy Trust (First Amendment). The original Chappy Trust and the Restatement were both notarized. The First Amendment, however, was not notarized. Instead, it was witnessed by H. Ford Sheridan and Adrienne Sheridan. H. Ford Sheridan was Lyle's estate planning attorney.

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

3. In August 2009, Lyle asked H. Ford Sheridan to prepare a second amendment and restatement (Second Amendment). It is unclear whether or not the Second Amendment was ever executed.
4. On 10/19/09, a Third Amendment and Restatement to the Chappy Trust was purportedly executed by Lyle. (Third Amendment). The Third Amendment was not notarized, but instead witnessed by Greg and Lori Ostrowski.
5. The Third Amendment changed Ricky Lyle Mallory as an equal beneficiary with petition to Ricky Lyle Mallory as the sole beneficiary, with petitioner receiving funds only if Ricky predeceased petitioner.
6. Petitioner alleges that Lyle lacked capacity to execute the Third Amendment. Petitioner also alleges that Ricky created the Third Amendment through forgery fraud, or undue influence.
7. Proofs of Subscribing Witness filed 05/31/16 and 10/25/16.

RECOMMENDATION

Court's discretion.

(oc/nb/lc/nb)

Superior Court of Calif, County of San Bernardino
Page: 1C ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1500520

CASE NAME: ** MASTER FILE** LYLE LEROY MALLORY
SEE ALSO 1A, 1B

HEARING:
Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:
LYLE LEROY MALLORY (DEC)...
RAYMOND SCOTT MALLORY (PET)...PRO/PER
RICHEY LYLE MALLORY (RES)...H FORD SHERIDAN
THE CHAPPY TRUST (TRU)..

XREF PROPS1600146 (Non Master file ChappyTrust)

GENERAL INFORMATION;

Continued from **7/29/15** for Rick Mallory to serve a copy of the trust with all three amendments on all heirs. Written objections to be filed prior to next hearing.

Continued from 9/16/15 and 10/28/15 as Counsel reports a trust may be filed instead of a petition for probate.

Continued from 1/13/16 and 03/16/16 and 03/30/16. Cases PROPS1500520 and PROPS1600146 ordered consolidated. PROPS1500520 is master filed.

Continued from **06/09/16, 08/18/16, 10/31/16, 01/12/17, 03/16/17 and 07/20/17.**

Set at **11/09/17** hearing. Court sets OSC re dismissal of petitions filed by Raymond Mallory for Raymond Mallory's failure to appear at readiness hearing; court resets the exchange deadline to 4pm November 28, 2017. Court notes that if Raymond Mallory fails to appear for the OSC re dismissal set for November 28, 2017, court will dismiss the petitions filed by Raymond Mallory. Notice by Judicial Assistant.

Continued from 11/28/17. Court vacated trial dates and pretrial orders re Exchange.

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

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

1. Petitioner requests bond of \$178,200; however, estimated estate value is \$162,000.
2. Proof of service with copy of Trust and Amendments filed 08/12/15.

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

3. No objections filed as of review of this file.
4. ~Proposed form order: 6/10/15

RECOMMENDATION:

RFA, \$162,000 bond. If approved, set hearing for Accounting/Status Review on **02/21/19**. Any accounting to be filed at least 30 days in advance. Note Local Rule requirements.

(sa/lc/nb/lc/cs/lc/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1600911

CASE NAME: THERESA AILEEN CORTEZ LIVING TRUST

SEE ALSO 3

HEARING:

Petition for TO INVALIDATE TRUST FOR RELIEF FROM ELDER ABUSE
FROM RELIEF FROM CONVERSION

COUNSEL:

BRENDA SIERDSMA

(PET)...WEINSTOCK MANION

PAUL VANDEN PIERCE

(OBJ)... LAYNE A BARTHOLOMEW

THERESA AILE EN CORTEZ LI VING

(TRU)...

Currently under review by Legal Research.
(LR)

Continued matter – notice not re-reviewed.
(nb)'

Future Hearing:

01/08/18 Court Trial

01/09/18 Court Trial

01/10/18 Court Trial

01/11/18 Court Trial

01/12/18 Court Trial

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1600911

CASE NAME: THERESA AILEEN CORTEZ LIVING TRUST

SEE ALSO 2

HEARING:

Readiness Calendar

COUNSEL:

BRENDA SIERDSMA

(PET)...WEINSTOCK MANION

PAUL VANDEN PIERCE

(OBJ)... LAYNE A BARTHOLOMEW

THERESA AILE EN CORTEZ LI VING

(TRU)...

No notes – Readiness.

(nb)

Future Hearing:

01/08/18 Court Trial

01/09/18 Court Trial

01/10/18 Court Trial

01/11/18 Court Trial

01/12/18 Court Trial

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

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1601231

CASE NAME: MTR OF LAWRENCE DE LA ROSA HERNANDEZ

HEARING:

Hearing Re: SECOND AMENDED PETITION (FILED 5/17/17)

COUNSEL:

ANITA RENEE MARTINEZ (PET)...PRO/PER
LAWRENCE DE LA ROSA HERNANDEZ (DEC)...

Request for Waiver of Court Fees and Costs filed by ANITA RENEE MARTINEZ is GRANTED

GENERAL INFORMATION:

Set at **08/08/17** hearing. No appearance. Notice by Judicial Assistant.

Continued from 09/05/17 for notes to be cleared. Court deems the amended petition filed 05/17/17 as the second amended petition. Court deems the petition filed on 03/30/17 as the first amended petition. Court vacated the hearing on the first amended petition and takes OSC re Dismissal off calendar.

THIS CASE IS SET FOR HEARING ON **SECOND AMENDED** Petition (filed 05/17/17) for Probate, Letters Testamentary with Full Authority under IAEA by Anita Renee Martinez (daughter/executor)

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

1. Second amended petition filed 05/17/17 appears to be identical to the first amended petition filed 03/30/17. Section 5 (7) and (8) is incomplete as to issue of a predeceased child. Need verified supplement.
2. Petition does not include a copy of decedent's will dated 02/18/16. Need same.
3. Need receipt for lodging of original will.
4. Will waives bond. Alternatively, require \$296,000 bond.
5. Need Notice of Petition to Administer Estate with proof of service (form DE-121).
6. Need Proof of Publication.
7. Proof of Subscribing Witness filed 03/30/17 is signed by a notary. Need proper Proof of Subscribing Witness, signed by a subscribing witness.
8. ~Proposed form Order/Letters: 03/30/17

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

RECOMMENDATION:

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

(lh/nb)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1700030

CASE NAME: MTR OF DOROTHY J BLUMBERG

HEARING:

Petition for FINAL DISTRIBUTION AND FOR ALLOWANCE OF COMPENSATION

COUNSEL:

DOROTHY J BLUMBERG (DEC)...
JEREMIAH S STEWART (PET)... WOODFORD G ROWLAND

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of Account and for fees by Personal Representative, Jeremiah S. Stewart ["Petitioner"-grandson].

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

1. Petitioner, in his capacity as Trustee, waives accounting.
2. **Assets on Hand consists of \$1,894.64 in cash and 5 stock certificates.**
3. Petitioner waives statutory compensation.
4. Attorney requests statutory fees in the lessor amount of \$8,001.33. Calculated.
5. Attorney requests reimbursement of costs advanced of \$2,759.05 . Itemized.
6. The will conditionally incorporates decedent's Trust. **Certification of Trust filed.** Copy of decedent's Trust submitted as an exhibit to the Declaration of Jeremiah S. Stewart in support to Petition for Probate.
7. ~Proposed Order 12/05/17.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **12/18/18.**

(nb)

Future Hearing:

05/17/18 Accounting Review - **VACATE**

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

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1700312

CASE NAME: MTR OF FREDERICK O'NEIL

HEARING:

Petition for PROBATE OF WILL AND FOR LETTERS TESTAMENTARY

COUNSEL:

FREDERICK O'NEIL (DEC)...
MICHAEL INGRASSIA (PET)...PRO/PER

GENERAL INFORMATION:

Ex parte orders denied without prejudice on 05/01/17.

Continued from **06/13/17** and **08/08/17** at request of petitioner to clear probate notes.

Continued from **09/19/17** due to non-appearance. Notice by Judicial Assistant.

Continued from 10/24/17 for petitioner to clear notes. Court indicated that if Michael Ingrassia fails to appear as court ordered, court will dismiss Michael Ingrassia's petition. Court orders Michael Ingrassia to appear. Michael Ingrassia states he understands above order.

THIS CASE IS SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Michael Ingrassia (executor/nephew)

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

1. Will waives bond. Estimated net value of estate is \$112,000. Court also has discretion to require bond per Pr. C. § 8481(b). JTD
2. Petition, item #8, is incomplete as to decedent's relatives. Need verified supplement including nephew Joseph Ingrassia.
3. Notice of Petition to Administer Estate filed 04/26/17 is incomplete. Need to file amended Notice to include item #5 as to request for authority to administer under IAEA, item #10 as to petitioner's contact information, and Proof of Service indicating notice was served on Joseph Ingrassia, nephew named in Will; siblings, Mary Lasker and Dennis O'Neil; and any other unidentified heirs who may be entitled to notice.
4. Proof of Publication filed 09/12/17 does not include IAEA language. Need proper publication per Pr.C. §§ 8100, 8120. The publication shall contain specific statutory wording re: IAEA. Court to require amended publication or alternatively, grant petition with no IAEA powers.

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

5. ~Proposed form Order: 04/04/17

RECOMMENDATION:

Need to clear notes 3-4. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **02/19/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh/nb)

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

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1700510

CASE NAME: REVOCABLE LIVING TRUST OF JAMES R JONES

HEARING:

Hearing Re: FIRST & FINAL REPORT, PETITION, ETC

COUNSEL:

JAMES STEVEN JONES	(PET)... SHERYL S HAYASHI
JASON JONES	(OBJ)...BORDEN LAW OFFICE
JUSTIN JONES	(BORDEN LAW OFFICE
REVOCABLE LIVING TRUST OF JAME	(TRU)...

GENERAL INFORMATION:

Continued from 10/24/17. Court indicates that any future filings of counsel for Jason & Justin Jones are to be filed at least 5 court days prior to the hearing date- If not timely filed, court will not consider that filing; counsel for Jason & Justin Jones states that she understands this court order. Court orders that Stephanie Chao will not be permitted to make any future court call on this case.

