



Second/Final Check

Superior Court of California

County of San Bernardino

Probate Department

S37

Probate Notes for Calendar Date: 12/28/17

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.

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: 12/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500821

CASE NAME: JUNE MARIE PILLOW

HEARING:

Petition for TERMINATION OF PROBATE DUE TO NON-ASSET ESTATE

COUNSEL:

JUNE MARIE PILLOW

(DEC)...

NEAL C. SOUSA

(PET)...JOEL F. PIPES & ASSOCIATES

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Termination for Lack of Assets per Pr.C. § 12251 by Neal Sousa, brother.

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

1. Administrator, Neal Sousa, is seeking termination on the basis that there are no assets in the estate. Administrator states that the estate was merely opened due to request of Los Angeles Court Case No.BP148411 Trust litigation. It appears decedent's estate did not receive any distribution from the trust.
2. Notice filed as to Frank Sousa [brother/trustee]; however, not in Capacity as Trustee. Does court wish to require additional notice for Frank Sousa "Trustee"?
JTD

RECOMMENDATION

RFA subject to note 2.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 12/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500821

Vacated

CASE NAME: JUNE MARIE PILLOW

HEARING:

Accounting Review

COUNSEL:

JUNE MARIE PILLOW

(DEC)...

NEAL C. SOUSA

(PET)...JOEL F. PIPES & ASSOCIATES

See previous matter 1.

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700882

CASE NAME: RUBEN SZUCH

HEARING:

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

COUNSEL:

DEBORAH L ORTIZ (PET)...ROGER VON KAESBORG
RUBEN SZUCH (DEC)...

GENERAL INFORMATION

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

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

1. All heirs waive bond. Net estate value is \$402,000 of which \$2,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 09/15/17.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **03/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700931

CASE NAME: IN RE: THE CLARK FAMILY TRUST

HEARING:

Petition for COMPEL RELEASE OF TRUST INFORMATION, TO COMPEL
DISTRIBUTION OF TRUST ASSETS

COUNSEL:

DECEDENT'S TRUST	(TRU)...
JANIE HEINRICH	(PET)...MIRAU, EDWARDS, CANNON & LEWIS
KAREN ELLSTROM	(PET)...MIRAU, EDWARDS, CANNON & LEWIS
SURVIVOR'S TRUST	(TRU)...
THE CLARK FAMILY TRUST, DATED	(TRU)...
THOMAS M CLARK	(RES)...
TIMOTHY D CLARK	()...

Currently under review by legal research.

Notice filed; however, need notice to Beverly Clark and unnamed grandchildren.
Pr. C. § 17201 need list of people entitled to notice

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

DATE: 12/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700932

CASE NAME: TIMOTHY D FARSON

HEARING:

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

COUNSEL:

MICHELE L FARSON (PET)...PRICE LAW FIRM, APC
TIMOTHY D FARSON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Michele Farson, girlfriend.

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

1. Sole heir David Farson waives bond and assigned his interest to petitioner. Net estate value is \$191,307.67 of which \$1,307.67 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. David is not listed in relatives section of petition. Court to clarify if David is aka Timothy using his middle name.
3. **Need** Notice to Petition to Administer Estate and proof of service to David Farson; alternatively court may wish to clarify if David is aka Timothy as the address matches.
4. ~Proposed Form Order: 09/20/17.

RECOMMENDATION

RFA subject to note 3, Court's discretion re bond. If approved, set Accounting/Status Review for **03/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701173

CASE NAME: DON KUSH

HEARING:

Petition to determine succession to Real Property

COUNSEL:

DAVID KUSH

(PET)...ALEXANDER W MUNN

DON KUSH

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by children.

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

1. Petitioner David Kush and siblings, Daniel Kush and Genessa Reige, seek 100% interest, 1/3rd each, in decedent's 25% interest in real property per terms of will and assignment of interest.
2. Daniel and Reige attached joinder to petition [LFpgs26-27]. Appears adequate.
3. ~Proposed Form Order: 11/16/17.

RECOMMENDATION

RFA.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701181

CASE NAME: BELVA FERN SIEMENS

HEARING:

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

COUNSEL:

BELVA FERN SIEMENS (DEC)...
JONATHAN SIEMENS (PET)...E. MARIE HENNING

GENERAL INFORMATION

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

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

1. All heirs waive bond. Net estate value \$142,000 in real property. Court for good cause could require bond per Pr.C. § 8481(b). JTD
2. ~Proposed Form Order: 11/27/17.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **03/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701183

CASE NAME: Edward Donald Roop

HEARING:

Petition to determine succession to Real Property

COUNSEL:

EDWARD DONALD ROOP (DEC)...
ZACHARY ANDREI ROOP (PET)...JAMES B CHURCH

GENERAL INFORMATION

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

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

1. Petitioner seeks 100% interest in decedent's 100% interest in real property.
2. Will states everything decedent owns goes to petitioner. However, section 1 of will states "you will NOT get house". There is also no residuary clause in will. **Need** verified supplement re interpretation of the will.
3. **Need** notice of hearing and proof of service for Wounded Warriors.
4. No proposed order.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **Readiness Calendar**

DATE: 12/28/17 TIME: 8:29 DEPT: S36P

CASE#: PRO PS1700209

CASE NAME: ARTHUR LUNA

SEE ALSO 1A, 1B

HEARING: Petition for LETTERS OF ADMINISTRATION W/LIMITED IAEA

COUNSEL:

ALBERT A JIMENEZ

(PET)...LAMB & KAWAKAMI

ALBERT A JIMENEZ

(OBJ)...TOMOHIRO J KAGAMI

ARTHUR LUNA

(DEC)...

