



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 01/17/18

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.

12/19/17lh; 01/11/18lh

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

GUARDIANSHIPS

DATE: 01/17/18 TIME: 8:30 DEPT: S35G

CASE#: GAR PS1700273

CASE NAME: LEANNA MAE WILSON

SEE ALSO 2

VACATED

HEARING:

Petition for Ntc of Custody Proceedings for Indian Child

COUNSEL:

CLAUDIA ORANTES

(GP)...PRO/PER

LEANNA MAE WILSON

(MIN)...PRO/PER

ODESBAH ARVISO PERKINS

(PET/OBJ)...PRO/PER

Waiver of Court Fees and Costs filed by LEANNA MAE WILSON is GRANTED

Waiver of Court Fees and Costs filed by ODESBAH ARVISO PERKINS is GRANTED

See notes on next matter #2.

Superior Court of Calif, County of San Bernardino

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

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700273

CASE NAME: LEANNA MAE WILSON

SEE ALSO 1

HEARING:

Petition for Appointment of Guardian of the Person filed by
Odesbah Arviso Perkins

COUNSEL:

CLAUDIA ORANTES	(GP)...PRO/PER
LEANNA MAE WILSON	(MIN)...PRO/PER
ODESBAH ARVISO PERKINS	(PET/OBJ)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON [Competing] Petition for Appointment of Guardian, person only, by Odesbah Perkins (pgm/nominee), minor Leanna Wilson (2)

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

1. Mother is deceased.
2. Need Notice of Hearing and proof of mailed service as to Franklin Wilson II (pgf), Claudia Orantes (mgm) and unknown maternal grandfather, or file Due Diligence Declaration(s).
3. Nomination, Consent and Waiver of Notice signed by Franklin Wilson (father).
4. Confidential Screening Form filed 12/11/17. See Attachment 3.
5. Clerk of the Court mailed copies of the Notice of Child Custody Proceeding for Indian Child along with a copy of petition and other required documents per Pr.C. §1460.2(5).
 - a. Return of certified mail receipt from Colorado River Indian Tribe filed 12/29/17.
 - b. **Need return of signed certified mail receipts from Navajo Nation and Franklin Arviso Wilson (father)**
6. No response is filed by the Indian Tribe or Bureau of Indian Affairs at the time of the review of the file. If a response is filed, the court must proceed as if the child is an Indian child and direct the appropriate individual or agency to provide active efforts under rule 5.484(c) to secure tribal membership for the child. If no response is filed within 60 days after receiving that notice, then the court may determine that the Indian Child Welfare Act does not apply to the proceedings, provided that the court

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.

must reverse its determination of the inapplicability of the act and must apply it prospectively if a tribe or the Bureau of Indian Affairs subsequently confirms that the child is an Indian child.

7. Minor is of Indian Ancestry according to Indian Child Inquiry Attachment. **Need** ICWA-20 form, Parental Notification of Indian Status.
8. If a Court Investigator and/or DCFS is appointed, then the investigator must consult with the Indian child's tribe per Pr.C.§1513(h).
9. **Competing Petition #1 by Claudia Orantes filed 05/27/17. Minutes from hearing on 01/11/18 not available as of review.**
10. ~Proposed Order: 12/11/17

RECOMMENDATION

Matter is contested.

Need to clear notes 5-8.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700410

CASE NAME: MTR OF JOSEPH OMAR ESTRADA, ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SUSAN MARIE MINDIOLA (GP)...PRO/PER
JOSEPH OMAR ESTRADA (MIN)...
ISMAEL FREDDY ESTRADA (MIN)...
LAILA MARIE ESTRADA (MIN)...

XREF: GARPS1600098 MTR OF JOSEPH ESTRADA ET AL

GENERAL INFORMATION

Ex parte orders granted on 08/09/17. Susan Mindiola appointed Temporary Guardian of the person.

