



Guardianship Calendar

First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 03/01/18

All corrections/supplements addressing these notes should be filed by **02/22/18**. Later-filed documents might not be reviewed prior to the hearing and could result in a continuance of your case. Updates to these notes *typically* will be posted three court days prior to the hearing.

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 **GUARDIANSHIPS**

DATE: 03/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600162

CASE NAME: MTR OF KAYLA J SMITH & KOURTNEY J SMITH

HEARING:

Petition for Fix Residence Outside the State of California

COUNSEL:

KAYLA JEAN SMITH	(MIN)...
KIMBERLY WALKER	(MOT)...PRO/PER
KOURTNEY JEAN SMITH	(MIN)...
VIRGINIA GENE SHEARER	(GP)...PRO/PER
WILLIAM RONALD SHEARER	(GP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Fix Residence Outside State of California by guardians Virginia and William Shearer; minors Kayla 11 and Kourtney 7.

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

1. Virginia and William Shearer, maternal grandmother and spouse, appointed guardians on 05/02/17.
2. Guardians seek to fix residence in the State of Texas for family support. Parents have allegedly not had any contact with the minor.
3. **Need** notice of hearing and Parents Michael Smith and Kimberly Walker.
4. Maternal grandfather is deceased.
5. *If* referred to Court Investigator, need report.
6. *~Proposed form order: 01/12/18*

RECOMMENDATION

Need to clear note 3. If approved, set hearing for proof of Texas guardianship/
(lc)

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

DATE: 03/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600242

CASE NAME: CHRISTOPHER XU

HEARING:

FIRST Account and Report of WENSHENG XU and Petition for allowance of fees filed.

COUNSEL:

CHRISTOPHER XU (MIN)...
WENSHENG XU (PET)...FEI PANG

GENERAL INFORMATION

Continued from 11/30/17.

THIS CASE SET FOR HEARING ON 1st Account and Report by Wensheng Xu, father; minor now 7.

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

1. There appears to be a related case for minor's mother's Estate; Joulun Lu PROPS1500671. Court may wish to cross reference cases.
2. Accounting period 09/01/16 – "present". **Need** actual end date stated.
3. Assets on hand \$397,500 in real property.
 - a. However, there is no probate distribution order for real property at this time [12/04/17 Final dist. S35]; it appears that Christopher will not have full 100% interest as stated [Acct. 10/18/17LFpg40]. Question how minor has already received interest in real property? **Need** verified supplement/amended accounting.
 - b. Notice of opening bank accounts filed 01/30/17 indicate \$135,263.71 and \$20,000; however, cash assets not listed in accounting.
4. Summary of account is not on mandatory judicial council form GC-400/SUM et seq. **Need** same.
5. There are no schedules to support property on hand etc.
6. Disbursement schedule not attached. **Need** same.
7. Report is not verified per Pr.C. § 1021. **Need** same.
8. Final Inventory and Appraisal for probate case PROPS1500671 attached to accounting.
 - a. **Need** Inventory and Appraisal indicating value of Christopher's share only.

- b. **Need** Inventory and Appraisal to reflect case assets.
- 9. **Need** notice of hearing and proof of service.
- 10. Current bond is \$169,887.
- 11. No proposed order.

RECOMMENDATION

Need proper amended accounting per Pr.C. §§ 1064, 2620 et seq. If approved, set hearing on the next accounting review for **11/29/18** (if one year) or **11/21/19** (if two years). Accounting to be filed 30 days in advance.

(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: 03/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600603

CASE NAME: KAMORIANA WARD ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

KAMORIAN LEE-CHRISTAN WARD	(MIN)...
KAMORIANA LATRECE WARD	(MIN)...
KASEL M. HENDERSON	(PET)...PRO/PER

GENERAL INFORMATION:

Continued from **01/11/17** Minor Kamorian Ward is now residing in the Petitioner's home (mother agrees). **Notice to father and maternal grandfather dispensed.** Siblings <12. Referred to DCFS

Continued from **04/26/17**. Ms. Henderson needs to complete certain requirements before final report can be filed. Clerk's office to notify DCFS of new address.