DORA L VILLASENOR

(PET)... JOHN R RAMOS

XREF: CONPS1700084 (Arthur Martin Luna) **CIFDS1700033** (Luna -V- Villasenor)

GENERAL INFORMATION:

Letters of special administration issued to Albert Jimenez on 03/06/17, \$133,000.00 bond. Access to bank account only for funeral expenses from Rose Hills to Riverside, and to pay mortgage. Court advised Dora Villasenor to file written objections and competing petition no later than 04/04/17. **Walter Moore appointed GAL** for Arthur Luna.

Continued from **07/12/17**. Contested hearing will be set. Related action CONPS1700084 to be heard with this matter.

Continued from 09/06/17. Dora's petition will be dismissed next hearing if notes are not cleared.

Continued from 11/01/17. Court will require bond of \$146,300.

THIS CASE IS SET FOR HEARING ON

- Petition 1 - for Letters of Administration with **limited** authority under IAEA by **Albert Jimenez, nephew**.
- Petition 2 - for Letters of Administration with **limited** authority under IAEA by **Dora Villasenor, niece**.

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

Petitioner 1 - Albert Jimenez, nephew.

1. Requested bond \$133,000 based on personal property and \$29,000 net real property. Court requires bond of \$146,300.
2. **Objections filed by Dora Villasenor on 04/27/17.**
3. ~Proposed form order: 05/02/17.

Petitioner 2 - Dora Villasenor, niece.

4. Petitioner seeks bond of \$6,000. Net value of estate is \$150,000 in real property only. Court requires bond of \$146,300.
5. Duties form does not indicate petitioner's phone number. **Need** same.
6. **Need** Notice to Petition to Administer Estate and Proof of Service [DE-121].
7. Petitioner is a nominee of 4 relatives; filed 05/04/17.
8. **Objections by Albert Jimenez filed on 09/05/17.**
9. ~Proposed form order: 04/26/17.

RECOMMENDATION:

Need to clear notes 5-6. Matter is contested. If approved, set future hearing for Accounting/Status Review on **03/07/19**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh/lc/ww/lh/lc)

Superior Court of Calif, County of San Bernardino

Page: 1A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/28/17 TIME: 8:29 DEPT: S36P

CASE#: PRO PS1700209

CASE NAME: ARTHUR LUNA

SEE ALSO 1, 1B

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH LIMITED AIAE

COUNSEL:

ALBERT A JIMENEZ

(PET)...LAMB & KAWAKAMI

ALBERT A JIMENEZ

(OBJ)...TOMOHIRO J KAGAMI

ARTHUR LUNA

(DEC)...

DORA L VILLASENOR

(PET)... JOHN R RAMOS

XREF: CONPS1700084 (*Arthur Martin Luna*)

See notes on matter 1.

Superior Court of Calif, County of San Bernardino

Page: 1B

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/28/17 TIME: 8:29 DEPT: S36P

CASE#: PRO PS1700209

CASE NAME: ARTHUR LUNA

SEE ALSO 1A, 1B

HEARING:

Readiness Calendar

COUNSEL:

ALBERT A JIMENEZ

(PET)...LAMB & KAWAKAMI

ALBERT A JIMENEZ

(OBJ)...TOMOHIRO J KAGAMI

ARTHUR LUNA

(DEC)...

DORA L VILLASENOR

(PET)... JOHN R RAMOS

XREF: CONPS1700084 (*Arthur Martin Luna*)

Readiness – No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 1C

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/28/17 TIME: 8:30 DEPT: S36P

CASE#: CON PS1500228

CASE NAME: CHARLOTTE K KNIGHT-UTTER

HEARING:

Readiness Calendar

COUNSEL:

CARY KNIGHT

CHARLOTTE K KNIGHT-UTTER

E JOAN NELMS

LINDA K GUYETTE

WRETHA KNIGHT

(FRANK O TETLEY

(CEE)...E JOAN NELMS

(PET)...E. JOAN NELMS

(PET)...MICHAEL C. MADDUX

(PET)...FRANK O TETLEY

Readiness – No notes – JTD

Future Hearing: 01/08/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601140

CASE NAME: MTR OF MARY BUDISALOVICH

HEARING:

Hearing Re: Proof of Bond/Issuance of Letters

COUNSEL:

CORINNA C SCHNEPF (PET)...PRO/PER
MARY BUDISALOVICH (DEC)...

GENERAL INFORMATION

Continued from 09/04/17. No appearance or docs filed. Corinna Schnepf ordered to appear.

Continued from 10/12/17 and 11/16/17. Administrator having difficulty obtaining bond.

THIS CASE SET FOR HEARING ON Proof of Bond/Issuance of Letters.

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

1. Corinna Schnepf, daughter, appointed administrator on 08/08/17, full authority \$100,000 bond.
2. **Need** bond in order for letters to issue.

RECOMMENDATION

Inquire status of bond.

(lc/lh/lc)

Future Hearing: 10/16/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700431

Vacated – reset per stip and order

CASE NAME: ANIL KUMAR TYAGI

HEARING:

Petition for DETERMINE TITLE TO REAL PROPERTY LOCATED AT 7415
VIA DELDENE HIGHLAND CALIFORNIA 92346 ETC

COUNSEL:

ANIL KUMAR TYAGI	(DEC)...
MICHAEL C MADDUX	(PET)...MICHAEL C MADDUX
MICHAEL C MADDUX	(SA)...MICHAEL C MADDUX
NILESH NYAGI	(MIN)...HORSPOOL & HORSPOOL
SYED SAJJAD HUSSAIN	(PET)...UGO HARRIS P. EJIKE, ESQ.

GARPS1700256 (*Nilesh Tyagi, child*); ***CIVDS1502449*** (*Hussain v Tyagi*) ***CIVDS1509580***
(*Hussain v Sharma*)

Future Hearing: 10/03/18 *Accounting Review*. 02/20/18 Petition to Determine Title
02/20/18 Petition to Determine Title locate at 7415 Via Deldene

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701024

CASE NAME: BETTY GREYDANUS

HEARING:

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

COUNSEL:

BETTY GREYDANUS	(DEC)...
LISA WILLIS	(PET)...ANDERSON & LEBLANC, A.P.L.C
RENA HUBER	(PET)...ANDERSON & LEBLANC, A.P.L.C

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Rena Huber and Lisa Willis, nieces.