Continued from 09/13/17. Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Susan Mindiola (mgm), minors Joseph (9), Ismael (7), Laila (4)

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

1. **Need** Notice of Hearing and Proof of Personal Service as to Omar Estrade (father) and Desiree Saucedo (mother).
2. **Need** Notice of Hearing and proof of mailed service as to Omar Estrada, Sr., and Alicia Estrada, paternal grandparents.
3. Petition for guardianship as to minors was previously dismissed 08/18/16. See x-ref matter GARPS1600098.
4. See Confidential Screening Form filed 08/03/17.
5. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b).
6. Petitioner seeks power to apply for an receive any public benefits, social security & SSI benefits the minor children may be entitled to receive. Recommend order reflect that if accumulated principal exceeds \$15,000 on account, Petitioner to file for estate powers as PC 2628(a)(1) will require an accounting.

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.

7. **Need CI report.**
8. ~Proposed form order: 08/03/17

RECOMMENDATION

Need to clear notes 1-2, & 7, then Court's discretion.
(lh)

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

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700420

CASE NAME: OLIVIA JOLENE REED

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

BARBARA REED (PET)...PRO/PER
OLIVIA JOLENE REED (MIN)...
GAYLE REED (MOT)...PRO/PER

GENERAL INFORMATION

Ex parte orders granted. Barbara Reed appointed Temporary Guardian of the person. Mother Gayle Reed personally present in Court with temporary petition. Mother objects to guardianship. Mother to file written objections by 4PM on 10/03/17. If objections are not filed, they will be deemed waived permanently.

Continued from 09/13/17. Court dispenses with notice to father, mother and paternal grandfather. Referred to Court Investigator for investigation and report. Referred to Family Court Services.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Barbara Reed (mgm), minor Olivia (13)

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

1. Proof of Personal Service of Notice as to minor Olivia filed 09/11/17; however, only 5 days' notice given. **Need proper service** to include at least 15 days' notice per Pr. C. §1511.
2. **CI report filed 01/08/18.**
3. **FCS report filed 10/27/17.**
4. **Objection by Gayle Reed (mother) filed 10/02/17.**
5. ~Proposed form Order: 08/08/17

RECOMMENDATION

Matter is contested.

Need to clear note#1.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700521

CASE NAME: JAIME & ETURIEL CARRILLO CARRILLO

SEE ALSO 6 7

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JAIME CARRILLO CARRILLO (PET)...PRO/PER

ETURIEL CARRILLO CARRILLO (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Jaime and Eturiel Carillo, former minors, to appoint Alfred Perez (non-relative).

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

1. **Petition is superseded by Amended Petition filed 12/19/17 set for hearing on 01/31/18. Court to trail matter to 01/31/18.**

RECOMMENDATION

Matter is moot. Court to trail to 01/31/18

(lh)

Future hearing date: 01/31/18 Amended Petition for Guardianship by Jaime and Eturiel Carrillo to appoint Alfonso Muro

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

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700521

CASE NAME: JAIME & ETURIEL CARRILLO CARRILLO

SEE ALSO 5 7

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

JAIME CARRILLO CARRILLO (PET)...PRO/PER

ETURIEL CARRILLO CARRILLO (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status (former minor: Jaime Carrillo, age 20)

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

1. Jaime Carrillo, former minor age 20, requests that the court issue an order finding that minor is eligible for special immigrant juvenile status under the Special Immigrant Juvenile Status Statute (SIJS), 8 U.S.C., § 1101(a)(27)(J), which provides in relevant part as follows:
 - a. "The term 'special immigrant' means ... an immigrant who is present in the U.S. –
 - i. who has been declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law;
 - ii. for whom it has been determined in administrative or judicial proceedings that it would not be in the alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; and
 - iii. in whose case the Secretary of Homeland Security consents to the grant of special immigrant juvenile status..."