Continued from 08/16/17 and 11/08/17. Matter continued for DCFS to complete their investigation.

Continued from 01/04/18. DCFS report to be filed by 02/26/18. If report not filed, DCFS worker Carol Albrecht to personally appear.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Kasel Henderson, non-relative; minors Kamoriana, 7 & Kamorian 6.

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

1. Mother Leneta Green, signed Consent and Waiver filed 11/29/16.
2. Court to review Confidential Guardian Screening form and Guardianship Questionnaire filed 11/29/16.
3. DCFS requested continuance to 09/27/17 and 01/04/18. **Need** DCFS report.
4. ~Proposed form Order/Letters filed 11/29/16.

RECOMMENDATION:

Need DCFS report, then Court's discretion.

(cs/lh/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: 03/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700172

CASE NAME: DINERO, DA'NINA, & D'YON TROTTER

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

DA'NINA A'MIRICLE TROTTER	(MIN)...
DINERO ANMOL TROTTER	(MIN)...
DION TROTTER	(PRO/PER
D'YON ASHANTI TROTTER	(MIN)...
STACIANIQUE HANDLEY	(MOT)...PRO/PER
STACY D HANDLEY	(PET)...PRO/PER
VALARIE D DILLARD	(GP)...PRO/PER

T.S.C. – No notes – JTD

Future Hearing:

03/07/18 Hearing re: Petition for termination of guardianship

03/07/18 Hearing re: OSC re: Dismissal of petition for termination etc.

04/11/18 Hearing re: Petition for appointment of guardian

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

DATE: 03/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700182

CASE NAME: raul castro & martha marroquin

SEE ALSO 6

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

MARTHA ELIZABETH RODRIGUEZ MAR (MIN)...

RAUL ALESSANDRO PEREZ CASTRO (MIN)...

WALTER ALEXANDER MARROQUIN (PET)...RANDY ALEXANDER

GENERAL INFORMATION

Continued from **05/30/17**. Court clears note regarding Gregorio Rodriguez. Remaining notes to be cleared. Referred to Court Investigator for investigation and report.

Continued from 10/10/17 and 12/26/17. *Interpreter*

THIS CASE IS SET FOR HEARING ON **Amended [09/29/17]** Petition for Appointment of Guardian, person only, by Walter Marroquin, paternal uncle; minor Raul 9.

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

1. Petitioner filed an **amended** petition on 09/29/17 seeking guardianship as to minor Raul Castro, only. Court to inquire if petitioner is still seeking guardianship of minor Martha (cousin to minor Raul). If so, need petition for minor Martha.
2. Father is deceased.
3. Due Diligence Declaration as to maternal grandmother, Reyna Diaz filed 09/29/17. JTD
4. Mother Victoria Diaz signed consent and waiver as to guardianship 12/22/17.
5. CI Report filed 09/05/17.
6. No proposed form Order.

RECOMMENDATION

Court's discretion.

(lh/nb/lc)

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

DATE: 03/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700182

CASE NAME: raul castro & martha marroquin

SEE ALSO 5

HEARING: Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

MARTHA ELIZABETH RODRIGUEZ MAR (MIN)...

RAUL ALESSANDRO PEREZ CASTRO (MIN)...

WALTER ALEXANDER MARROQUIN (PET)...RANDY ALEXANDER

GENERAL INFORMATION

Continued from 05/30/17 and 10/10/17. No stipulation filed.

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status, minor Raul Castro 9.

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

1. Petitioner, Walter Marroquin, uncle of minor Raul Castro, 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 offers the following in support of the requested findings in his Points and Authorities filed 04/12/17, stating, inter alia, the following:
 - a. Minor is from El Salvador and lived with his mother until he was abandoned by his mother at 3 years old at which time he was placed in the care of his father.
 - b. Minor's father provided for financially for the minor while the paternal grandmother was the caregiver.
 - c. Minor's father was purportedly assassinated on 08/05/15.
 - d. Minor is eligible for long-term foster care due to abandonment as both parents have relinquished control of her and have failed to provide reasonable care and protection.
 - e. Minor does not believe he can return to his mother because she is unwilling to take care of minor.
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 of hearing and proof of service for mother Victoria Diaz.