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

1. All heirs waive bond. Net estate value is \$40,000 in personal property. Co-petitioner Rena is a non-resident and court may require bond as Rena resides outside California per and Pr. C. § 8571.
2. Petitioners are nominees of other heirs.
3. ~Proposed Form Order: 10/11/17.

RECOMMENDATION

RFA subject to Court's discretion re bond. If approved, set Accounting/Status Review for **03/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5A

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

DATE: 12/28/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701157

CASE NAME: ALFONSO SANCHEZ VILLA
HEARING: Hearing re: Petition for Probate of Will and Letters with
limited authority IAEA.

COUNSEL:

ALFONSO SANCHEZ VILLA (DEC)...
JOAQUIN RECIO (PET)...VELASCO LAW GROUP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with
Limited Authority under IAEA by Joaquin Recio, nephew-in-law/Trustee.

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

1. Will waives bond. Estate consists of \$449,450 in personal property.
2. The will conditionally incorporates decedent's Trust. **Need** a certification of trust that meets the requirements in Pr.C.§18100.5 and additionally includes a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? JTD
3. ~Proposed Form Order: 11/16/17.

RECOMMENDATION

Need to clear note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **03/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 12/28/17 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1500840

CASE NAME: MUSGROVE FAMILY TRUST

HEARING: FIRST Account and Report of BEVERLY RANDOLPH and Petition for allowance of fees filed.

COUNSEL:

BEVERLY RANDOLPH

(PET)...LIONHEART LEGAL

HERBERT MUSGROVE JR

(OBJ)...FRANK J PRAINITO

THE MUSGROVE FAMILY TRUST

(TRU)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st Trust Account Current and Petition for Allowance of Fees by ***De Facto Trustee Beverly Randolph***.

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

1. **NOTE:** court to clarify if an Accounting review should be set for co-trustee Herbert Musgrove. Jr.
2. Accounting period 06/26/10 – 10/28/16.
3. Assets on hand \$414,978.05 of which \$1,478.05 is cash, remainder real property.
4. Beverly seeks trustee fees of \$22,830 for services at \$30 per hour for an average of 10 hours a month. No itemization. JTD
5. Beverly seeks fees for caregiving services of \$158,880, reduced from \$211,840, for 8 hours a day at \$10 per hour. No Itemization. JTD
6. Beverly seeks reimbursement of attorney's fees paid of \$8,085 at \$125/300 per hour for paralegal and attorney services and costs of \$788. [Acct. 10/11/17 LFpg 95-97]. JTD
7. Beverly Randolph is daughter/co-Trustee and power of attorney for Geneva Musgrove; Trustor. Herbert Musgrove Jr. resigned as POA simultaneously at appointment as power of attorney.
8. Real property in Fontana was purchased by Beverly and her spouse in 2008; two years prior to Trustor's incapacity. Herbert Jr. allegedly accused Beverly for wrongful taking of funds to purchase said property.
9. Payments were made for Beverly's Fontana property when Geneva resided at the Fontana residence. Geneva allegedly lived alone at Fontana address prior to Geneva becoming incapacitated. Geneva moved into Beverly's home in 2015.
10. Beverly states that Trustor's tax preparer created "CBRAND, Inc." to provide liability protection for Geneva and Trust whereas Geneva's caregivers were paid directly

from CBRAND, Inc. and later dissolved as trust income was unable to cover Geneva's monthly expenses.

11. Beverly seeks reimbursement of expenses of \$31,408.02 to assist with Geneva's living expenses. [Acct. 10/11/17 LFpg 86]. JTD
12. Beverly seeks reimbursement of costs of \$33,816.68 for repairs and maintenance. [Acct. 10/11/17 LFpg 87-88]. JTD
13. **Need** notice of hearing and proof of service.
14. **Objections filed by Herbert Musgrove Jr on 12/15/17.**
15. No proposed order. Submit after hearing.

RECOMMENDATION

Need notice, Matter is contested. *If* court retains jurisdiction of trust set next Accounting review for **12/06/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 12/28/17 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1700209

CASE NAME: ARTHUR LUNA

SEE ALSO 2, 3

MOVED TO DEPT S36 – SEE PAGES 1, 1A, 1B

HEARING: Petition for LETTERS OF ADMINISTRATION W/LIMITED IAEA

COUNSEL:

ALBERT A JIMENEZ

(PET)...LAMB & KAWAKAMI

ALBERT A JIMENEZ

(OBJ)...TOMOHIRO J KAGAMI

ARTHUR LUNA

(DEC)...

DORA L VILLASENOR

(PET)... JOHN R RAMOS

XREF: CONPS1700084 (*Arthur Martin Luna*) **CIFDS1700033** (*Luna -V- Villasenor*)

GENERAL INFORMATION:

Letters of special administration issued to Albert Jimenez on 03/06/17, \$133,000.00 bond. Access to bank account only for funeral expenses from Rose Hills to Riverside, and to pay mortgage. Court advised Dora Villasenor to file written objections and competing petition no later than 04/04/17. **Walter Moore appointed GAL** for Arthur Luna.

Continued from **07/12/17**. Contested hearing will be set. Related action CONPS1700084 to be heard with this matter.

Continued from 09/06/17. Dora's petition will be dismissed next hearing if notes are not cleared.

Continued from 11/01/17. Court will require bond of \$146,300.

THIS CASE IS SET FOR HEARING ON

- Petition 1 - for Letters of Administration with **limited** authority under IAEA by **Albert Jimenez, nephew**.
- Petition 2 - for Letters of Administration with **limited** authority under IAEA by **Dora Villasenor, niece**.