2. The specific findings required under the statutory scheme would be: (1) that petitioner is an immigrant placed under the custody of an individual appointed by a state court (probate guardianship); (2) that petitioner's reunification with one or both parents is not viable due to abandonment; and (3) it is not in the petitioner's best interest to be returned to his/her home country.
3. Once the above findings are made, petitioner may then begin the process with the Bureau of Citizenship and Immigration Services to obtain legal permanent residence status. In other words, the findings requested are a prerequisite to filing a petition for a "green card."
4. State Superior Courts have jurisdiction to make factual findings of eligibility under SIJS See *N.O. v. Super. Ct. of Calif.*, County of Alameda, No. A122430 at 2-3 (Cal. Ct. App. 9/25/08). Thus, under the federal legislation, any superior court judge would have jurisdiction to hear the SIJS petition
5. Petitioner Jaime Carrillo offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Former minor was born on 12/11/97, in Guatemala and lived there with minor's parents until December, 2014.
 - b. Minor was abused and neglected by minor's parents. Minor was forced to work in fields from the age of 12 to support family. His father was an alcoholic and physically abused minor and other family members.
 - c. Minor was forced to move to the United States to escape ongoing abuse and gang recruitment.
 - d. Minor does not believe he can return to his parents because his parents are physically abusive, will have nowhere else to go, and risks dangerous of force gang recruitment.
6. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
7. **Need notice to parents, paternal grandfather, maternal grandmother and siblings.**

RECOMMENDATION

Court to trail matter to 01/31/18 to be heard with Amended Petition for Guardianship.

Need notice. Court to reach only if petition for guardianship is first granted. Court's discretion re factual findings that would support this petition.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700521

CASE NAME: JAIME & ETURIEL CARRILLO CARRILLO

SEE ALSO 5 6

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

JAIME CARRILLO CARRILLO (PET)...PRO/PER

ETURIEL CARRILLO CARRILLO (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status (former minor: Eturiel Carrillo, age 18)

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

1. Eturiel Carrillo, former minor age 18, requests that the court issue an order finding that minor is eligible for special immigrant juvenile status under the Special Immigrant Juvenile Status Statute (SIJS), 8 U.S.C., § 1101(a)(27)(J), which provides in relevant part as follows:
 - a. "The term 'special immigrant' means ... an immigrant who is present in the U.S. –
 - i. who has been declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law;
 - ii. for whom it has been determined in administrative or judicial proceedings that it would not be in the alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; and
 - iii. in whose case the Secretary of Homeland Security consents to the grant of special immigrant juvenile status..."

2. The specific findings required under the statutory scheme would be: (1) that petitioner is an immigrant placed under the custody of an individual appointed by a state court (probate guardianship); (2) that petitioner's reunification with one or both parents is not viable due to abandonment; and (3) it is not in the petitioner's best interest to be returned to his/her home country.
3. Once the above findings are made, petitioner may then begin the process with the Bureau of Citizenship and Immigration Services to obtain legal permanent residence status. In other words, the findings requested are a prerequisite to filing a petition for a "green card."
4. State Superior Courts have jurisdiction to make factual findings of eligibility under SIJS See *N.O. v. Super. Ct. of Calif.*, County of Alameda, No. A122430 at 2-3 (Cal. Ct. App. 9/25/08). Thus, under the federal legislation, any superior court judge would have jurisdiction to hear the SIJS petition
5. Petitioner Eturiel Carrillo offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Former minor was born on 09/18/66 in Guatemala and lived there with minor's parents until June, 2016.
 - b. Minor was abused and neglected by minor's parents. Minor was forced to work in fields from the age of 12 to support family. His father was an alcoholic and physically abused minor and other family members.
 - c. Minor was forced to move to the United States to escape ongoing abuse and gang recruitment.
 - d. Minor does not believe he can return to his parents because his parents are physically abusive, will have nowhere else to go, and risks dangerous of force gang recruitment.
8. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
9. **Need notice to parents, paternal grandfather, maternal grandmother and siblings.**

RECOMMENDATION

Court to trail matter to 01/31/18 to be heard with Amended Petition for Guardianship.