THIS CASE IS SET FOR HEARING ON **AMENDED** (09/14/17) First and Final Account and Petition for Fees by Trustee, James S. Jones ["Petitioner"].

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

1. This trust does not appear to have been court-supervised; a formal probate has not commenced; and trust indicates that upon the death of both trustors, the trustee shall distribute the entire trust estate, equally to the grandchildren [LF, p34]. **Supp. (09/14/17) indicates that an accounting was submitted as not all the beneficiaries of the Trust agree to the amounts to be disbursed.**
2. Accounting period 09/30/14 to 03/09/17.
3. Assets on Hand \$178,628.18 consisting of cash.
4. Petitioner requests ratification of fees paid in the sum of \$2,500.00.
5. Petitioner requests reimbursement of costs advanced of \$250.00. Itemized.
6. Attorney requests fees and costs of \$8,631.98. Billed at \$300/hour for 26.6 hours' attorney time and \$100/hour for 4.5 hours' paralegal time. Itemized [LF, pgs. 56-61]. JTD.
7. Distributions [LF, p11] reflect preliminary distributions totaling \$68,503.37.

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

8. Petitioner requests authority to withhold \$10,000 as a reserve. JTD.
9. Petitioner requests discharge upon filing of receipts. However, discharge is not granted until entry of final discharge order.
10. Need Notice of Hearing with proof of service as to amended account.
11. **Objections filed by Jason Jones and Justin Jones.**
12. **Reply to Objections filed 12/01/17.**
13. Proposed Order 12/01/17 does not include case number and discharges Trustee upon filing of receipts instead of entry of final discharge order.

RECOMMENDATION:

Require notice then set for contested hearing. If approved, set next hearing for receipts and final discharge for **12/18/18**.

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

CASE#: PRO PS1700863

CASE NAME: MTR OF INEZ GRACE LUCY

HEARING:

Petition to determine succession to Real Property

COUNSEL:

DOUGLAS S LUCY (PET)...DEBRA S POPINEAU
INEZ GRACE LUCY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by Douglas S. Lucy ["Petitioner"-step-son].

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

1. Petitioner requests a determination that decedent's real property, located at Twentynine Palms, in San Bernardino County pass to petitioner without administration. Petitioner is Decedent's step-son and a beneficiary in decedent's will. Petitioner attaches a copy of Decedent's will [LF, p. 11] showing that petitioner was bequeathed the subject property.
2. ~Proposed Form Order 08/28/17.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1700871

CASE NAME: GLORIA G. BENAK SEPERATE PROPERTY TRUST

HEARING:

Petition for Instructions

COUNSEL:

DEBRA A. PRATER

(PET)...VOORHEES LAW GROUP

FRANK C. BENAK III

(PET)...VOORHEES LAW GROUP

GLORIA G. BENAK SEPARATE PROPE

(TRU)...

PATRICK G. BENAK

(PET)...VOORHEES LAW GROUP

Currently under review by Legal Research.

(LR)

Notice given.

(nb)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

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

CASE#: PRO PS1300830

CASE NAME: Jaime Lopez, Jr Settlement Trust

HEARING:

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

COUNSEL:

JAIME LOPEZ JR SETTLEMENT TRUS	(TRU)...
WESTAMERICA BANK	(PET)...RANDOLPH M SHARON
WESTAMERICA BANK	(TEE)...RANDOLPH M SHARON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Fourth Account Current and Petition for Fees by Trustee, Westamerica Bank ["Petitioner"].

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

1. Account period 08/01/16 to 07/31/17.
2. Assets on hand \$2,903,380.61 (with market value of \$3,113,590.57) consisting of \$1,034.91 in cash and the balance in real property and securities.
3. No bond – corporate fiduciary.
4. Petitioner requests ratification of fees taken in the amount of \$37,917.94; calculated at 1.5% of the fair market value of the trust assets of the first \$1m, 1.25% of the next \$1m and 1% in excess of \$2m, annually. JTD
5. Attorney requests fees of \$3,600.00 and costs of \$465.00. Billed at \$450/hour for the 8 hours' attorney time. Itemized [see Accounting LF p.8]. However, hourly rate exceeds community standard of \$275-\$400/hour. JTD.
6. Petitioner requests that the Court authorize the Trustee to spend up to \$37,000 for the cost of training, travel and lodging for Beneficiary's mother, in order for her to better take care of and treat the Beneficiary. Enrollment Agreement affixed [LF, p.43-51]. JTD.
7. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review on **10/02/18**. Account to be filed 30 days in advance of hearing. Note requirements of Local Rules.
(nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

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

CASE#: CON DS1000242

CASE NAME: KATHLEEN BACHMAN

HEARING:

Petition for Transfer Proceedings to Sacramento County filed by
Conservator Theresa Tavianini

COUNSEL:

KATHLEEN BACHMAN (CEP)...
THERESA A TAVIANINI (CP)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Transfer Proceedings to Sacramento County by sister and conservator of the person, Theresa Tavianini ["Petitioner"] Pr. C. §2211.

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

1. Petitioner seeks to transfer this proceeding to the Superior Court of Sacramento, State of California. The reason for this transfer is to move the Conservatee to a facility closer to the Petitioner so that Petitioner can better care and monitor Conservatee.
2. Petitioner indicates she has been living in Sacramento, CA, since appointment and the distance has made it burdensome for her to visit and handle the affairs of the Conservatee. Petitioner alleges moving the Conservatee to Sacramento close to Petitioner is in the best interest of the Conservatee.
3. Pre and Post-Move Notices filed.
4. Petitioner requests an order of this Court transferring this proceeding to the Superior Court of the County of Sacramento, of the State of California.
5. Proposed Order 11/13/17 does not include 3 full lines of content before signature line.

RECOMMENDATION:

Court's discretion. If approved, set control hearing for **02/13/18**.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

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

CASE#: CON PS1300223

CASE NAME: Virginia Kuchta

HEARING:
Accounting Review

COUNSEL:

JANETTE LUCAS	(CPE)...
JANETTE LUCAS	(SC)...PRO/PER
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
SURETEC INSURANCE COMPANY	(PET)...PRO/PER
VIRGINIA KUCHTA	(CEP)...JENNIFER DANIEL

GENERAL INFORMATION

Continued from 09/26/17 at request of counsel. Notice to be given by Attorney Jennifer Daniel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Court approved First Account current on 03/28/17 for period ending 09/04/15.
2. Need Second Account current.

RECOMMENDATION

Inquire status.

(lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 12A ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: CON PS1600183

CASE NAME: ROBERT MARTINEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ROSE MARIE MARTINEZ

COUNSEL:

ROBERT MARTINEZ (CTP)...CRAIG M PARKER
ROSE MARIE MARTINEZ (PET)...PRO/PER

GENERAL INFORMATION

Continued from 09/11/17 and 11/13/17.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Rose Talamantez, sister, appointed conservator of the person only on 02/06/17.
2. **Notification of Conservatee's Rights; Determination of Conservatee's Appropriate Level of Care; and Care Plan filed.**

RECOMMENDATION

None.

(ww/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: 12/12/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600292

CASE NAME: MARIO GUSTAVO MARTINEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CELINA MARIEL MARTINEZ

COUNSEL:

CELINA MARIEL MARTINEZ (CP)...PRO/PER
MARIO GUSTAVO MARTINEZ (CEE)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from 09/26/17. No appearance. Court orders the petitioner Celina Mariel Martinez to appear in person at next hearing. Notice by Judicial Assistant

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Celina Mariel Martinez appointed Conservator of the person on 02/21/17.
2. Notification of Conservatee's rights per Pr. C. §1830(c) filed 03/07/17; however, Proof of Service is incomplete at item 4a as to date of mailing, item 5 has incorrect date of Order, and sibling Will Borja was not served. **Need notice to Will Borja and amended proof of service.**
3. Determination of Conservatee's Appropriate Level of Care filed.
4. Care Plan filed.

RECOMMENDATION

Need to clear note 2.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: CON PS1700022

CASE NAME: MTR OF MARLENE M YANEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MARLENE M YANEZ

(CTP)...JACK B OSBORN

SILVIA L YANEZ

(CP)...PRO/PER

GENERAL INFORMATION:

Continued from **03/07/17**. No appearance. Court continues hearing and sets OSC re dismissal. Court notes that if petitioner does not appear at next hearing, or have all probate notes cleared, Court will dismiss petition at next hearing date.

Continued from 06/13/17 and 09/12/17 for petitioner to clear notes. Attorney Jack B. Osborn appointed. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by mother, Silvia L. Yanez.

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. **Report of court-appointed counsel Jack Osborn, filed.**
3. List of Required Contacts does not include father or sibling. Need corrected form.
4. **Medical Capacity Declaration is not dated. Court to determine if sufficient.**
5. Need Notification to Court of Conservatorship Address form.
6. Need return of Citation.
7. Court Investigator Report filed 02/28/17.
8. Need Inland Regional Center Report.
9. Certificate of Completion re Conservatorship Class filed.
10. Need Notice of Hearing with proof of service, to include Inland Regional Center and Due Diligence Declarations as to paternal grandparents.
11. ~Proposed Form Order: 01/23/17

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

RECOMMENDATION:

Need to clear notes. If approved, set hearing for Compliance Review for **07/17/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb/lh/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: 12/12/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700113

CASE NAME: MTR OF CYNTHIA MORALES

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of FRANCISCA SORIA

COUNSEL:

CYNTHIA MORALES (CTP)...
FRANCISCA SORIA (CP)...PRO/PER

GENERAL INFORMATION

Francisca Soria appointed Limited Conservator of the Person on 05/09/17.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Need proof of service of a copy of the Order for Conservatorship with
Notification of Conservatee's Rights per Pr.C.§1830(c).
- 2 Need Statement of Care Plan in accord with Pr.C.§2352.5.
- 3 Need a Determination of Conservatee's Appropriate Level of Care per Pr.C.
§2352.5 (form GC-355).

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: CON PS1700123

CASE NAME: MTR OF CRISTIAN ROJAS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of FILIBERTA ROJAS

COUNSEL:

CRISTIAN ROJAS (CTP)...JAMES B CHURCH
FILIBERTA ROJAS (CP)...PRO/PER

GENERAL INFORMATION

Filiberta Rojas appointed Limited Conservator of the Person on 05/16/17.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Notification of Conservatee's Rights; Care Plan; and Determination of Conservatee's Appropriate Level of Care filed.