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

Petitioner 1 - Albert Jimenez, nephew.

10. Requested bond \$133,000 based on personal property and \$29,000 net real property. Court requires bond of \$146,300.

11. **Objections filed by Dora Villasenor on 04/27/17.**

12. ~Proposed form order: 05/02/17.

Petitioner 2 - Dora Villasenor, niece.

13. Petitioner seeks bond of \$6,000. Net value of estate is \$150,000 in real property only. Court requires bond of \$146,300.
14. Duties form does not indicate petitioner's phone number. **Need** same.
15. **Need** Notice to Petition to Administer Estate and Proof of Service [DE-121].
16. Petitioner is a nominee of 4 relatives; filed 05/04/17.
17. **Objections by Albert Jimenez filed on 09/05/17.**
18. ~Proposed form order: 04/26/17.

RECOMMENDATION:

Need to clear notes 5-6. Matter is contested. If approved, set future hearing for Accounting/Status Review on **03/07/19**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh/lc/ww/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1700209

CASE NAME: ARTHUR LUNA

SEE ALSO 1, 3

MOVED TO DEPT S36 – SEE PAGES 1, 1A, 1B

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH LIMITED AIAE

COUNSEL:

ALBERT A JIMENEZ	(PET)...LAMB & KAWAKAMI
ALBERT A JIMENEZ	(OBJ)...TOMOHIRO J KAGAMI
ARTHUR LUNA	(DEC)...
DORA L VILLASENOR	(PET)... JOHN R RAMOS

XREF: CONPS1700084 (*Arthur Martin Luna*)

See notes on matter 1.

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1700209

CASE NAME: ARTHUR LUNA

SEE ALSO 1, 2

MOVED TO DEPT S36 – SEE PAGES 1, 1A, 1B

HEARING:

Readiness Calendar

COUNSEL:

ALBERT A JIMENEZ	(PET)...LAMB & KAWAKAMI
ALBERT A JIMENEZ	(OBJ)...TOMOHIRO J KAGAMI
ARTHUR LUNA	(DEC)...
DORA L VILLASENOR	(PET)... JOHN R RAMOS

XREF: CONPS1700084 (*Arthur Martin Luna*)

Readiness – No notes – JTD

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO DS1000887

CASE NAME: EBRAHIM NADER KHALILI

HEARING: PETITION FOR FINAL DISTRIBUTION AND WAIVER OF Account and Report of ILIONA O. KHALILI and Petition for allowance of fees filed.

COUNSEL:

CAL-EARTH, INC

CALIFORNIA INSTITUTE OF EARTH

DASTAN KHALILI

EBRAHIM NADER KHALILI

ILIONA O. KHALILI

SHEEFTEH KHALILI

(PET)...KEYSTONE LAW GROUP

(PET)...SHAWN S KERENDIAN

(PET)...SHAWN S KERENDIAN

(DEC)..

(PET)...MICHAEL F CREAMER

(RES)...KEYSTONE LAW GROUP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Iliona Khalili, spouse.

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

1. Petitioner is sole beneficiary per settlement agreement filed 09/29/15.
2. No statutory fee requests made.
3. **Need** Information required in report on waiver of account per and statements re status of property (i.e.: separate, community), taxes, notice per CRC§7.550 Pr.C. §§ 10954, 9202, proposed distribution and prayer per Pr.C. §1064.
4. Petition is not verified per Pr.C. § 1021. **Need** same.
5. **Need** notice of hearing and proof of service to prior special administrator Dastan Khalili and Counsel Shawn Kerendian.
6. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-5. If approved, set hearing on the filing of receipts and final discharge for **01/13/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300080

CASE NAME: GLENNON ZEHRT LIVING TRUST

SEE ALSO 6

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT/TRIAL SETTING CONF

COUNSEL:

CARLA ZEHRT	(OBJ)...RALPH K HEKM AN
GERI ZEHRT	(PET)...PRO/PER
GLNNON ZEHRT LIVING TRUST	(TRU)...

No notes – JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300080

CASE NAME: GLENNON ZEHRT LIVING TRUST

SEE ALSO 5

HEARING: Hearing Re: Petition for DETERMINING THE EXISTENCE OF TRUST

COUNSEL:

CARLA ZEHRT (OBJ)...RALPH K HEKM AN
GERI ZEHRT (PET)...PRO/PER
GLNNON ZEHRT LIVING TRUST (TRU)...

GENERAL INFORMATION

On 2/5/13, the court suspended the powers of Carla Zehrt except as to the power to close escrow. The court further ordered the escrow proceeds to be placed in Atty Linda Roberts-Ross' trust account

Continued from **3/27/13, 5/1/13, 8/7/13, 9/25/13, 10/30/13, 12/18/13, 4/21/14, 6/18/14, 8/20/14, 9/24/14, 11/24/14 and 5/18/15** at request of counsel. Court Trial vacated 4/23/15 and hearing re status of mediation also before the court 5/18/15.

Continued from **06/22/15** at request of counsel. Counsel state they believe case is settled. Notice waived.

Continued from **10/13/15 and 11/17/15** at request of counsel.

Continued from **01/07/16** Court notes that on 02/05/13, Carla Zehrt powers were suspended except as to the power to close escrow and ordered the escrow proceeds to be placed in attorney Linda Roberts-Ross' trust account. Court orders today that the funds in Linda Roberts-Ross' trust account be turned over to Ralph Hekman, to be placed in Ralph Hekman's trust account.

Continued from 3/1/16, 5/18/16, 08/01/16, 10/13/16, 12/15/16, 03/09/17, 05/25/17, 07/27/17 and 10/26/17 to file settlement agreement.