Need notice. Court to reach only if petition for guardianship is first granted. Court's discretion re factual findings that would support this petition.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS1300331

CASE NAME: Kimberly A. Robert et al

VACATED

SEE ALSO 8A 8B 8C

HEARING:

Readiness Calendar

COUNSEL:

ANTONIA AVILA	(PG)...PRO/PER
KIMBERLY A ROBERT	(MIN)...
EZMERALDA I MORALES	(MIN)...
VICTORIA AVILA	(MIN)...
MARIA FELIX CRUZ-HERRERA	(PG)...PRO/PER
JOHN PATRICK ROBERT	(GP)...JAMES E NEWNHAM
DAWN ELAINE ROBERT	(PET)...JAMES E NEWNHAM
LAURA AVILA	(PET)...PRO/PER
BRIAN J ROBERT	(FAT)...PRO/PER

Waiver of Court Fees and Costs filed by DAWN ELAINE ROBERT is GRANTED

Waiver of Court Fees and Costs filed by MARIA FELIX CRUZ-HERRERA is GRANTED

No notes—readiness

Superior Court of Calif, County of San Bernardino

Page: 8A add-on

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

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS1300331

CASE NAME: Kimberly A. Robert et al

SEE ALSO 8 8B 8C

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

ANTONIA AVILA	(PG)...PRO/PER
KIMBERLY A ROBERT	(MIN)...
EZMERALDA I MORALES	(MIN)...
VICTORIA AVILA	(MIN)...
MARIA FELIX CRUZ-HERRERA	(PG)...PRO/PER
JOHN PATRICK ROBERT	(GP)...JAMES E NEWNHAM
DAWN ELAINE ROBERT	(PET)...JAMES E NEWNHAM
LAURA AVILA	(PET)...PRO/PER
BRIAN J ROBERT	(FAT)...PRO/PER

Waiver of Court Fees and Costs filed by DAWN ELAINE ROBERT is GRANTED

Waiver of Court Fees and Costs filed by MARIA FELIX CRUZ-HERRERA is GRANTED

TSC—no notes—JTD

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

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS1300331

CASE NAME: Kimberly A. Robert et al
SEE ALSO 8 8A 8C
HEARING:
Hearing Re: PETITION FOR GUARDIANSHIP

COUNSEL:

ANTONIA AVILA	(PG)...PRO/PER
KIMBERLY A ROBERT	(MIN)...
EZMERALDA I MORALES	(MIN)...
VICTORIA AVILA	(MIN)...
MARIA FELIX CRUZ-HERRERA	(PG)...PRO/PER
JOHN PATRICK ROBERT	(GP)...JAMES E NEWNHAM
DAWN ELAINE ROBERT	(PET)...JAMES E NEWNHAM
LAURA AVILA	(PET)...PRO/PER
BRIAN J ROBERT	(FAT)...PRO/PER

GENERAL INFORMATION:

Continued from **07/26/16**. Mother does not object to appointment of Dawn Robert as appointed guardian. Antonia Avila does object to appointment of Dawn Robert as co-guardian. Court directed written objections to be filed by 08/30/16. Court appoints attorney Jack Osborn for the father.

Continued from **09/13/16** Mother states she objects to the Petition; mother to file objections in writing by October 14, 2016.

Continued from **11/16/16**. Mark Flory indicates that Brian Robert (father of the Robert minors) does not object to petition to make Dawn Robert co-guardian. Laura Avila (mother), to file proof of service as to her objections. Court clears probate note 4 re: father's consent. Petitioners indicate no siblings 12 years or older. Paternal Grandfather waives notice - note 1 clear. Petitioner to prepare and file proof of service to Maternal Grandfather. . Referred to CI

Continued from 03/02/17 to allow time for CI to prepare CI Report.

Continued from 05/17/17. Matter is contested. Trial estimate two afternoons. Court made pretrial orders.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Co-Guardian, person only, by Dawn Roberts (PGM), as to minor Kimberly age 10 only

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

1. Order appointing John P. Robert (PGF) guardian of the person, entered on 01/15/14; this petition filed 06/14/16 to add Dawn Robert (PGM) as co-guardian, mother objects.
2. Notice of Hearing and proof of mailed service filed on 07/15/16 as to Laura Avila (mother) and Brian Robert (father); notice was not proper but both have appeared. Father has consented and Mother has objected. JTD
3. Due Diligence Declaration filed as to Manuel Avila (MGF), filed 01/11/17 – JTD.
4. **CI Report filed 05/10/17.**
5. **Objections filed 10/14/16 by mother, Laura Avila. Need proof of service.**
6. ~Proposed Form Order/Letters 06/14/16.