RECOMMENDATION:

None.

(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: 12/12/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700382

CASE NAME: MTR OF RILEY WILLIAM SHELTON

HEARING:

Petition for Appointment of Conservator

COUNSEL:

RILEY WILLIAM SHELTON (CTP)...MITCHELL I ROTH
VICKI S SHELTON (CP)...PRO/PER

GENERAL INFORMATION:

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

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

1. No bond – person only.
2. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
3. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
4. Citation returned SERVED.
5. Proposed conservatee is developmentally disabled. Need report of court-appointed counsel, Mitchell Roth.
6. Section 7b to Medical Capacity Declaration is not initialed. Need same
7. List of Required Contacts form does not include Petitioner. Need completed form.
8. Need Court Investigator Report.
9. Need Inland Regional Center Report.
10. Need Certificate of Completion re Conservatorship Class.

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

11. ~Proposed Form Order/Letters 10/18/17.

RECOMMENDATION:

Need to clear notes 5-10. If approved, set hearing for Compliance Review for **07/17/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: SC SS01183

CASE NAME: IN THE MATTER OF JOSHUA J ROBINSON

HEARING:

TENTH Account and Report of LUCILLE WILKES-GARVIN and Petition
for allowance of fees filed.

COUNSEL:

JOSHUA J ROBINSON (CEP)...MARK J. ANDREW FLORY
LUCILLE WILKES-GARVIN (CPE)...CRAIG M PARKER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Tenth Account Current and Petition for Fees
by Conservator of the Person and Estate, Lucille Wiles-Garvin ["Petitioner"].

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

1. Petitioner has not used Mandatory Summary of Account (GC-400/405). Court may wish to direct petitioner to use the new mandatory form(s) on future accountings.
2. Accounting period 01/01/15 – 12/31/16 (2 years).
3. Assets on hand \$577,924.29 consisting of \$76,805.84 in cash; \$410,000 in real property and remaining in personal property.
4. Current bond of 408,000. Insufficient. Suggest bond increase by \$382,000 for a total new bond of \$790,000. JTD.
5. Utilities do not appear to be apportioned. Supp. (07/17/15) indicated Petitioner would pay 50% of the utilities in the future. Question whether 50% of the utilities are being paid by Petitioner? Need verified supplement.
6. Conservator requests compensation of \$9,915.55. Billed at \$45-\$75/hour for 206.70 hours. Itemized [LF, pgs. 41-46]. JTD.
7. Petitioner's husband, Shawn Garvin, Sr. also assisted Conservator in providing services to Conservatee. Petitioner also requests her husband's time in the care of conservatee be compensated at \$6,390.00. Billed at \$45/hour for 142 hour's. Itemized [LF, pgs. 47]. JTD.
8. Attorney requests compensation of \$5,337.50. Billed at \$350/hour for 15.25 hours attorney time. Itemized [LF, pgs. 49-50]. JTD.

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

9. Disbursements – Schedule C [LF, p. 32] reflects \$46,617.52 in American Express payments that are not itemized. Question the amount of liability, if any, and the account holder? Need verified supplement.
10. Last CI report filed 10/21/15. Need updated CI Report.
11. ~Proposed Order 10/23/17

RECOMMENDATION:

Need to clear notes 5 & 9-10 then Court's discretion re: bond. If approved, set hearing on the next accounting review for **02/27/18** (if one year) or **02/26/19** (if two years). Account to be filed 30 days in advance of hearing.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 18A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

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

CASE#: SC SS03123

CASE NAME: MTR OF MIRIAM Y. GIRON

SEE ALSO 18B

HEARING:

Hearing Re: OSC RE REMOVAL OF CO-CONSERVATORS

COUNSEL:

JAZMIN K. GIRON (CP)...PRO/PER
MARIA G GIRON (CP)...
MIRIAM YESSICA GIRON (CTP)...SHERRI L KASTILAHN

Request for Waiver of Court Fees and Costs filed by JAZMIN K. GIRON is GRANTED

GENERAL INFORMATION:

Jazmin K, Giron and Maria G. Giron appointed Limited Conservators on 10/28/10. **Matter set at 11/28/17 hearing, wherein, the court suspended the powers of co-conservators and ordered that the Social Security Representative Payee be re-designated to IRC, forthwith. Court also ordered that Miriam Yessica Giron is to be moved to the Adelanto Facility on 12/01/17 and ordered Miriam Yessica Giron to attend tender hearts day program. Co-Conservators to be personally present for hearing and they fail to appear, Court will remove them as co-conservators. Notice by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON **OSC re Removal of Co-Conservators** and Appointment of Successor Conservator.

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

1. Matter set on 11/09/17 after receipt and review of CI report, wherein, the Court ordered the Conservators to be personally present; re-appointed Jeanne Kennedy as Guardian ad Litem for conservatee; and requested that Jeanne Kennedy also be present for hearing. Need report by GAL, Jeanne Kennedy.
2. Court orders representative from Inland Counties Regional Center to be personally present at hearing.
3. Notice by Judicial Assistant.
4. Need Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).

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

RECOMMENDATION:

Need to clear notes 1 & 4 then Court's discretion.

(nb)

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

Superior Court of Calif, County of San Bernardino
Page: 18B ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

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

CASE#: SC SS03123

CASE NAME: MTR OF MIRIAM Y. GIRON

SEE ALSO 18A

HEARING:

Hearing Re: STATUS OF MOVE

COUNSEL:

JAZMIN K. GIRON	(CP)...PRO/PER
MARIA G GIRON	(CP)...
MIRIAM YESSICA GIRON	(CTP)...SHERRI L KASTILAHN

Request for Waiver of Court Fees and Costs filed by JAZMIN K. GIRON is GRANTED

No notes – Status.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PA

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

CASE#: PRO PS1300511

CASE NAME: RUTH ELLA JEFFERY

SEE ALSO 20

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$1,500.00

COUNSEL:

ELLA JACOBS	(GILBERT M GUTIERREZ
ELLA JACOBS	(PET)...PRO/PER
GUY JACOBS	(OBJ)...GILBERT M GUTIERREZ
JUDITH A SHUFORD	(PET)...KEITH S WALKER
RUTH ELLA JEFFERY	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Surcharge of \$1,500.00

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

1. Matter set at 10/02/17 hearing, wherein, the court suspended the administrator and set this OSC re Surcharge of the Administrator (payable to the Estate) in the amount of \$1,500.00
2. Court refers this case to the Public Administrator.
3. Court orders Keith Walker And Judith Shufford to be personally present in court.
4. Notice by Judicial Assistant.

RECOMMENDATION:

Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1300511

CASE NAME: RUTH ELLA JEFFERY

SEE ALSO 19

HEARING:

Accounting Review

COUNSEL:

ELLA JACOBS

(GILBERT M GUTIERREZ

ELLA JACOBS

(PET)...PRO/PER

GUY JACOBS

(OBJ)...GILBERT M GUTIERREZ

JUDITH A SHUFORD

(PET)...KEITH S WALKER

RUTH ELLA JEFFERY

(DEC)...

GENERAL INFORMATION

Continued from **12/03/15**. Counsel reports property has sold. Notice to be given by Mr. Walker.

Continued from **02/16/16** at request of counsel to file status report. Nothing new filed.

Continued from **04/12/16** at request of counsel to clear notes. Counsel to file motion to enforce settlement agreement.

Continued from **06/06/16**. No appearances. Judith Shuford needs to file an accounting for the special administrator. Court orders Attorney Keith Walker and Judith Shuford to personally be present at the next hearing. Notice by Judicial Assistant.

Continued from **08/15/16, 10/17/16, 01/30/17** and **06/05/17** at request of counsel.

Matter set on **08/28/17 due to no appearances**. Counsel Keith S. Walker and Judith A. Shuford are ordered to appear at the next hearing. Notice by Judicial Assistant.

Continued from 10/02/17. Case referred to Public Administrator.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Letters of Special Administration issued to Judith Shuford on 06/25/13.
2. It appears court is seeking an accounting from special administrator.

RECOMMENDATION

Inquire status.

(lc/nb/dl/nb/ww/nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1400247

CASE NAME: Ruthie Lee Scott

SEE ALSO 22, 23

HEARING:

Hearing Re: OSC RE SURCHARGE AMOUNT OF \$200,000.00

COUNSEL:

BERNARD M BIDART

(TP)...

PRISCILLA SCOTT

(PET)...PRO/PER

RUTHIE LEE SCOTT

(DEC)...

GENERAL INFORMATION:

Continued from **12/13/16 and 03/28/17**. Court directs citation to be reissued as to Priscilla Scott.

Continued from 06/13/17 for citation to be served.

THIS CASE IS SET FOR HEARING ON OSC re Surcharge

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

1. Matter set at 10/04/16 hearing, wherein, the Court directed that Priscilla Scott be cited into court for this OSC as she may be surcharged the amount of \$200,000.
2. Citation re-issued as to Priscilla Scott. Need return of citation.
3. Declaration re Surcharge of Prior Administrator filed 09/27/16 by Public Administrator in support of a \$200,000 surcharge against prior administrator and requests this estate to be closed as there are not assets to administer.

RECOMMENDATION:

Need return of citation then Court's discretion.

(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: 12/12/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1400247

CASE NAME: Ruthie Lee Scott

SEE ALSO 21, 23

HEARING:

OSC re: FAILURE TO FILE ACCOUNTING filed by PRISCILLA SCOTT

COUNSEL:

BERNARD M BIDART	(TP)...
PRISCILLA SCOTT	(PET)...PRO/PER
RUTHIE LEE SCOTT	(DEC)...

Continued from 09/14/15. Petitioner is ordered to file an Inventory and Appraisal and an Accounting prior to the next hearing. Priscilla Scott is/are ordered to return on continued date without further notice or subpoena.

Continued from **12/07/15 and 01/08/16** at request of petitioner.

Continued from **04/11/16 and 05/23/16**. No appearance. Citation issued as to Priscilla Scott. Notice by Judicial Assistant.