THIS CASE IS SET FOR HEARING ON Petition Determining Existence of Trust to remove Trustee based upon Breach of Fiduciary Duties, to Compel Trustee to Report to Beneficiaries and for Damages Resulting from Trustee's Breach

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

1. Petitioner, Geri Zehrt McCann, is a beneficiary under the Glennon Zehrt Living Trust dated 9/26/12. Petitioner believes that the principal administration of the Trust was Riverside County, California. The trustor died on 10/27/12 and since no Notice of Trust Administration was ever sent to petitioner after trustor's death as required under Pr.C. 16061, this petition is timely.

2. Petitioner alleges no copy of the Trust has been provided as required. Petitioner requests that this court make a determination of the existence of Glennon's Trust.
3. Petitioner asserts that the current Successor Trustee of the Trust, Carla Zehrt, has breached her fiduciary duties to the beneficiaries of the trust by the following acts/omissions:
 - a. Glennon's California Beach Club Timeshare is not being paid and is at a risk of loss.
 - b. Glennon's other California Beach Club Timeshare for October, 2012, was only paid on 1/11/13. Petitioner asserts there were sufficient funds to pay this obligation in a timely manner.
 - c. The Silver Lakes Vacation Club timeshare is likewise at risk if this estate is not properly administered.
 - d. The trustee has failed and refused to do what is necessary, to obtain death benefits owed to the estate from the California State Teacher's Retirement System (estimated value \$6,000).
 - e. The trustee has refused to reimburse petitioner for costs paid related to the memorial service for decedent which petitioner is informed and believes that is directed to be paid per terms of the trust.
 - f. Petitioner believes the trustee has refused to share information regarding the extent, nature and character of the trust estate assets despite requests by petitioner.
 - g. Petitioner alleges that the decedent intended his personal accounts to be included in the corpus of the trust, but instead, the trustee used coercion and/or undue influence on the decedent/trustor to leave those accounts to respondent as a joint tenant.
 - h. Petitioner is informed and believes that the trustee has received a post-death social security check which she has not returned and/or has converted to her own personal use.
 - i. Petitioner alleges the trustee set herself up to be paid \$1,500/month pre-death to provide "help" to the trustor, Glennon, which petitioner believes was not necessary and which was not needed as Glennon could manage himself very well with the exception of transportation.
 - j. Petitioner asserts Respondent was self-dealing from Glennon's accounts
 - k. Petitioner alleges trustee has failed to obtain death benefits owed to the estate from CALSTRS.
 - l. The trustee has refused to reimburse petitioner for costs paid related to the memorial service for decedent, as well as refused to share information regarding the character of the Trust estate assets.
 - m. Petitioner believes that the trustee has received post-death social security checks which she has not returned and/or has converted to her own personal use. In addition, petitioner believes the trustee set herself up to be paid the sum of \$1,500/month from the time she moved in to "help" Glennon during the last few months of his life. Petitioner contends this held was not needed.
4. Petitioner alleges Glennon's mobile home located in Yucaipa, CA has been sold and escrow scheduled to close 2/4/13, with the gross proceeds to be distributed (approx.. \$22,000) to the trustee/respondent. Petitioner requests an injunctive order

to prevent the sale proceeds from being distributed, wasted, and absconded with or being otherwise controlled by the trustee/respondent. Petitioner believes that she will suffer irreparable harm should the court not impose the requested mandatory injunction. Petitioner requests that the escrow company either be ordered to hold the funds or that such funds be held in trust by petitioner's attorney.

5. Petitioner requests that Carla Zehrt be removed as trustee of the Trust and that petitioner be substituted in her place and to provide an accounting.
6. Petitioner seeks damages for any breach of the Trustee's breach of fiduciary duty.
7. **Objections files by Carla Zehrt stating it's unnecessary and wasteful to change control of the estate at this time. Substitution of Attorney filed 4/3/14 making objector in pro per.**
8. Order Directing Linda Roberts to Transfer Sale Proceeds of Mobile Home to Ralph Hekman, to be placed in Ralph Hekman's trust account entered 3/1/16.

RECOMMENDATION:

Need settlement agreement.

(gls/sa/ds/gls/sa/gls/nb/lc/sa/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300979

CASE NAME: MTR OF IMOGENE J HAMILTON

SEE ALSO 7A

HEARING:

Petition for PRELIMINARY DISTRIBUTION

COUNSEL:

CONSTANCE L HAMILTON	(PET)...	WILLIAM R REMERY
IMOGENE J HAMILTON	(DEC)...	
INHERITANCE FUNDING COMPANY IN	(STEVEN D SCHROEDER	
LARRY E HAMILTON	(PET)...	GUAGENTI & DAMSKY
SYLVESTER HAMILTON JR	(TP)...	GEORGE M HALIMI

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Preliminary Distribution Pr.C. § 11620 by Larry Hamilton, son.

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

1. Letters Testamentary issued to Larry Hamilton, son on 10/27/15 and again on 03/14/16; full authority \$744,100 bond.
2. Executor seeks preliminary distribution of \$100,000 to each of the 6 heirs, subject to their previous assignments of interest. Inventory and Appraisal indicates \$798,396.80 in assets. See next note.
3. **NOTE:** there does not appear to be an accounting review set for administration.

RECOMMENDATION

Court's discretion. Set Accounting review for **07/26/18**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 7A ADD ON

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300979

CASE NAME: MTR OF IMOGENE J HAMILTON

SEE ALSO 7

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

COUNSEL:

CONSTANCE L HAMILTON	(PET)...WILLIAM R REMERY
IMOGENE J HAMILTON	(DEC)...
LARRY E HAMILTON	(PET)...GUAGENTI & DAMSKY
SYLVESTER HAMILTON JR	(TP)...GEORGE M HALIMI

Continued from 12/13/17 for additional bond and beneficiary request to purchase property. Broker to be present and 10% deposit at next hearing.