RECOMMENDATION:

Contested matter

(nb/lh/cs)

Superior Court of Calif, County of San Bernardino
Page: 8C add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS1300331

CASE NAME: Kimberly A. Robert et al
SEE ALSO 8 8A 8C
HEARING:
Hearing Re: PETITION FOR MODIFICATION OF VISITATION ORDERS

COUNSEL:

ANTONIA AVILA	(PG)...PRO/PER
KIMBERLY A ROBERT	(MIN)...
EZMERALDA I MORALES	(MIN)...
VICTORIA AVILA	(MIN)...
MARIA FELIX CRUZ-HERRERA	(PG)...PRO/PER
JOHN PATRICK ROBERT	(GP)...JAMES E NEWNHAM
DAWN ELAINE ROBERT	(PET)...JAMES E NEWNHAM
LAURA AVILA	(PET)...PRO/PER
BRIAN J ROBERT	(FAT)...PRO/PER

Waiver of Court Fees and Costs filed by DAWN ELAINE ROBERT is GRANTED
Waiver of Court Fees and Costs filed by MARIA FELIX CRUZ-HERRERA is GRANTED

Visitation—no notes—Court’s discretion.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS1500542

CASE NAME: REMY STEVE ALFARO

SEE ALSO 10

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION FOR GUARDIANSHIP

COUNSEL:

MILCA H HERNANDEZ (PG)...PRO/PER

REMY STEVE ALFARO (MIN)...PRO/PER

SANDRA PATRICIA RODRIGUEZ HERNANDEZ (OBJ)...PRO/PER

GENERAL INFORMATION:

Ex parte orders denied 12/22/15: no emergency. Court requires notice and full investigation. This situation has been the status quo for more than one year.

Continued from **01/25/16** to file notice and objections.

On **3/16/16** Sandra Rodriguez present in Pro Per. Court set OSC re Dismissal. Parties advised that an FTA or notes not cleared will result in a dismissal. Notice mailed.

Continued from **5/11/16** for petitioner to file proof of personal service as to mother and father of the minor. Court notes that if Sandra Rodriguez Hernandez still objects to this petition, she is to be present at next hearing date. Notice mailed.

Continued from **05/25/16**; Continued from **07/14/16**; Continued from **09/26/16** at request of Petitioner. Referred to DCFS.

Continued from **11/23/16** Court indicates that it will dismiss petition filed by Milca Hernandez if the petitioner does not clear probate notes re notice/service, by next hearing date of March 22, 2017.

Continued from 03/22/17 at request of petitioner to clear remaining notes. Court dispenses with notice to paternal grandfather and maternal grandmother. OSC re dismissal vacated.

Continued from 06/28/17. Court notes that it has stricken the objections of Sandra Patricia Rodriguez Hernandez as she is not present when matter is called. Court deems Sandra Patricia Rodriguez Hernandez served as she had filed objections. Court continues matter for receipt of completed DCFS report. Petitioner to comply with DCFS investigation.

Continued from 10/25/17 for completion of DCFS investigation and report. Court Orders that if Milca Hernandez does not comply with investigation by DCFS and keep Court apprised of current contact information, Court will dismiss her petition for guardianship with prejudice. Milca Hernandez states she understand Court's 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.

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal of** Petition for Guardian, of the person only, by Milca Hernandez, (non-relative), minor: Remy (3)

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

1. **Need** notice of hearing and proof of personal service [forms GC-020 and GC-020(P)] on Joquin Alfaro (father) and Angelica Monzon (mother). Proof of mailed service filed on 04/27/16; however, Per PrC§1511, requires personal service.
2. Notice by DCFS of no report filed 11/17/16 and 03/16/17. **DCFS dismissal report filed 06/22/17 and 10/20/17. Need DCFS report.**
3. **Post-Move Notice of Change of Residence filed 12/11/17. Need proof of service to parents.**
4. ~Proposed form order: 12/15/15

RECOMMENDATION:

Need to clear notes #1-3. Court's discretion.