Continued from **08/01/16 and 08/02/16**. **Court suspends Priscilla Scott** as the administrator. Court refers the matter to the Public Administrator for possible successor appointment.

Continued from **10/04/16 and 12/13/16**. Citation issued as to: Priscilla Scott.

Continued from **03/28/17**. Court directs citation to be reissued as to Priscilla Scott.

Continued from 06/13/17 for citation to be served.

THIS CASE IS SET FOR HEARING ON **OSC re:** Accounting Review

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

1. Letters of Administration issued 7/7/14 (full authority, no bond).
2. No accounting/status report filed. Need same.
3. Declaration of Non-Service as to Priscilla Scott filed 08/02/16.
4. Need return of re-issued citation.

RECOMMENDATION

Court's discretion.

(gls/vet/dl/dl/dl/nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1400247

CASE NAME: Ruthie Lee Scott

SEE ALSO 21, 22

HEARING:

Accounting Review

COUNSEL:

BERNARD M BIDART

(TP)...

PRISCILLA SCOTT

(PET)...PRO/PER

RUTHIE LEE SCOTT

(DEC)...

GENERAL INFORMATION:

Continued from 10/10/17. No appearances. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Public Administrator appointed Successor Administrator on 10/04/16. No Order or Letters. Need same.
2. Final Inventory and Appraisal not filed; however, letters have not issued.
3. No accounting or status report of administration; however, letters have not issued.

RECOMMENDATION:

Need Order Appointing and Letters of Administration.

(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: 12/12/17 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1401128

CASE NAME: Jewell Nadine McAdams

SEE ALSO 25

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$82,000.00 ON T. FREDRICKSON

COUNSEL:

D M DAVIS	(TP)...
JEWELL NADINE MCADAMS	(DEC)...
PUBLIC GUARDIAN	(COUNTY COUNSEL
TRACY FREDRICKSON	(PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Surcharge of \$82,000 on T. Fredrickson.

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

1. Matter set at 06/13/17, wherein, the Court issued a citation as to Tracy Frederickson.
2. Need return of citation.
3. **Request for Action filed 08/23/17**

RECOMMENDATION:

Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1401128

CASE NAME: Jewell Nadine McAdams

SEE ALSO 24

HEARING:

FIRST & FINAL Account and Report of TRACY FREDRICKSON and
Petition for allowance of fees filed.

COUNSEL:

D M DAVIS	(TP)...
JEWELL NADINE MCADAMS	(DEC)...
PUBLIC GUARDIAN	(COUNTY COUNSEL
TRACY FREDRICKSON	(PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by TRACY FREDRICKSON is
GRANTED

TOTAL WAIVED \$465.00

GENERAL INFORMATION:

Continued from **10/03/16**. The Court suspends administrator's powers and refers matter to the Public Administrator.

Continued from **11/14/16**. Court orders Tracy Fredrickson to appear on 01/10/17.

Continued from **01/10/17**. Citation issued as to: Tracy Fredrickson.

Continued from **03/28/17**. Court re-issues citation for the service to be completed on Tracy Fredrickson of the citation.

Continued from 06/13/17. Citation issued as to Tracy Frederickson.

THIS CASE IS SET FOR HEARING ON First and Final Account and for Assignment of Case to Public Guardian(s/b Administrator) and Release of Petitioner as Administrator.

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

1. Notice filed 09/02/16 does not include Public Administrator. Need proper service.
2. Accounting period 11/04/13 to 04/23/16.
3. Assets on Hand \$118,000 consisting of real and personal property.
4. Petitioner does not request compensation.
5. Prior Attorney, D.M. Davis does not request compensation.

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

6. Petitioner alleges delinquent taxes on the Cathedral City real property are due in the amount of \$11,000 which the estate cannot pay. Those taxes will be satisfied if the real property is sold at the tax foreclosure sale on May 19, 2016. Question whether there is surplus on subject property? **Declaration filed 06/13/17 indicates was sold by prior Administrator, Tracy A. Fredrickson. Grand Deed affixed [LF, p. 4]**
7. Petition indicates the real property located in Yucca Valley was bequeathed to Dustin Silus Owens who lived in the property at the time of Decedent's death and continued to reside in the property until the property was no longer habitable. The subject property was in the final stages of foreclosure before petitioner's appointment but the estate had no money with which to bid or reclaim the Navajo Property. Mr. Owens received notice of the Probate and was aware of the foreclosure proceedings and made no effort to assist in saving the property. A Trustee's Deed was recorded on 07/14/15. Question whether there was a surplus on subject property? **Declaration filed 06/13/17 indicates property was sold at Trustee Sale and there were no excess proceeds. Trustee Deed Upon Sale affixed [LF, p.3].**
8. There is a creditor's claim for \$1,638.00 from Diane K. Neugebauer filed on 01/28/15. However, there is no allowance or rejection notice regarding this claim. Need verified supplement confirming status of this claim.
9. Petitioner requests the right of redemption subject to County and State regulations, and surplus monies, if any from the foreclosure of the real property located at 56161 Navajo Trail, Yucca Valley, CA, to decedent's grandson, Dustin Owens.
10. Petitioner requests the right of redemption subject to County and State regulations, and surplus monies, if any from the foreclosure of the real property located at 32570 Monte Vista Road, Cathedral City, CA, to decedent's daughter, Diane Owens, and granddaughter, Tracy Fredrickson, each as to an undivided ½ interest, therein.
11. To Diane Owens, the 2004 Mercury Sable Automobile and all the rest and remainder of decedent's estate.
12. Petitioner indicates she has no funds with which to correct the problems inherent in this estate or to hire an attorney to help her. She cannot post the bond. Petitioner request the Court to relieve her of the responsibility of Administrator and Order the Estate be turned over to the Public Guardian, sic should be Public Administrator, for resolution. JTD.
13. Notice of Non-Payment of Bond filed 07/26/16.
14. **Need return of Citation.**
15. Notice of Non-Payment of Bond filed 03/14/17.
16. **Declaration Lack of Assets filed by PA on 06/13/17 alleges there are no other known assets and unable to locate prior Administrator, Tracy A. Fredrickson.**

RECOMMENDATION:

Need to clear notes then Court's discretion. If approved, set next hearing for receipts and final discharge for **12/18/18**.

(nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC.

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

CASE#: PRO PS1400251

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust

SEE ALSO 27, 28

HEARING:

Hearing Re: ACCOUNTING BY LYNN GAETA

COUNSEL:

GARY ROGERS

(PET)...BRIAN W. SMETHURST

LYNN GAETA

(PET)...CUMMINS & WHITE

LYNN GAETA

(PET)...JAMES R WAKEFIELD

RODNEY ROGERS & LACEY ROGERS F (TRU)...

GENERAL INFORMATION

Continued from 10/26/17. Court notes that this is not a contested matter not is it an evidentiary hearing.

THIS CASE SET FOR HEARING ON Accounting review for *Lynn Gaeta*.

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

1. Matter set at 06/27/17 tentative ruling and ordered an accounting to be filed by Lynn Gaeta, Trustee, by 09/26/17.
2. Objections to tentative ruling filed by Lynn Gaeta on 07/11/17 (see other matters).

RECOMMENDATION

Inquire status of accounting.

(lc/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1400251

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust

SEE ALSO 26, 28

HEARING:

Hearing Re: ACCOUNTING BY GARY ROGERS

COUNSEL:

GARY ROGERS

(PET)...BRIAN W. SMETHURST

LYNN GAETA

(PET)...CUMMINS & WHITE

LYNN GAETA

(PET)...JAMES R WAKEFIELD

RODNEY ROGERS & LACEY ROGERS F (TRU)...

GENERAL INFORMATION

Continued from 10/26/17. Court notes this is not a contested matter.

THIS CASE SET FOR HEARING ON Accounting review for **Gary Rogers**.

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

1. Matter set at 06/27/17 tentative ruling and ordered an accounting to be filed by Gary Rogers, Trustor's son, by 09/26/17.
2. Objections to tentative ruling filed by Lynn Gaeta on 07/11/17.

RECOMMENDATION

Inquire status of accounting.

(lc/nb)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1400251

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust
SEE ALSO 26, 27

HEARING:
Hearing Re: PETITIONERS OBJECTION TO COURTS TENTATIVE RULING

COUNSEL:

GARY ROGERS	(PET)...BRIAN W. SMETHURST
LYNN GAETA	(PET)...CUMMINS & WHITE
LYNN GAETA	(PET)...JAMES R WAKEFIELD
RODNEY ROGERS & LACEY ROGERS F	(TRU)...

GENERAL INFORMATION

Continued from 10/26/17. Court makes orders regarding the petitioner's objections to the court's tentative ruling. Court notes this is not a contested hearing.

THIS CASE SET FOR HEARING ON Objection to Court's tentative Ruling.

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

1. Tentative ruling approved on 06/27/17.
2. Objections to tentative ruling filed by Lynn Gaeta on 07/11/17.

RECOMMENDATION

Court's discretion.

(lc/nb)

Superior Court of Calif, County of San Bernardino

Page: 1

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

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

CASE#: CIP DS1700072

CASE NAME: IN RE JOEY LOPEZ

HEARING:

Hearing Re: Status on Funding/SNT

COUNSEL:

JOEY LOPEZ

(MIN)...BALABAN & SPIELBERGER, LLP

LUPE LOPEZ

(PET)...BALABAN & SPIELBERGER, LLP

No notes – Status.

(nb)

Future Hearing:

11/13/18 Accounting Review.

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

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

CASE#: PRO PS0700798

CASE NAME: WALTER FLOWERS JR.

SEE ALSO 3

HEARING:

Hearing Re: Second amended accounting

COUNSEL:

FRANCES FLOWERS (PET)...JO ANN MCDOLE

WALTER FLOWERS JR (DEC)...

WANDA ROGERS (OBJ)...PRO/PER

GENERAL INFORMATION:

Continued from **07/18/17**. The court imposes sanctions on Attorney Jo Ann McDole in the amount of \$ \$750.00 payable to the court on or before 08/18/17. Court orders a completed amended accounting be filed by 08/18/17. Court agrees to continue the hearings set for 08/08/17 to 9/12/17 so all matters can be heard together.

Continued from 09/12/17. Attorney McDole to work on filing a waiver of account.