RECOMMENDATION

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

(lh/nb/lc)

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

DATE: 03/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700252
CASE NAME: Emily Elizabeth Silva
HEARING: Hearing Re: Petition for Appointment of Guardian

COUNSEL:

BRITINI SILVA (MOT)...PRO/PER
EMILY ELIZABETH SILVA (MIN)...
STACY MARIE FARR (PET)...PRO/PER

GENERAL INFORMATION

Ex parte orders granted on 05/23/17. Court appoints Stacy Marie Farr appointed temporary guardian. Court orders that the hearing on the general petition is reset from 06/14/17 to 06/13/17. Any notice to be given should be for 06/13/17. Court orders any objections to the general petition are to be filed and served by 4pm on 06/06/17. Matter is contested. Court makes order pursuant to Pretrial Order Re Exchange of Statement of Witnesses and Description and Copies of Evidence and 2) Continuances as attached and ordered incorporated into the minute order. Deadline for exchange for 4PM on 05/15/18. Court will require a motion or an ex parte application for continuance of trial; stipulations to continue trial will not be accepted by the Court. Continued from **06/13/17**. Court orders Britini Silva be personally present at next hearing. Court notes if Britini Silva is not present at next hearing, Court will dismiss her objections. Referred to DCFS for report.

Continued from 10/17/17. Court notes that matter is called at 11:15 am and Britini Silva failed to appear- court dismisses the objections of Britini Silva, vacates the currently set trial dates and continues this matter for the receipt of the report from DCFS. Court clears probate note re sibling, McKenzie Garrison, as minor is not 12 years of age or older. All temporary orders to remain in full force and effect.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Stacy Marie Farr, non-relative; minor Emily 8.

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

1. Father Ryan Garrison signed Nomination, Consent and Waiver dated 12/04/11 [Confidential Declaration, 05/16/17, LF pg8].
2. Nomination, Consent and Waiver by Britini Silva (mother) filed 06/09/17.
3. See Confidential Declaration of Stacy Marie Farr filed 05/16/17.
4. **Need** DCFS report.
5. Proposed form Order: 06/08/17

RECOMMENDATION

Need DCFS report then Court's discretion

(lh/nb/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: 03/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800022

CASE NAME: Martha Elizabeth Rodriguez Marroquin

SEE ALSO 9

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

MARTHA ELIZABETH RODRIGUEZ MAR (MIN)...

WALTER ALEXANDER MARROQUIN (GP)...RANDY ALEXANDER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, person only by Walter Marroquin, maternal uncle; minor 13.

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

1. Father, paternal grandmother and maternal grandfather are deceased.
2. **Need** notice of hearing and proof of service re mother Mirna Marroquin either by a) international registered mail, return receipt; b) service by agent (typically an attorney in El Salvador); c) service by Letters Rogatory; or (d) service via the El Salvador Ministry of Foreign Affairs. CCP section 413.10(c); Pr. C. §1511; In re Alyssa F. (2003) 112 Cal. App. 4th 846, 885, fn. 10; Convention on the "Service Abroad of Judicial and Extrajudicial Documents" in Civil or Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. No. 6638 (Hague Service Convention).
3. **Need** notice of hearing and proof of personal service [GC-020/020P] on minor.
4. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
 - a. paternal grandfather Gregorio Rodriguez.
 - b. maternal grandmother Edelvira Marroquin.
5. *If* referred to Court Investigator, need report.
6. ~Proposed Form Order: 01/12/18.

RECOMMENDATION

Need to clear notes 2-4.

(lc)

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

DATE: 03/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800022

CASE NAME: Martha Elizabeth Rodriguez Marroquin

SEE ALSO 8

HEARING:

Petition for special immigrant juvenile findings

COUNSEL:

MARTHA ELIZABETH RODRIGUEZ MAR (MIN)...

WALTER ALEXANDER MARROQUIN (GP)...RANDY ALEXANDER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status by Walter Marroquin, maternal uncle; minor 13.