(sa/lc/sa/lc/cs/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/17/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS1500542

CASE NAME: REMY STEVE ALFARO

SEE ALSO 9

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MILCA H HERNANDEZ (PG)...PRO/PER
REMY STEVE ALFARO (MIN)...PRO/PER
SANDRA PATRICIA RODRIGUEZ HERNANDEZ (OBJ)...PRO/PER

Waiver of Court Fees and Costs filed by REMY STEVE ALFARO is GRANTED

See notes on prior matter #9.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 01/17/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700536

CASE NAME: MTR OF AUBRIELL PINA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

TENORA WEST	(GP)...PRO/PER
HAROLD WEST	(GP)...PRO/PER
AUBRIELL PINA	(MIN)...

GENERAL INFORMATION

Ex parte order denied on 10/19/17. No appearance.

Continued from 11/20/17. Mother to file written objections.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian of the person only by Tenora and Harold West (maternal grandparents) for minor: Aubriell (17 DOB 02/14/00)

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

1. No bond- Person only.
2. **Need** Notice of Hearing and Proof of Personal Service [GC-020 & GC-020(P)] on Terrell Pina and Amiya West (parents). **Does Court wish to excuse notice to mother due to her appearance in Court on 11/20/17?**
3. **Need** Notice of Hearing and Proof of Service by Mail or file Due Diligence Declarations (local form) as to unknown paternal grandparents.
4. Petitioner indicates willingness to adopt.
5. If referred to Court Investigator, a CI report would be required.
6. **No objections filed at time of review on 12/21/17.**
7. ~Proposed Form Order: 10/11/17

RECOMMENDATION

Need to clear notes 2-3 then Court's discretion.

(ww/lh)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 01/17/18 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1500096

CASE NAME: LUIS RECENDIZ TINAJERO

SEE ALSO 4

HEARING:

Hearing Re: INVENTORY AND APPRAISAL

COUNSEL:

CELIA TINAJERO (GP)...PRO/PER
LUIS RECENDIZ TINAJERO (MIN)...

Waiver of Court Fees and Costs filed by CELIA TINAJERO is GRANTED

See notes on next matter #4.

Superior Court of Calif, County of San Bernardino

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

DATE: 01/17/18 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1500096

CASE NAME: LUIS RECENDIZ TINAJERO

SEE ALSO 3

HEARING:

Accounting Review

COUNSEL:

CELIA TINAJERO (GP)...PRO/PER

LUIS RECENDIZ TINAJERO (MIN)...

Waiver of Court Fees and Costs filed by CELIA TINAJERO is GRANTED

GENERAL INFORMATION:

Continued from 03/15/17. No appearance.

Continued from 04/05/17. Guardian Ad Litem, Walter Moore, represents there are issues regarding insurance company and requests continuance.

Continued from 07/19/17.

Continued from 11/01/17. Attorney Moore to assist guardians with filing documents.

THIS CASE IS SET FOR HEARING ON Accounting Review, minor: Luis, age 14.

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

1. Celia Tinajero (mother), appointed guardian of the estate only, of minor Luis Tinajero age 14 (DOB 02/17/03) on 01/06/16 with funds to be held in a blocked account in lieu of bond.
2. **Need** proof of deposit into blocked account (form MC-356).
3. **Need** final inventory and appraisal (form GC-040).
4. **Need** Met Life statement re account as directed by court per minute order of 08/10/16.
5. **Need** First Account covering the period of 01/06/16 to current.

RECOMMENDATION:

Inquire status.