THIS CASE IS SET FOR HEARING ON Second Amended Accounting

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

1. Matter set at 05/09/17 hearing, wherein, the Court ordered Attorney Jo Ann McDole to file an accounting by 06/15/17. Court stated sanctions will be imposed as to Attorney Jo Ann McDole if the accounting is not on file by this date.
2. Even if the accounting has been filed - this date is NOT to be vacated.
3. No amended accounting. Need same.

RECOMMENDATION:

Court's discretion

(nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS0700798

CASE NAME: WALTER FLOWERS JR.

SEE ALSO 2

HEARING:

OSC re: SURCHARGE (FLORANCE FLOWERS) filed by FRANCES FLOWERS

COUNSEL:

FRANCES FLOWERS

(PET)...JO ANN MCDOLE

WALTER FLOWERS JR

(DEC)...

WANDA ROGERS

(OBJ)...PRO/PER

GENERAL INFORMATION:

Continued from 09/12/17.

THIS CASE IS SET FOR HEARING ON OSC re Surcharge (Florence Flowers)

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

1. Matter set at 06/5/17 hearing, wherein, Mr. Parker informed the Court that accounting filed by Ms. McDole is incomplete as there are funds still coming in.
2. Court orders sanctions of \$350 imposed on Attorney JoAnn McDole for refusing court orders. Sanctions must be paid within 30 days.
3. The Court vacates previous orders of distribution.
4. Notice by Judicial Assistant.

RECOMMENDATION:

Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1300785

CASE NAME: JOSE MANUEL CORTES AGUILAR

HEARING:

Accounting Review

COUNSEL:

JOSE MANUEL CORTES AGUILAR

(DEC)...

LLANAIN MALDONADO

(PET)...JAMES E NEWNHAM

VACATE - Status Report approved on 06/14/17. Need Order after Hearing.

Set next hearing for Accounting Review on **06/12/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1500906

CASE NAME: MTR OF JACQUELINE DAVIS

HEARING:

Accounting Review

COUNSEL:

CHRISTOPHER DAVIS (PET)...THE GROSSMANLAW FIRM, A.P.C
JACQUELINE DAVIS (DEC)...

XREF: PROPS1500977 (Jacqueline Lynn Davis)

GENERAL INFORMATION

Continued from 09/12/17 as counsel was just retained.

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 Christopher Davis, brother, on 12/10/15; full authority, \$150,000 bond.
2. Partial Inventory and Appraisal filed 11/09/16 is not signed by Administrator, Christopher Davis. Need same.
3. Need final inventory and appraisal with supporting bank/financial statements per Local Rule 20-908.
4. Need accounting or status report to include the standing of the related civil matter as directed by court on 07/31/17.

RECOMMENDATION

Inquire status. When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr.C. §§8804 and/or 8505.

(cs/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1600454

CASE NAME: MTR OF ALEJANDRA CASTILLO

HEARING:

Accounting Review

COUNSEL:

ALEJANDRA CASTILLO

(DEC).

DEUTSCHE BANK NATIONAL TRUST

(TP)...WRIGHT, FINLAY & ZAK

ELAINE ARIAS MONTES

(PET)...PRO/PER

GENERAL INFORMATION:

Continued from 10/31/17. No appearances. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued 06/28/17, full authority, no bond.
2. No accounting or status report of administration. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1700160

CASE NAME: MTR OF DEBRA JACKSON SYLVESTER

HEARING:

Petition for AN ORDER TO CONFIRM VALIDITY OF TRUST CONFIRM
TRUSTEE AND CONFIRM ASSETS TO REVOCABLE TR

COUNSEL:

CALIFORNIA PUBLIC EMPLOYEE'S R	(TP)...CALIFORNIA PUBLIC
DEBRA JACKSON SYLVESTER	(DEC)...
DELONZA SYLVESTER	(PET)...LINDA L MCLARNAN-DUGAN
RHONDA ANTHONY	(PET)...PRO/PER
SBCO PUBLIC ADMINISTRATOR	(SA)...CRAIG M PARKER
WHARLEST I.S. JACKSON	(PET)...JASON L GAUDY

Currently under review by Legal Research.
(LR)

Notice:

Need Notice of Hearing with proof of service to include beneficiaries Nikita N. Jackson; Rhonda N. Jackson; David Ford; Jeremy Vanison, Cheryl D. Scott; Diedre Townsend; Stella Bland; and Delonza Sylvester.
(nb)

Future Hearing:
07/18/18 Accounting Review.

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

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1700914

CASE NAME: WAYNE ROBERT GILMORE

HEARING:

Petition for DETERMINE SUCCESSION TO REAL PROPERTY

COUNSEL:

JAMES GILMORE	(PET)...SHAAN A ANSARI
SONYA GILMORE	(PET)...SHAAN A ANSARI
WAYNE ROBERT GILMORE	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by James Gilmore and Sonya Gilmore ["Petitioners"].

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

1. Inventory & Appraisal attached to petition [LF, p5] does not include signature of James Gilmore. Need signature of verification via corrected inventory.
2. Petitioners request a determination that decedent's real property located in San Bernardino County pass to petitioners without administration. Petitioners indicate they are decedent's children and heirs per intestate succession.
3. ~Proposed Form Order 09/18/17.

RECOMMENDATION:

Need corrected I&A then court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1700915

CASE NAME: MTR OF SPERRY A MAXWELL

HEARING:

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

COUNSEL:

BEVERLY JEAN MAXWELL (PET)...PRO/PER
SPERRY A MAXWELL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by surviving spouse Beverly J. Maxwell ["Petitioner"].

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

1. Petition indicates all heirs waive bond. However, need Mandatory Waiver of Bond by petitioner. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c).
2. Section 3a to petition does not indicate where decedent died. Need verified supplement.
3. Section 8 to petition does not include relationships for parties Kathleen, Cyndi & Troy. Need verified supplement.
4. Need Notice of Petition to Administer Estate with proof of service (a mandatory Judicial Council form that contains important language).
5. Proof of publication filed.

RECOMMENDATION:

Need to clear notes 1-4 then Court's discretion re bond. If approved, set future hearing for Accounting on **02/19/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1700916

CASE NAME: ALFONSO LOPEZ GONZALEZ

HEARING:

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

COUNSEL:

ALFONSO LOPEZ GONZALEZ (DEC)...

RUBEN GONZALEZ (PET)...CHARLENE L USHER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with Limited Authority under IAEA by son, Ruben Gonzalez ["Petitioner"].

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

1. All heirs waive bond. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c).
2. Proof of publication filed.
3. ~Proposed Form Order/Letters 09/15/17 & 11/21/17

RECOMMENDATION:

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

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1700924

CASE NAME: MICHAEL L. ANGELL AKA MICHAEL ANGELL AKA ETC

HEARING:

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

COUNSEL:

MARK L. ANGELL (PET)...DENNIS L JENSEN
MICHAEL L. ANGELL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with Limited Authority under IAEA by brother, Mark L. Angell ["Petitioner"].

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

1. All heirs nominated petitioner and waive bond. Estate value consists of \$300,000.00 in personal property. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
2. ~Proposed Form Order/Letters: 09/18/17

RECOMMENDATION:

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

(nb/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

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

CASE#: CON DS1000174

CASE NAME: RENEE DUSKO

HEARING:

Accounting Review

COUNSEL:

ELLEN M. PIACENTINI

(CPE)...D M DAVIS

FRED W. JACKSON JR.

(PRO/PER

RENEE DUSKO

(CEP)...SHERRI L KASTILAHN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

- 1 Order Settling Account by Successor Trustee, Fred Jackson, entered 01/14/16; second account now due beginning 10/01/15.
- 2 No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb)

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

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

CASE#: CON PS1300204

CASE NAME: Carly Suzanne Peralta

HEARING:

RE CONSERVATORSHIP Account and Report of DEBRA LEE ESPINOZA and
Petition for allowance of fees filed.

COUNSEL:

CARLY SUZANNE PERALTA	(CEP)...JENNIFER M DANIEL
CARLY SUZANNE PERALTA	(DEC)...
DEBRA LEE ESPINOZA	(CP)...PRO/PER
DEBRA LEE ESPINOZA	(CPE)...PRO/PER

GENERAL INFORMATION:

Continued from 09/05/17 and 10/31/17 to clear notes.

THIS CASE IS SET FOR HEARING ON First and Current Account by Conservator of
the Person and Trustee of SNT, Debra Lee Espinoza ["Petitioner"-mother].

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

1. Need executed copy of Special Needs Trust [SNT] per Local Rule 20-1502.
2. Accounting period covers 01/01/16 to 12/31/16. However, Special Needs Trust order was entered on 03/25/16. Does Court wish to require an amended accounting? JTD.
3. Assets on Hand \$283,834.25 consisting of \$3,777.88 in cash, vehicle with carry value of \$36,000 and remaining in securities.
4. No current bond. Suggest bond of \$373,000 (includes recovery costs). JTD.
5. Compensation or reimbursement is not requested.
6. Need further clarification via verified supplement as to the following:
 - a. Coach in the amount of \$685.80;
 - b. Sunglass Hut for \$432.00;
 - c. Nation's Recovery-collection Ethan Allen for \$4,788.46;
 - d. Hyatt Resort for \$4,552.76;
 - e. In Branch cash withdrawals totaling \$3,000.
7. Conservatee/Beneficiary residence during account period is not stated as required per Local Rule 20-1406(a). Need verified supplement.

8. Need investment statements verifying beginning and closing amounts, for Edward Jones Account, per Local Rule 20-908.
9. Last CI Report filed 09/25/14.
10. Notice filed 09/01/17 does not notice conservatee directly. Need proper notice.

RECOMMENDATION:

Need to clear notes then Court's discretion re bond. If approved, set next hearing for Accounting Review on **02/26/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: CON PS1400056

CASE NAME: Susan Oatis

HEARING:

SECOND AND FINAL Account and Report of NANCY PINEDA-STUMPE,
MARIA C CERECEDES and Petition for allowance of fees filed.