Address 1044 N. Turner Avenue, #208, Ontario, CA 91764
APN 0210-432-24-0000

Appraised value \$330,000.00

Sale price \$320,000.00

Deposit \$9,600, **insufficient**. Deposit of 10% of \$32,000 is required absent special circumstances per local rule 20-807(a).

Commission **Need verified supplement** clarifying terms of contract for commission entered into with Evelyn Arnold, Excellence Realty.

Additional bond Petitioner states \$744,100.00 bond is sufficient.

Reason for sale Expenses of administration

Exposure to market MLS (Multiple Listing Service), marketing and advertising.

Notice **Need** notice to agent Evelyn Arnold/

~Proposed Form Order: 10/18/17

(lh/lc

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.

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500577
CASE NAME: MICHAEL L GURULE

SEE ALSO 9

HEARING: Petition for ORDR DETERMINING INTEREST IN PROPERTY &
DIRECTING TRANSFER TO REAL PROPERTY ETC

COUNSEL:

CALIFORNIA VICTIM COMPENSATION	(TP)...PRO/PER
GREGORIA PERALTA	(PET)...MARK J. ANDREW FLORY
MICHAEL L GURULE	(DEC)...
PAUL MCINTOSH	(PET)...JAMES B CHURCH

GENERAL INFORMATION

Continued from **07/07/16**. Attorney Church to file written objections.

Continued from 10/11/16 by stipulation. Written objections to be filed today.

Continued from 01/10/17, 03/01/17, 04/27/17, 06/29/17 and 10/05/17. Settlement to be filed.

THIS CASE SET FOR HEARING ON Petition for order Determining Interest in Property and Directing Transfer of Real and Personal property Pr.C. § 850.

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

1. Petitioner, Gregoria Peralta, alleged that she is the surviving girlfriend of decedent.
2. Petitioner requests an order determining that petitioner is entitled real property located at 827 Herald St., Redlands, CA and 1415 Orange St., Redlands, CA. She also seeks the same order regarding the decedent's 2003 Ford Focus and 1957 Ford Fairlane.
3. Petitioner alleges that at the time of death, decedent was holder of title to the real property that petitioner has an interest in. Petitioner alleges that she and the decedent shared income and expenses as a family unit. Although they were not married, they lived as a married couple would. They made mutual promises to care for each other for the rest of their lives.
4. Petitioner alleges that based on her belief that she jointly owned the aforementioned property; she contributed her income to its maintenance.
5. Petitioner contends that she had an enforceable oral property agreement under *Marvin v. Marvin* (1976)18 Cal.3d 660. Petitioner contends that a Marvin support agreement is enforceable against the estate. *Byrne v Laura* (1997) 52 Cal.App.4th 1054, 1064 ("A Marvin agreement is enforceable against an estate when one of the

parties to the agreement dies...”). See also Estate of Fincher (1981) 119 Cal.App.3d 343, 348-350.

6. **Objections filed 10/11/16 by Personal Representative/Objector, Paul McIntosh.**
7. **Need settlement agreement.**

RECOMMENDATION

Need settlement.

(lc/oc/nb/lc)

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500577

CASE NAME: MICHAEL L GURULE

SEE ALSO 8

HEARING: FIRST Account and Report of PAUL MCINTOSH and Petition for allowance of fees filed.

COUNSEL:

CALIFORNIA VICTIM COMPENSATION	(TP)...PRO/PER
GREGORIA PERALTA	(PET)...MARK J. ANDREW FLORY
MICHAEL L GURULE	(DEC)...
PAUL MCINTOSH	(PET)...JAMES B CHURCH

GENERAL INFORMATION

Continued from 04/27/17 and 06/29/17. Settlement agreement to be filed.

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for its Settlement by Paul McIntosh, son-in-law.

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

1. Accounting period 05/09/15 – 10/31/16.
2. Assets on hand \$115,044.96.
3. Personal representative requests an additional 6 months to close the estate.
4. Proposed Order: 02/10/17; however, need accounting period and assets on hand. Submit order after hearing.
5. Declaration filed by Victim's Compensation Board indicating Robin Gurule, son/heir, owes \$9,976.86. It appears that this amount would be against Robin's distribution at the time of final account/distribution.
6. **Need** notice of hearing and proof of service to Victim Compensation Board who requested special notice.
7. **Need** settlement agreement.

RECOMMENDATION

Need notice and settlement. If approved, set Accounting/Status Review for **04/19/17**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500799

Vacated

CASE NAME: NONA JUNE KELLY

HEARING:
Accounting Review

COUNSEL:
NONA JUNE KELLY (DEC)...
RONALD E KELLY (PET)...PRO/PER

(lc)

Future hearing dates: 02/14/18 Status Report.

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600387

CASE NAME: MTR OF MARK G H EAGLETON

HEARING:

Hearing Re: FILING OF INVENTORY AND APPRAISAL

COUNSEL:

ABIGAIL EAGLETON	(PET)...DIANA J CARLONI
MARK G H EAGLETON	(DEC)..
SUMMIT	(TP)...THOMAS W DOMINICK

XREF CIVDS1700232 (Summit Valley V Eagleton) & CIVDS1700233 (Sycip V Eagleton)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Filing of Inventory and Appraisal.

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

1. Letters Testamentary issued to Abigail Eagleton, spouse, on 06/16/16, limited authority, no bond.
2. Partial Inventory and Appraisal filed 12/11/17. However, section 3 indicates "all" of the estate. Court to clarify if partial shall be deemed as final.

RECOMMENDATION

Court's discretion re note 2.

(lc)

Future Hearing: 02/22/18 *Accounting Review.*

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600569

CASE NAME: MTR OF LILLIAN R FARRIS

SEE ALSO 13

HEARING: Petition for appointment of Successor Personal Representative
and issuance of letters of admin. w/w/annexed

COUNSEL:

BENJAMIN D FARRIS (PET)...FULLERTON LEMANN SCHAEFER & DO
LILLIAN R FARRIS (DEC)...
MARY ELLA FARRIS (PET)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Successor Personal representative and Issuance of Letters of Administration WWA by Benjamin Farris, son/successor Trustee.