(cs/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 01/17/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1600299

CASE NAME: ETHAN JOSEPH LEPORE

HEARING:

Hearing Re: PROGRESS OF VISITATION

COUNSEL:

SHARON M LEPORE	(GP)...PRO/PER
JOSEPH E LEPORE	(GP)...PRO/PER
ETHAN JOSEPH LEPORE	(MIN)...
DOMINIC WILLIAM LEPORE	(MIN)...
SARAH LEPORE	(MOT)...PRO/PER

Waiver of Court Fees and Costs filed by ETHAN JOSEPH LEPORE, DOMINIC WILLIAM LEPORE,
& SARAH LEPORE is GRANTED

XREF: FAMSS1610829 *WILLIAM C. MARTIN -N- SARAH E. LEPORE*

No notes—Visitation—JTD.

Superior Court of Calif, County of San Bernardino

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

DATE: 01/17/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1600628

CASE NAME: VICTOR HERNANDEZ III

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SUANN KORMES (PET)...PRO/PER
VICTOR HERNANDEZ III (MIN)...

GENERAL INFORMATION:

Temporary orders denied on 12/28/16.

Temporary orders granted on 02/22/17. Suann Kormes is appointed Temporary Guardian of the person of Victor Hernandez, II. Petitioner advised to notify DCFS re issues with mother. Notice given to paternal grandparents, maternal grandfather, two siblings over 12 and the Mohave Indian Tribe.

Continued from 02/22/17. Father filed consent, and Court accepted mother's declaration of due diligence. Notice to be given to paternal grandparents, maternal grandfather, and two siblings over 12 of the Mohave Indian tribe. Courts granted temporary guardianship to Suann Kormes of the person. Petitioner advised to notify DCFS regarding issues with mother.

Continued from 05/17/17. Court finds notice is still required as to paternal grandmother. Court notes tribe was notified of this matter on 04/05/17. Court advises mother should she continue to object to guardianship, objections are to be filed in writing. Referred to Court Investigator for report.

Continued from 09/20/17. No appearance. Report of Court Investigator was read and considered. Court Investigator's request to continue for 4 months is granted. Notice given by Judicial Assistant.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Suann Kormes (maternal grandmother), Victor Hernandez, III, age 9.

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

1. Petition indicates minor has Indian ancestry. Notification of rights under Indian Child Welfare Act (ICWA) must be served.
 - a. ICWA-030 form is to be completed by the petitioner to the best of their ability and must be signed and dated. As petitioner is not represented by an attorney, service will be done by the clerk of the court **once the form is completed and submitted by petitioner**. The ICWA-030 and a copy of the petition with attachments must be served on the parents, Indian Custodian (if applicable) and the Tribe and/or Bureau of Indian Affairs. **Return of receipt of Fort Mojave Tribe filed 05/17/17.**
 - b. Notice must be given as to all subsequent hearings unless or until such time as it is determined that the act does not apply to the case.
 - c. If no response is received from the tribe within a reasonable time (not less than 60 days) from the tribe the court may determine that the act does not apply.
 - d. If the tribe intervenes service of the ICWA-30 form is no longer required and subsequent notices will be in the standard form contained in the Probate Code for service of notice.
 - e. Notice in the manner described above must be served in addition to all notices required by the Probate Code.
 - f. **No proceeding shall be held until at least 10 days after receipt of notice by the parent, Indian custodian, the tribe or the Bureau of Indian Affairs per Pr.C.§1460.2(e).**
2. **Need** Parental Notification of Indian Status (form ICWA-020).
3. **Need** Notice of Hearing and proof of mailed service as to paternal grandmother Michele Alverado and maternal grandfather (listed as unknown), or file Due Diligence Declaration(s).
4. **CI report filed 01/10/18.**
5. Father and maternal grandfather signed Consent and Waiver.
6. Due Diligence Declarations filed 05/17/17 as to Diego Hurtado (brother), Sureyna vera (sister), and Victor Hernandez (pgf). JTD
7. Petitioner plans to adopt minor.
8. ~ Proposed form Oder/Letters: 12/16/16

RECOMMENDATION:

Need to clear note 1-4, then Court's discretion.

(cs/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 01/17/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700507

CASE NAME: ASHLEY LEILANI MEDRANO

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MELISSA BISHOP (GP)...VANESSA B GNEKOW
ASHLEY LEILANI MEDRANO (MIN)...