COUNSEL:

MARIA C CERECEDES	(CP)...LAYNE A BARTHOLOMEW
NANCY PINEDA-STUMPE	(PET)...LAYNE A BARTHOLOMEW
NANCY PINEDA-STUMPE	(STE)...LAYNE A BARTHOLOMEW
SPECIAL NEEDS TRUST OF SUSAN O	(TRU)...
SUSAN OATIS	(CTP)...JENNIFER M DANIEL

Request for Waiver of Court Fees and Costs filed by MARIA C CERECEDES is GRANTED

Request for Waiver of Court Fees and Costs filed by MARIA C CERECEDES, NANCY PINEDA-STUMPE is GRANTED

Request for Waiver of Court Fees and Costs filed by SUSAN OATIS is GRANTED

X-REF: CIVRS 1201227

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Second and Final Account; Petition of Allowance of Fees; Petition to Terminate Trust and Order Remaining Proceeds into an Able Account; Petition to Terminate Conservatorship of the Estate; and to Issue Amended Letters of Conservatorship of the Person, Only; and Exoneration of Bond by Co-Trustees of SNT, Nancy Pineda-Stumpe and Maria C. Cerecedes ["Petitioners"-sister/mother].

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

1. Accounting period 08/11/15 to 09/08/17.
2. Assets on Hand \$18,304.27 in cash.
3. Attorney requests fees and costs of \$4,506.00. Billed at \$300/hour for 9.8 hours' attorney time and \$100/hour for 15.4 hours' paralegal time. Itemized [LF, pgs. 35-38]. JTD.

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

4. Petitioner requests authorization to pay court-appointed Attorney Jennifer M. Daniel fees of \$1,110.00 for the period 11/30/16 to 11/06/17. Billed at \$300/hour for attorney time. Itemized [LF, pgs.43-44]. JTD.
5. Petitioner requests ratification of reimbursement to Maria in the amount of \$9,362.91 for credit card purchases on behalf of conservatee. Itemized [LF, pgs. 46-51]. JTD.
6. Petitioner was ordered to place a lien on the mobile home in the Order on First Account filed on 06/14/16 in the amount of \$9,225.00. But due to administration issues encountered with HCD, petitioner has not been unable to obtain a new registration from HCD showing the lien.
7. Petition indicates the Beneficiary spends almost half of her time residing with her mother, Maria C. Cerecedes, for which, \$9,600 is requested for beneficiary's share of household expenses. Billed at \$400/month for 24 months. JTD.
 - a. Petitioner requests the court apply the requested contribution for household expenses of \$9,600 be applied against the lien of \$9,225, thus, satisfying the lien in full, with petitioner. JTD.
 - b. Maria C. Cerecedes, waives the balance of \$375 and that petitioners be authorized to sign whatever documents are necessary to release the lien.
8. Petitioners request that they be authorized to place the remaining cash assets of the Trust into an account in the name of Conservatee authorized under the Achieving a Better Life Experience Act of 2014 (ABLE), in a state that has their accounts established and then transfer it to California once the implementation process is complete here.
9. Petitioner requests that the court terminate the trust and exonerate the bond. However, bond does not usually get exonerated until entry of a final discharge order.
10. Petitioners request the court terminate the conservatorship of the estate and order that Amended Letters of Conservatorship of the Person be issued.
11. Proposed Order 11/08/17 exonerates bond.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge (estate only) for **12/18/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: CON PS1600316

CASE NAME: DERL W SULLIVAN

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of RACHEL A SULLIVAN

COUNSEL:

DERL W SULLIVAN

(CEE)...WALTER T. MOORE

RACHEL A SULLIVAN

(PET)...PRO/PER

GENERAL INFORMATION

Ex Parte Orders entered 11/10/16. Order Appointing Conservator of the Person and Estate, Rachel A. Sullivan, entered 06/21/17.

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

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

1. Notification of Conservatee's Rights filed.
2. Statement of Care Plan filed. However, financial needs section is incomplete. Need completed form.
3. Determination of Conservatee's Appropriate Level of Care filed.
4. Need final Inventory & Appraisal per Pr.C.§2610.
5. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C. §2610.
6. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION:

Inquire status.

(nb)

Future Hearing:

07/17/18 Accounting Review.

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: CON PS1700146

CASE NAME: ANDREA ALVAREZ

HEARING:

Hearing Re: Proof of Bond

COUNSEL:

ANDREA ALVAREZ

(CTP)...JENNIFER M DANIEL

MARTIN ALVAREZ

(PET)...LAYNE A BARTHOLOMEW

VACATE – bond filed.

(nb)

Future Hearing:

05/22/18 Compliance review hearing

12/31/18 Accounting Review

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: RC RS00134

CASE NAME: ISRAEL D MORENO

HEARING:

Accounting Review

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (PET)...PRO/PER

ELIZABETH MORENO

(CPE)...E LAWRENCE BROCK

ISRAEL D MORENO

(CEP)...ALTHOUSE & MCDONOUGH

ISRAEL F MORENO

(PET)...BROCK LAW OFFICE

ISREAL F MORENO

(PET)...BROCK, MARTIN &

GENERAL INFORMATION

Continued from 06/27/17, 08/29/17 and 10/17/17.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Approving Second Account entered 07/19/16; third account now due.
2. No accounting or waiver of account. Need same.

RECOMMENDATION:

Inquire status.

(nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

MISC.

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

CASE#: PRO PS1700324

CASE NAME: MTR OF LINDA JOYCE WHITE BARRY

SEE ALSO 19

HEARING:

Mandatory Settlement Conference

COUNSEL:

JOHNNY BARRY

(PET)...JOSEPH JOOHYUN PARK

LINDA JOYCE WHITE BARRY

(DEC)...

MARCIA L HEAD

(PET)...JOHN G WURM

Request for Waiver of Court Fees and Costs filed by MARCIA L HEAD is GRANTED

No notes – MSC.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1700324

CASE NAME: MTR OF LINDA JOYCE WHITE BARRY

SEE ALSO 18

HEARING:

Petition for PROBATE LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

JOHNNY BARRY	(PET)...JOSEPH JOOHYUN PARK
LINDA JOYCE WHITE BARRY	(DEC)...
MARCIA L HEAD	(PET)...JOHN G WURM

GENERAL INFORMATION

Continued from **07/05/17**. Counsel represents that Jerry Williams resides in Georgia. Matter to be heard with contested petition.

Continued from **09/28/17**. Parties are working on a settlement agreement.

Continued from 11/06/17. Parties are close to settlement.

THIS CASE SET FOR HEARING ON:

- Petition 1-Petition for Letters of Administration with full IAEA by **Johnny Barry, spouse**
- Petition 2- Petition for Letters of Administration with Full IAEA by **Marcia Head, sister**

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

Petitioner 1 Johnny Barry, spouse

1. Petitioner seeks bond of \$200,000. Ok.
 - a. Per supplement filed on 06/30/17 petitioner now seeks that no bond be required. Does court wish for bond waivers to be filed? JTD
2. Petitioner is not listed in section 8; however, it is clear that Petitioner is spouse. Does court wish to require verified supplement? JTD
 - a. Supplement filed on 06/30/17 indicating that the petitioner is the spouse, and requests that petition should be amended to reflect limited IAEA and delete the \$200,000 bond requirement. Does Court wish for petition to be amended per the supplement? JTD

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

3. Sibling Jerry Williams' address is allegedly unknown. Need due diligence.
 - a. Supplement filed on 06/30/17 states that a due diligence as to Jerry Williams was completed and attached as exhibit A; however exhibit A was not attached. **Need** verified supplement.
 - b. Declaration of due diligence as to Jerry Williams filed on 06/30/17. JTD
4. **Need** Notice of Petition to Administer Estate served on Jeremey Head, issue of Carwell Head, Jr.
5. **Objections by Marcia Head, sister, filed on 06/08/17.**
6. ~Proposed Form Order: 03/28/17.

Petitioner 2 Marcia Head, sister

7. Petitioner requests bond of \$225,000. Ok.
8. Notice to Petition to Administer Estate and proof of service filed on 07/21/17; however, notice was not served on Jeremey Head. **Need** corrected notice.
9. **Need** proof of publication
10. ~Proposed Form Order: 06/08/17

RECOMMENDATION

Matter is contested. Need to clear notes 3, 4, 8 & 9. Court's discretion re bond. If approved, set Accounting/Status Review for **02/21/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/ww/nb).

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

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

CASE#: PRO PS1300187

CASE NAME: MTR OF JEANNE Y BYRD

HEARING:

Hearing re Final Discharge

COUNSEL:

JEANNE Y BYRD

(DEC)...

MICHAEL E. BYRD

(PET)...LAWRENCE E CLARK

GENERAL INFORMATION:

Matter set on **04/26/16** due to no appearances. Court orders Attorney Lawrence Clark to personally be present at the next hearing. Notice by Judicial Assistant.

Continued from **06/28/16**. No appearance. The court imposes sanctions on Attorney Lawrence C Lark in the amount of \$ \$250.00 payable to the court on or before 08/28/16. Citation issued to: Lawrence Clark who is cited and required to appear on 09/13/16. File routed to clerks' office for service of citation.

Continued from **09/13/16**. Michael Byrd is cited to appear at next hearing to explain why final discharge has not been filed.

Continued from **11/29/16 and 01/31/17**. Counsel is to submit a declaration regarding cancelled checks before the next hearing date.

Continued from 04/25/17, 06/27/17 and 10/24/17. Last continuance to file declaration as ordered. Court may impose sanctions if declaration and ex-parte petition for final discharge is not filed prior to the next hearing date.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling First and Final Accounting entered 04/30/15.
2. Need receipts by J.D. Byrd, J.R. Byrd and J.Q. Bryd.
3. Ex-parte Petition/Order for Final Discharge returned for corrections. Need same.
4. Need return of citation. Affidavit of Unsuccessful Service filed 10/13/16.
5. Need declaration as directed by Court on 01/31/17.

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

RECOMMENDATION:
Inquire status.
(nb)

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

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1300188

CASE NAME: EUGENE F. SACHARA

SEE ALSO 3

HEARING:

Hearing Re: FINAL DISCHARGE OF LYNETTE HILL

COUNSEL:

EUGENE F SACHARA	(DEC)...
LYNETTE HILL	(PET)...J. DAVID HORSPOOL
MARK T SACHARA	(TP)...THOMAS W DOMINICK

XREF: PROPS1200758 (Eugene F Sachara Trust of 2005)

GENERAL INFORMATION:

Continued from 10/22/15, 5/4/16, 07/20/16, 01/09/17 and 04/03/17 at request of counsel. Attempting to deliver property.