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

1. Petitioner, Walter Marroquin 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 offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on 11/25/04, in El Salvador and lived there with minor's parents until 01/2017.
 - b. Minor was neglected by minor's parents (see documents for specifics).
 - c. Minor was forced to move to the United States as minor's mother was ill with HIV.
 - d. Minor does not believe he/she can return to minor's parents because minor would be in great danger if she returned to El Salvador.
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 of hearing and proof of service to mother Mirna Marroquin and minor.
8. ~Proposed form order: 01/12/18.

RECOMMENDATION

Need to clear note 7 and accompanying guardianship petition granted. Court's discretion re factual findings that would support this petition.

(lc)

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

DATE: 03/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800031

CASE NAME: NICHOLAS JUNIOR MONTAG

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CAROL MONTAG	(PET)...MICHELANNE
DONALD MONTAG	(PET)...MICHELANNE
NICHOLAS JUNIOR MONTAG	(MIN)...

GENERAL INFORMATION

Donald and Carol Montag appointed temporary guardians on 01/24/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, person only by Donald and Carol Montag, paternal grandfather and spouse, minor 12.

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

1. Mother, paternal grandmother and maternal grandmother are deceased.
2. **Need** notice of hearing and proof of personal service [GC-020/020P] on
 - a. father Nicholas Montag.
 - b. Minor Nicholas
3. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on unknown maternal grandfather.
4. *If* referred to Court Investigator, need report.
5. No proposed order.

RECOMMENDATION

Need to clear notes 2 -3.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **GUARDIANSHIPS**

DATE: 03/01/18 TIME: 8:29 DEPT: S36G

CASE#: GAR PS1700356

CASE NAME: MTR OF NATHAN MATTHEW MARTINEZ

HEARING:

Readiness Calendar

COUNSEL:

KRYSTLE MARIE MARTINEZ	(GP)...PRO/PER
NATHAN MATTHEW MARTINEZ	(MIN)...MARK J. FLORY
RICHARD GREGORY MARTINEZ	(GP)...PRO/PER
TINA MARTINEZ	(MOT)...PRO/PER

Readiness – No notes – JTD

Future Hearing: 03/14/18 *Court Trial*

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

DATE: 03/01/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700275
CASE NAME: DEVEN ALAN HUERTA
HEARING: Hearing Re: PETITION FOR APPOINTMENT OF GUARDIAN

COUNSEL:

DEVEN ALAN HUERTA (MIN)...
ENRIQUETA HUERTA (GP)...PRO/PER
LUIS W HUERTA (GP)...PRO/PER

GENERAL INFORMATION

Enriqueta and Luis Huerta appointed temporary guardians of the person only on 06/01/17. Continued from 08/10/17. Notice to maternal grandparents dispensed. OSC set on 10/05/17 when there was no appearance.

Continued from 12/28/17. OSC taken off. Mother is residing in Mexico. Petitioners to seek legal advice.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian by Enriqueta and Luis Huerta, paternal grandparents; minor 13.

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

1. Minor Deven signed Consent and waiver filed on 05/25/17.
2. **Need** Notice of Hearing and Proof of Personal Service [GC-020 & GC-020(P)] on father Alan Herrera Huerta.
3. **Need** notice of hearing and proof of service on mother Maria Espinoza either by a) international registered mail, return receipt; b) service by agent (typically an attorney in Mexico); c) service by Letters Rogatory; or (d) service via the Mexico Ministry of Foreign Affairs. CCP section 413.10(c); Pr. C. §1511; In re Alyssa F. (2003) 112 Cal. App. 4th 846, 885, fn. 10; Convention on the "Service Abroad of Judicial and Extrajudicial Documents" in Civil or Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. No. 6638 (Hague Service Convention).
4. Guardianship questionnaire filed on 05/25/17 stated a 2005 visitation order from the Los Angeles case VF006117; however, the visitation schedule is not explained. [LF pg. 6 & 8] Court to inquire.
5. *If* referred to Court Investigator, need report.
6. ~Proposed Form Order: 05/25/17.

RECOMMENDATION

Need to clear notes 2-3.

(ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700466

CASE NAME: MTR OF LEYLAH SAMANTHA ORTEGA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

LEYLAH SAMANTHA ORTEGA (MIN)...
TARESSA ANN SQUIRE (GP)...PRO/PER

GENERAL INFORMATION

Temporary orders denied on 09/07/17.