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

1. Letters Testamentary issued to Mary Farris, executor, on 08/22/16; full authority, no bond. Mary died on 10/26/17. Letters of special administration issued to petitioner Benjamin Farris on 12/01/17.
2. All heirs waive bond and nominate petitioner.
3. Petition is not on mandatory judicial council form. Petition and notice for successor must be made in same matter as initial appointment; except for publication. See Rutters Group 14:508.1 and CEB § 7.102. **Need** same.
4. Duties form does not include phone number. **Need** same.
5. **Need** proposed mandatory judicial council form order.
6. **Need** Notice to Petition to Administer Estate and proof of service.
7. Need proposed order on mandatory form.

RECOMMENDATION

Need to clear notes 3-6. If approved, set Accounting/Status Review for **03/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600569

CASE NAME: MTR OF LILLIAN R FARRIS

SEE ALSO 12

HEARING:

Accounting Review

COUNSEL:

BENJAMIN D FARRIS	(PET)...FULLERTON LEMANN SCHAEFER & DO
LILLIAN R FARRIS	(DEC)...
MARY ELLA FARRIS	(PET)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION

Continued from 10/04/17.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Mary Farris, executor, on 08/22/16; full authority, no bond. Mary died on 10/26/17.
2. **Need** final Inventory and Appraisal
3. **Need** accounting or status report. Court may wish to require counsel to file accounting for deceased executor per Pr.C. § 10953(c).
4. Timely filed Creditor's Claim filed by petitioner on 11/28/16 re funeral expenses does not appear to have been forwarded to the examiners for review. **Need** allowance or rejection form in order to preapprove.

RECOMMENDATION

Inquire status of Inventory and Appraisal and accounting.

(lc/lh/lc)

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601117

CASE NAME: PAUL J PRESHAW

HEARING: FIRST & FINAL Account and Report of KATHLEEN M PRESHAW and
Petition for allowance of fees filed.

COUNSEL:

KATHLEEN M PRESHAW (PET)...BARBARA J DIBBLE
PAUL J PRESHAW (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Kathleen Preshaw, daughter-in-law.

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

1. Assets on hand \$151,422.40 in cash and personal property.
2. Both heirs, Paul and Vicki Preshaw, waive accounting.
3. Administrator waives statutory compensation.
4. Administrator seeks court confirm preliminary distributions of \$10,000 each made to each heir; receipts attached. A personal representative may only preliminary distribute personal property per Pr.C. § 10520; if it is pecuniary per terms of a will under \$10,000 and/or personal property under \$50,000. There is no will. However, the estate/creditors do not appear to have suffered harm. JTD
5. Attorney seeks statutory fees of \$10,499.27.
6. No proposed order. Submit after hearing.

RECOMMENDATION

RFA subject to note 4. If approved, set hearing on the filing of receipts and final discharge for **01/03/19**.

(lc)

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700900

CASE NAME: MTR OF ALFRED R BURGOS

HEARING:

Spousal Property Petition hearing.

COUNSEL:

ALFRED R BURGOS (DEC)...
ANITA BURGOS (PET)...SUZANNE M GRAVES

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Anita Burgos.

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

1. Petitioner seeks court confirm her half of community property. However, it does not appear petitioner is seeking determination of decedent's half of community property as section 1 and 7a are not checked. **Need** verified supplement.
2. Petitioner does not set forth date of marriage, when property was acquired, or how purchased [separate/community funds]. **Need** verified supplement.
3. No proposed order.

RECOMMENDATION

Need to clear notes 1-2.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701127

CASE NAME: MTR OF VICTOR SHUNG-MING KUO

HEARING:

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

COUNSEL:

DANNY KUO (PET)...LAW OFFICE OF MATTHEW C. YU
VICTOR SHUNG-MING KUO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Danny Kuo, son.

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

1. Sole beneficiary, spouse Chin Ting, waives bond. Estate consists of \$600,000 in personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Will is holographic. **Need** proof of holographic instrument.
3. ~Proposed Form Order: 11/02/17.

RECOMMENDATION

RFA subject to note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **03/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701137

CASE NAME: WINSTON TUCK LOOMIS

HEARING:

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

COUNSEL:

WILLIAM M. LOOMIS (PET)...LAW OFFICE OF SOLOMON A. CHEIF
WINSTON TUCK LOOMIS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by William Loomis, son/Trustee.

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

1. Will waives bond. Estate consists of real property of \$540,000. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. The will conditionally incorporates decedent's Trust. **Need** a certification of trust that meets the requirements in Pr.C.§18100.5 and additionally includes a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? JTD
4. **Need** proof of publication
5. ~Proposed Form Order: 11/13/17.

RECOMMENDATION

Need to clear notes 2-4, Court's discretion re bond. If approved, set Accounting/Status Review for **03/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701157

CASE NAME: ALFONSO SANCHEZ VILLA

HEARING: Hearing re: Petition for Probate of Will and Letters with
limited authority IAEA.

COUNSEL:

ALFONSO SANCHEZ VILLA (DEC)...
JOAQUIN RECIO (PET)...VELASCO LAW GROUP

Moved to Department 36.

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

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701159

CASE NAME: RAYMOND JERRY MICHAEL

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

COUNSEL:

RAYMOND JERRY MICHAEL (DEC)...
ROBERT A WHEET (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Robert Wheet, cohabitant.

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

1. Petitioner states all heirs waive bond. However, no bond waiver by nephew who
appears to be sole heir; **need** waiver. Estate consists of \$250,000 in real property.
Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** Notice to Petition to Administer Estate and proof of service to nephew Robert
Char.
3. **Need** proof of publication.
4. Letter attached to petition regarding petitioner as decedent's companion; however,
there is nothing indicating there is a will and/or assignment of interest.
5. Nephew Robert Char [allegedly incarcerated] and Public Administrator have higher
priority; however, no objections filed at time of review.
6. ~Proposed Form Order: 11/16/17.