Continued from 06/26/17 and 08/22/17.

THIS CASE SET FOR HEARING ON Final Discharge

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

1. Final Distribution approved on 01/21/15.
2. Need receipts for March Sachara and Lance Sachara.
3. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(lc/sa/nb/lh)

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

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

CASE#: PRO PS1300188

CASE NAME: EUGENE F. SACHARA

SEE ALSO 2

HEARING:

Hearing Re: OSC RE: DISTRIBUTION

COUNSEL:

EUGENE F SACHARA	(DEC)...
LYNETTE HILL	(PET)...J. DAVID HORSPOOL
MARK T SACHARA	(TP)...THOMAS W DOMINICK

XREF: PROPS1200758 (Eugene F Sachara Trust of 2005)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Distribution

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

1. Matter set at hearing held 08/22/17, wherein, the Court ordered Lynette Hill to be present at hearing if distribution was not made.
2. If Lynette Hill cooperates within time frame provided in November, OSC re: distribution will be taken off calendar.

RECOMMENDATION:

Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: PRO PS1500846

CASE NAME: DOROTHY I. MCGUFFEE

HEARING:

Hearing re Final Discharge

COUNSEL:

DOROTHY I. MCGUFFEE (DEC)...

RANDY ODELL MCGUFFEE (PET)...BANKS GARCIA & JANIS

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling First and Final Account entered 02/21/17.
2. **Receipt by Randy O. McGuffee distributes after discovered property according to the laws of intestate succession instead of per Will. Need corrected receipt.**
3. Ex-parte Petition/Order for Final Discharge received on 11/30/17.

RECOMMENDATION:

Need to clear note 2.

(nb)

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

HEARING:

Petition for ORDER TO COMPEL BENEFICIARY FOR TURN OVER PERSONAL PROPERTY

COUNSEL:

DEBORAH WILKINSON	(PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON	(DEC)...
JANET WILKINSON	(OBJ)...PETER M BOCHNEWICH
LINDSEY NAYLOR	(PET)...PETER M BOCHNEWICH

GENERAL INFORMATION

Continued from 04/27/17. Janice Wilkinson ordered to comply with requests to turn over truck, computer, TV and guns. Assets not to be disposed of pending further order of the court. Counsel stated will contest was served is not sufficient. Petition requesting codicil be stricken may be filed. Counsel states Pr.C. § 850 Petition is not appropriate in this matter.

Continued from 05/25/17. Mr. Bochnewich newly retained. This matter has been delayed and advised counsel appropriate steps needed to be taken to get case moving. Legal separation has been filed in last supplement and judgment includes property division.

Continued from **07/27/17 and 08/31/17**. Mediation settlement held.

Continued from 10/05/17. No settlement was reached.

Continued from 10/24/17 by stipulation. Petition regarding the real property lot may be filed and set for 12/12/17.

THIS CASE SET FOR HEARING ON Petition for Order to Compel Beneficiary for Turnover of Personal property Pr.C. § 9650, 9654 by Deborah Wilkinson.

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

1. Petitioner is **special administrator**, letters issued 01/30/17, \$2,150,000.00 bond.
2. Petitioner is seeking an order for the return of personal property allegedly taken by respondent Janet Wilkinson, surviving spouse. Petitioner believes that Janet is in possession of the following:

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- a. 2000 Ford Dully Truck
- b. Glock G27 .40 Caliber handgun
- c. CHP Limited Edition Ruger .38 rifle
- d. Flat Screen TV
- e. Computer

Petitioner alleges that parties have met with counsel to confer and has attempted to recover the personal property. Respondent has reportedly unreasonably refused. Copies of letters attached. [Pet.02/27 LFpg9 et.seq].

3. Petitioner alleges in Supplement filed 04/20/17 that he is unsure of whether there is a statute allowing him to maintain this action. Petitioner alleges he is attempting to regain possession of estate property, but that Probate Code § 850(2)(D), which allows the personal rep to maintain an action where “the decedent died having claim to real or personal property, title to or possession of which is held by another,” does not apply. – JTD
4. **Supp 05/22/17:** Petitioner attaches dissolution judgment with assets awarded to decedent [respondent in dissolution]. [Sup. 05/22/17 LFpg 10-13].
5. In as much as the Court has ordered Janet Wilkinson to turn over the property, per minute order of 04/27/17, it appears that this part of the petition has in fact been granted and is now enforceable under contempt proceedings. So the search for an applicable statute to regain possession may in fact be moot, and the only part of the prayer to be determined is recovery of attorney fees.
6. Janet Wilkinson, who is in possession of the property, appeared at the 04/27/17 hearing. It would therefore appear that service is unnecessary as to her on this particular claim.
7. Not clear whether Janet Wilkinson complied with Penal Code §§ 27875 and/or 27920 for the alleged firearm transfers.
8. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion.

(lc/jm/lc/nb)

Future Hearing:

03/01/18 Readiness calendar

03/01/18 Petition for Lindsey Naylor to establish rights etc.

03/01/18 Petition for probate of will & for letters etc.

03/01/18 Hearing re: Petition for invalidity of specific etc.

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1601039

CASE NAME: MTR OF MARCELLA WASHINGTON TRUST

SEE ALSO 7, 7A

HEARING:

Hearing Re: PROBATE STATUS REPORT

COUNSEL:

BENNIE HILL	(PET)...PRO/PER
JEANNIE PORTER	(PET)...SUZANNE M GRAVES
JEANNIE PORTER	(TEE)...SUZANNE M GRAVES
THE MARCELLA WASHINGTON TRUST	(TRU)...PRO/PER

Request for Waiver of Court Fees and Costs filed by BENNIE HILL is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Trustee, Jeannie M. Porter ["Petitioner"].

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

1. Petitioner alleges the estate is not in a condition to be closed as the accounting remains to be completed as counsel was out of town shortly after being retained. .
2. Petitioner requests an additional 2 months to close the estate.
3. Proof of Service filed. However, need Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**

RECOMMENDATION:

Require proper notice then Court's discretion

(nb)

Future Hearing:

02/28/18 First and final account

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

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1601039

CASE NAME: MTR OF MARCELLA WASHINGTON TRUST

SEE ALSO 6, 7A

HEARING:

Petition for TO COMPEL FOR PRELIMINARY DISTRIBUTE FUNDS FROM
LIVING TRUST

COUNSEL:

BENNIE HILL	(PET)...PRO/PER
JEANNIE PORTER	(PET)...SUZANNE M GRAVES
JEANNIE PORTER	(TEE)...SUZANNE M GRAVES
THE MARCELLA WASHINGTON TRUST	(TRU)...PRO/PER

Request for Waiver of Court Fees and Costs filed by BENNIE HILL is GRANTED

Currently under review by Legal Research.

(LR)

Notice:

Need Notice of Hearing with proof of service to daughters, Jeannie M. Porter & Tanya G. Washington; nieces, Tippi Quillopo-Torres & Philena Quillopo; and son, Ronald K. Hill per Pr. C. § 17203.

(nb)

Future Hearing:

02/28/18 First and final account

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

Superior Court of Calif, County of San Bernardino
Page: 7A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

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

CASE#: PRO PS1601039

CASE NAME: MTR OF MARCELLA WASHINGTON TRUST
SEE ALSO 6, 7

HEARING:

First and Final Account and Report of JEANNIE PORTER and
Petition for allowance of fees filed.

COUNSEL:

BENNIE HILL	(PET)...PRO/PER
JEANNIE PORTER	(PET)...SUZANNE M GRAVES
JEANNIE PORTER	(TEE)...SUZANNE M GRAVES
THE MARCELLA WASHINGTON TRUST	(TRU)...PRO/PER

Request for Waiver of Court Fees and Costs filed by BENNIE HILL is GRANTED

Set on first check calendar no sooner than 01/23/19 or thereafter.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: PRO PS1601157

CASE NAME: MARTHA NATALIE PILLING

HEARING:

FIRST AND FINAL Account and Report of EUNICE R HARRIS and
Petition for allowance of fees filed.

COUNSEL:

EUNICE R HARRIS	(PET)...PRO/PER
MARTHA NATALIE PILLING	(DEC)...
MARY BETH FRY	(TP)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Executrix, Eunice R. Harris ["Petitioner"].

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

1. Accounting period 05/07/16 to 10/23/17.
2. Assets on Hand \$6,155.00 in cash.
3. Petitioner requests statutory compensation in the amount of \$6,155.00 based on inventory and appraisal total that does not include gains on sale of the real property. **Supp. (12/04/17) Petitioner waives additional statutory compensation.**
4. Notice filed on 10/27/17 only includes Mary Beth Fry. Need proper service
5. Petitioner has affixed receipts [LF, pgs. 23-28] reflecting unauthorized preliminary distribution to beneficiaries. It does not appear there is harm to creditors or estate. JTD.
6. Proposed Order 10/23/17 is not complete in itself per Local Rule 20-614; does not include legal description of the real property, including common address, if any, and assessor's parcel number; Vehicle license numbers; findings re sole and separate property; findings re known creditors; findings re all taxes have been paid or reserve made for taxes; or address of beneficiary receiving real property. Also, proposed order includes an omnibus clause in favor of Robin Cousins that is not reflected in the will or prayed for in the petition. Finally, proposed order discharges executrix upon filing of receipts instead of upon entry of a final discharge order. Need proper order.

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

RECOMMENDATION:

Need to clear note 4 then Court's discretion. If approved, set next hearing for final discharge on **12/18/18**.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1700079

CASE NAME: ***MF MTR OF JAMES ODELL ROBINSON***

SEE ALSO 10, 11

HEARING:

Hearing Re: PTN FOR LTRS OF ADMINISTRATION (GERALDINE SIMMONS)

COUNSEL:

EVELYN L ROBINSON	(PET)...PRO/PER
EVELYN L. ROBINSON	(CHRISTOPHER B JOHNSON
GERALDINE SIMMONS	(OBJ)...MARA C ALLARD
GERALDINE SIMMONS	(PET)...MARA C ALLARD
JAMES ODELL ROBINSON	(DEC)...
KATHY ROBINSON	(PET)...GAUDY LAW, INC

X-REF: PROPS 1700150, PROPS 1700759

GENERAL INFORMATION

Continued from 04/05/17. Case Consolidated with PROPS17000150; PROPS1700079 master file. Copy of will to be filed by any party. Mr. Smith advised court that Lily Mae Robinson was never divorced from decedent. Kathy and Evelyn Robinson deny that is the case and are advised to file divorce decree. Bond of \$165,000 will be ordered.