GENERAL INFORMATION

Ex parte orders denied 10/05/17.

Continued from 11/01/17. Declaration of Due Diligence regarding mother to be filed.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Melissa Bishop (sister), minor Ashley Medrano (13)

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

1. Angel Medrano (father) signed Nomination, Consent and Waiver filed 09/27/17.
2. Ashley Medrano (minor) signed Consent to guardianship.
3. Notice of Hearing and Proof of Mailed Service filed 10/10/17. Proof of Service is incomplete at item #4 as to date of mailing. **Need amended proof of service** as to service on Angel Medrano, Sr (pgf) John Luther (mgf), Susan Winterbourne (mgm), and Dustin Medrano (sibling).
4. Declaration of Due Diligence filed 11/01/17 re attempted personal service to Jennifer Medrano (mother). **JTD.**
5. Upon Court referral, need CI report.
6. ~Proposed form Order: 09/27/17

RECOMMENDATION

Need to clear note 3, then Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 4 add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 01/17/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700619

CASE NAME: D'JEAN PIERRE WASHINGTON

HEARING:
Hearing re: Petition for Appointment of Guardian

COUNSEL:
ALICE BAGSBY (PET)...PRO/PER
D'JEAN PIERRE WASHINGTON (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Alice Bagsby (pgm), minor D'Jean Washington (9)

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

1. Father, paternal grandfather, and maternal grandfather are deceased.
2. Request to Excuse Notice with Due Diligence Declaration filed 12/27/17 as to Sara Washington (mother) and Michelle Washington (mgm); however, forms are not dated at signature. JTD.
3. Questionnaire filed 11/27/17 is not dated at signature. JTD.
4. Upon Court referral, need CI report.
5. ~Proposed form Order: 11/27/17

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 01/17/18 TIME: 1:30 DEPT: S37G

CASE#: GAR PS1700269

CASE NAME: MTR OF HAYDEN JAINA TURNS & HAYLIE RAELYNN TURNS

SEE ALSO 6

HEARING:

Hearing Re: PTN FOR APPOINTMENT OF GUARDIAN

COUNSEL:

CHARLES S TURNS

(GP)...HOLSTROM, BLOCK & PARKE

EILEEN TURNS

(GP)...HOLSTROM, BLOCK & PARKE

HAYDEN JAINA TURNS

(MIN)...

HAYLIE RAELYNN TURNS

(MIN)...

GENERAL INFORMATION:

Temporary Orders granted on 05/31/17. Charles S. Turns and Eileen Turns are appointed Temporary Guardians of the person of Hayden Jaina and Haylie Raelynn Turns.

Continued from 06/28/17. Mother to file written objections to guardianship. Petition orally amended in Court to reflect maternal grandfather's true name is John David Swallows, and he has passed away. Referred to Court Investigator for Report. All existing orders remain in effect.

Continued from 11/15/17. Court notes mother is Philicia Rhinehart. Court trial requested by mother.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Charles and Eileen Turns (paternal grandmother), minors: Hayden, 3 and Haylie, 1

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

1. Father signed Nomination, Consent and Waiver.
2. **Written Objection filed by Philicia Rhinehart, mother, on 11/13/17**
3. CI Report filed 10/31/17.
4. ~Proposed form Order submitted: 05/24/17

RECOMMENDATION:

Matter is contested

(cs/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 01/17/18 TIME: 1:30 DEPT: S37G

CASE#: GAR PS1700269

CASE NAME: MTR OF HAYDEN JAINA TURNS & HAYLIE RAE LYNN TURNS

SEE ALSO 5

HEARING:

Court Trial set for PETITION FOR GUARDIANSHIP of CHARLES S TURNS

COUNSEL:

CHARLES S TURNS

(GP)...HOLSTROM, BLOCK & PARKE

EILEEN TURNS

(GP)...HOLSTROM, BLOCK & PARKE

HAYDEN JAINA TURNS

(MIN)...

HAYLIE RAE LYNN TURNS

(MIN)...

Court trial—no notes—JTD