RECOMMENDATION

Need to clear notes 1-3. If approved, set Accounting/Status Review for **03/07/19**. Any
accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule
20-908.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

DATE: 12/28/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701180

CASE NAME: DORIS GILMOUR

HEARING:

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

COUNSEL:

DORIS GILMOUR

(DEC)...

RHONDA LYNN MERRILL

(PET)...FULLERTON LEMANN SCHAEFER &

GENERAL INFORMATION

Letters of special administration issued to Rhoda Merrill on 11/29/17.

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

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

1. All heirs waive bond. Net estate value is \$60,000 in real property. Court for good
cause could require bond per Pr.C. § 8481(b).
2. Petitioner is nominated by the other two children.
3. ~Proposed Form Order: 11/22/17.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **03/07/19**.
Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of
local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 21

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTION

DATE: 12/28/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1701128

CASE NAME: MTR OF ANDREW LARA-VASQUEZ

HEARING:

Petition for to Establish & Fund a SNT for Andrew Lara-Vasquez
for payment of atty's fees & costs

COUNSEL:

ANDREW LARA-VASQUEZ (INC)...

ERNESTO VASQUEZ (PET)...DENNIS M. SANDOVAL, A PROFESSI

ROSALINDA LARA (PET)...DENNIS M. SANDOVAL, A PROFESSI

Currently under review by legal research.

30 days' notice filed.

Superior Court of Calif, County of San Bernardino

Page: 21A ADD ON

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

DATE: 12/28/17 TIME: 9:30 DEPT: S37P

CASE#: CIF DS1700138

CASE NAME: ARROWAY VS ARROWAY

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

ADULT PROTECTIVE SERVICES (PET)...PRO/PER
NELSON ARROWAY (PP)...PRO/PER
RONLAD ARROWAY (RP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Ronald Arroway, son/respondent, served on 12/08/17.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 21B ADD ON

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

DATE: 12/28/17 TIME: 9:30 DEPT: S37P

CASE#: CIF DS1700139

CASE NAME: COLVIN VS LOPEZ INGEZ

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

EDDIEBERTO LOPEZ INGEZ (RP)...
SANTA COLVIN (PP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Need proof of service for Eddieberto Lopez Ingez, granddaughters boyfriend. Minute order states sheriff will serve.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 12/28/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600378

CASE NAME: JEREMY GLEN BRAUKER

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of GAIL ANNETTE BRAUKER

COUNSEL:

GAIL ANNETTE BRAUKER (PET)...PRO/PER
GLEN ARTHUR BRAUKER (PET)...PRO/PER
JEREMY GLEN BRAUKER (CTP)...SHERRI L KASTILAHN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Gail & Glen Brauker, parents, appointed conservators of the person only on 05/25/17.
2. Notification of Conservatee's rights filed 07/14/17. However, proof of service does not indicate copy of order filed [section 5]. **Need** corrected proof of service.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 07/14/17

RECOMMENDATION

Need to clear note 2.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700027

CASE NAME: ABIGAIL PINTO

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of GLORIA ROSALES HIDALGO

COUNSEL:

ABIGAIL PINTO (CEE)...WALTER T. MOORE
GLORIA ROSALES HIDALGO (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Gloria Hidalgo, mother, appointed **limited** conservator of the person only on 05/25/17.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 12/15/17.
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.

RECOMMENDATION

Need to clear notes 3-4.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700338

Vacated

CASE NAME: MTR OF VICTOR OLIVARES, JR

SEE ALSO 25

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

ORFELINDA OLIVARES (CPE)...LAW OFFICE OF JOHN R RAMOS
VICTOR OLIVAREZS JR (CEP)...CANDICE A GARCIA-RODRIGO

Bond posted, temporary letters issued.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/28/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700338

CASE NAME: MTR OF VICTOR OLIVARES, JR

SEE ALSO 24

HEARING: Petition for Appointment of Conservator

COUNSEL:

ORFELINDA OLIVARES (CPE)...LAW OFFICE OF JOHN R RAMOS
VICTOR OLIVAREZS JR (CEP)...CANDICE A GARCIA-RODRIGO

GENERAL INFORMATION

Ex parte orders denied on 09/11/17. Candice Garcia-Rodrigo appointed counsel . Referred to Court Investigator.

Continued from 10/26/17. *Interpreter* Orfelinda Olivares appointed temporary Conservator, \$50,000 bond. Court's tentative decision is to deny conservatorship as parties have not cooperated with Court Investigator. Proposed conservatee present.

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

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

1. Petitioner seeks bond of \$50,000. Suggested bond \$65,000 per bond calculation.
2. Petitioner seeks medical powers. **Need** Capacity Declaration.
3. **Need** Court Investigator report.
4. Report of Counsel Candice Garcia-Rodrigo filed 10/25/17 & 11/06/17.
5. Certificate of Completion of the Conservatorship Training Class filed 11/02/17.
6. Proposed conservatee appeared on 10/26/17.
7. ~Proposed Form Order: 09/11/17

RECOMMENDATION

Need to clear notes 2-3. If approved, set hearing for Compliance Review for **08/02/18** for the filing of the required documents and hearing re Accounting Review for **03/07/19**. Any accounting to be filed 30 days in advance.

(lh/lc)

Superior Court of Calif, County of San Bernardino

Page: 26 ADD ON

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

DATE: 12/28/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700367

Vacated

CASE NAME: GARY M MAJINSKI

HEARING:
Hearing Re: RECEIPT OF BOND

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

Bond posted and letters issued.

Future Hearing:
07/05/18 Compliance review hearing
02/07/19 *Accounting Review.*