Continued from 06/07/17. Petitioner confirmed this petition to be withdrawn. Petition by Kathy Robinson dismissed. Amended petition to be served on all parties. If objections are the same as to the original petition, objector to file a declaration stating they are the same. If they are different, new objections to be filed.

Continued from 08/30/17 and 10/11/17 (no appearances). Notice to be given by Mr. Johnson.

THIS CASE SET FOR HEARING ON

- Petition 1 - **Amended** Petition [filed 03/28/17] for Letters of Administration with full authority under IAEA by Evelyn & Kathy Robinson, daughter.
- Petition 2 - Petition for Letters of Administration with full authority under IAEA by Geraldine Simmons, alleged daughter, for Sam Hlavaty.

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

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

Petitioners 1 - Evelyn Robinson daughter

1. Petitioners seeks bond of \$200,000. Ok.
2. Consents to appointment filed by 5 heirs on 06/09/17.
3. **Objections filed by Geraldine Simmons, alleged daughter on 03/24/17.**
4. **Kathy Robinson withdraws and revokes request to be co-petitioner and nominates Evelyn Robinson filed on 06/02/17.**
5. Amended proposed form order not submitted.

Petitioner 2 – Geraldine Simmons, alleged daughter, for Sam Hlavaty

PROPS1700150

6. Petitioners seek bond of \$320,000. Ok.
7. Petitioner Hlavaty is nominated by Lily Robinson, Cecelia Banks and Karen Abrames.
8. Proof of publication reflects 06/15/17 hearing [which was original date, which court vacated and reset]. It appears re-publication would not be required per Pr.C. § 1205. JTD
9. Petition indicates 2 unknown children. **Need** due diligence.
10. **Objections filed by Evelyn Robinson, daughter, on 06/05/17.**
11. ~Proposed Form Order: 03/20/17

RECOMMENDATION

Need to clear note 9; matter is contested. If approved, set Accounting/Status Review for **02/21/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

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

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1700079

CASE NAME: ***MF MTR OF JAMES ODELL ROBINSON***

SEE ALSO 9, 11

HEARING:

Hearing Re: PTN FOR LTRS OF ADMINISTRATION (EVELYN ROBINSON)

COUNSEL:

EVELYN L ROBINSON	(PET)...PRO/PER
EVELYN L. ROBINSON	(CHRISTOPHER B JOHNSON
GERALDINE SIMMONS	(OBJ)...MARA C ALLARD
GERALDINE SIMMONS	(PET)...MARA C ALLARD
JAMES ODELL ROBINSON	(DEC)...
KATHY ROBINSON	(PET)...GAUDY LAW, INC

Request for Waiver of Court Fees and Costs filed by EVELYN L ROBINSON is GRANTED

X-REF: PROPS 1700150, PROPS 1700759

See prior matter #9.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: PRO PS1700079

CASE NAME: ***MF MTR OF JAMES ODELL ROBINSON***

SEE ALSO 9, 10

HEARING:

Spousal Property Petition hearing.

COUNSEL:

EVELYN L ROBINSON	(PET)...PRO/PER
EVELYN L. ROBINSON	(CHRISTOPHER B JOHNSON
GERALDINE SIMMONS	(OBJ)...MARA C ALLARD
GERALDINE SIMMONS	(PET)...MARA C ALLARD
JAMES ODELL ROBINSON	(DEC)...
KATHY ROBINSON	(PET)...GAUDY LAW, INC

X-REF: PROPS 1700150, PROPS 1700759

GENERAL INFORMATION:

Continued from 10/24/17. Notice to be given by Mr. Johnson.

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Petitioner, Geraldine Simmons (daughter), proposed Personal Representative of spouse, Lily Mae Robinson.

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

1. Petitioner requests confirmation of property passing to the surviving spouse as community property. Specifically, six parcels of improved and unimproved real properties in San Bernardino County. Petition indicates parties were married on 11/14/56 but does not set forth facts sufficient to establish a community property interest in the California real properties. How was the property interests acquired – with community funds, etc? Need verified supplement.
2. Does Court wish to require a copy of vesting documents? JTD.
3. Need Notice of Hearing with proof of service.
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 1-2 then Court's discretion.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

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

CASE#: PRO PS1700477

CASE NAME: Benjamin B Banaag

HEARING:

Report Sale and Petition for Order Confirming Sale of Real Property.

COUNSEL:

BENJAMIN B BANAAG (DEC)...
SHIRLEY B. WEIS (PET)...T W RONALD DANIERI

Address: 36363 Poplar Dr., Yucaipa, CA
Appraised Value: \$632,100.00.
Sale price: \$660,000.00
First overbid: \$693.500.00
Deposit: \$66,000.00
Commission: 6% = \$39,600.00
Additional bond: No current bond. Suggest bond of \$201,500.00. JTD
Reason for Sale: **Section 9 is blank.**
Exposure to Market: Listed on MLS.
Notice: **Need proof of clerk's posting.**
Future Hearing: 10/11/18 Accounting Review.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: PRO PS1700759

CASE NAME: LILY MAE ROBINSON

SEE ALSO 14

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

GERALDINE SIMMONS (PET)...JONATHAN BRADLEY SMITH

LILY MAE ROBINSON (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Receipt of Bond

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

1. Matter set at hearing held on 10/24/17, wherein, the Court ordered a bond in the amount of \$352,000 to be posted.
2. Need proof of bond.

RECOMMENDATION:

Need proof of bond.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 14
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

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

CASE#: PRO PS1700759

CASE NAME: LILY MAE ROBINSON

SEE ALSO 13

HEARING:

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

COUNSEL:

GERALDINE SIMMONS (PET)...JONATHAN BRADLEY SMITH
LILY MAE ROBINSON (DEC)...

X-REF: PROPS 170079 & PROPS1700775 (vacated)

GENERAL INFORMATION:

Continued from 10/24/17. Bond required of \$352,000.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by daughter, Geraldine Simmons ["Petitioner"].

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

1. All heirs waive bond. However, petitioner is a non-resident and court has discretion to require bond per Pr. C. § 8571. Estimated estate valued at \$320,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(c).
2. **Proof of publication filed.**
3. **Notices filed on 08/18/17 and 11/01/17 is the wrong type of notice. Need Notice of Petition to Administer Estate with proof of service.**
4. ~Proposed Form Order/Letters 07/28/17

RECOMMENDATION:

Need to clear note 3 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **01/08/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

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

CASE#: PRO PS1700739

CASE NAME: STANTON W LOWRY

HEARING:

Spousal Property Petition hearing.

COUNSEL:

STANTON W LOWRY

(DEC)...

VIVIAN L LOWRY

(PET)... JOHN G. WUR

GENERAL INFORMATION:

**Continued from 10/31/17 on court's motion. Referred to Legal Research.
Counsel to file dated and signed supplement today.**

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Vivian L. Lowery ["Petitioner"].

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

1. Petitioner requests a determination and confirmation of property passing to the surviving spouse as community property. Specifically, real property at Crestline in San Bernardino County.
2. Petitioner indicates the real property was acquired on 03/01/13 with community property funds consisting of the earnings of the decedent and Petitioner. Petitioner alleges the property was purchased in decedent's name only because he had better availability as Petitioner was working and it was not until after decedent's demise that Petitioner became aware the property was titled in decedent's name as separate property.
3. Grant Deed affixed [LF, p7].
4. Supp. (10/23/17) is not signed or dated. In addition, supplement indicates that counsel has spoken with Decedent's siblings who have agreed to the proposed Grant Deed with Life Estate [LF, p8]. Question how distribution to Decedent's siblings can be effectuated via this petition? Suggest Court require p's & a's that would allow this Court to appropriate percentages to siblings.
5. **Declaration and Brief filed in support on 11/16/17.**
6. ~Proposed Form Order 11/16/17

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

RECOMMENDATION:
Court's discretion
(nb).

(LR)

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

Superior Court of Calif, County of San Bernardino
Page: 15A ADD ON
CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

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

CASE#: CIF DS1700129

CASE NAME: KIRK VS ROSALES

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

MARK E KIRK (PP)...PRO/PER
MARK A ROSALES (RP)...

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Service complete.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

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

CASE#: CON PS1100089

CASE NAME: JOSE PEREZ JR

SEE ALSO 17

HEARING:

Hearing Re: RECONSIDERATION OF PETITIONER'S FEE REQUEST

COUNSEL:

JEANNE E KENNEDY

(PET)...

JOSE PEREZ jr

(CEP)...PRO/PER

JOSE PEREZ JR

(DEC)...MITCHELL I ROTH

KATIE C HERNANDEZ

(CPE)...BRYAN C HARTNELL

GENERAL INFORMATION:

Continued from 10/24/17. Court notes this is a motion for reconsideration of the fee request of the conservator in this matter. Court orders Mr. Hartnell to file a declaration with the court prior to the next hearing.

THIS CASE IS SET FOR HEARING ON Reconsideration of Petitioner's Fee Request

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

1. Need declaration by Attorney Hartnell as directed by Court on 10/24/17.

RECOMMENDATION:

Court's discretion

(nb)

Future Hearing:

10/24/18 Accounting Review.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: CON PS1100089

CASE NAME: JOSE PEREZ JR

SEE ALSO 16

HEARING:

Hearing Re: CHC

COUNSEL:

JEANNE E KENNEDY

(PET)...

JOSE PEREZ jr

(CEP)...PRO/PER

JOSE PEREZ JR

(DEC)...MITCHELL I ROTH

KATIE C HERNANDEZ

(CPE)...BRYAN C HARTNELL

GENERAL INFORMATION:

Continued from 10/24/17 on court's motion for Mr. Roth to file his report. Notice waived.

THIS CASE IS SET FOR HEARING ON CHC

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

1. Matter set at 09/18/17 hearing, wherein, the Court appointed counsel, Attorney Mitchell I Roth, to represent Conservatee based on CI report dated 09/13/17.
2. Need report of court appointed counsel, Attorney Mitchell I Roth.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Need to clear note 2.

(nb)

Future Hearing:

10/24/18 Accounting Review.

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