Continued from 10/11/17. Notice excused for father. Siblings are under 12. Referred to DCFS for non-relative report.

Continued from 01/03/18. Parties to attempt to come to an agreement.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Taressa Squire, non-relative; minor Leylah 5.

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

1. Mother Margaret Welborn appeared on 01/03/18.
2. Proof of Service of Notice of Hearing filed 10/05/17 as to Antoinette Loungton [sic] Court to clarify Antoinette's relationship.
3. Child Information Attachment is incomplete re relatives section. **Need** verified supplement clarifying name and addresses of paternal and maternal grandparents.
4. Petitioner is non-relative. Continuance requested on 12/19/17 to 03/31/18. **Need** DCFS report.
5. ~Proposed form Order: 08/31/17

RECOMMENDATION

Need to clear notes 3-4.

(lh/ww/lc)

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

DATE: 03/01/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700526
CASE NAME: KAYDEN AND JAYDEN THOMAS
HEARING: Hearing Re: Ptn for Guardianship

COUNSEL:

JAYDEN ISAIAH JOHNSON THOMAS (MIN)...
KAYDEN JUAN JOHNSON THOMAS (MIN)...
LA NENON WHITEHEAD (GP)...PRO/PER

GENERAL INFORMATION:

La Nenon Whitehead is appointed temporary guardian of the person on 10/16/17.

OSC set on 11/13/17 when there was no appearance.

Continued from 01/03/18. OSC dismissed. Paternal grandfather is deceased.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Lanenon Whitehead, cousin, minor twins Kayden and Jayden, 1.

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

1. Petitioner appears to be cousin to mother. Court to inquire whether petitioner is first cousin. If petitioner is not first cousin per Pr.C.§ 1513(g), **need** referred to DCFS for non-relative investigation.
2. Father is deceased.
3. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on mother Stephanie Johnson.
4. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] on
 - a. unknown paternal grandmother
 - b. unknown maternal grandparents.
5. **Need** verified supplement clarifying who has legal custody of minor Jayden.
6. UCCJEA Declaration filed 10/06/17 does not indicate residential history for the period of 06/20/17 – 08/31/17. **Need** completed form.
7. Confidential Screening form filed 10/06/17; however, not dated. **Need** dated form; alternatively verify on record.
8. Petition requests additional orders; however, attachment 9 and 1e are not attached.
9. **If** referred to Court Investigator, need report.
10. ~Proposed form Order submitted: 10/06/17

RECOMMENDATION:

Need to clear notes 3 - 7, then Court's discretion.

(cs/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800026

CASE NAME: TANNADEYHA GERVASIO PUERTOS

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

PATRICIA P PEREZ	(PET)...PRO/PER
TANNADEYHA GERVASIO PUERTOS	(MIN)...
VICTOR GARCIA	(PET)...PRO/PER

GENERAL INFORMATION

Temporary orders denied on 01/23/18. No appearance or immediate risk. Petitioners to notify DCFS.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, person only by Patricia Perez and Victor Garcia, maternal grandmother and spouse; minor 9.

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

1. Mother Marcia Guervasio served notice.
2. Father is unknown. **Need** copy of birth certificate per local rule 20-1302.
3. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
 - a. unknown paternal grandparents
 - b. sibling Zoey if 12 or older.
4. *If* referred to Court Investigator, need report.
5. Maternal grandfather is deceased.
6. UCCJEA indicates minor lives with mother. Supplement filed 11/16/18 indicates mother is an alleged abusive marriage and has moved
7. ~Proposed Form Order: 01/16/18.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

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

DATE: 03/01/18 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1400394

CASE NAME: Mason Bradley Morrissette et al

HEARING:

Hearing Re: Status Review/Trial Setting Conference

COUNSEL:

AUBREE NICOLE MORRISSETTE	(MIN)...
CHRISTINA MORRISSETTE	(WALTER T. MOORE
MASON BRADLEY MORRISSETTE	(MIN)...
NICOLE LOOMAN	(PG)...
SAHUN LUNGER	(FAT)...

Status T.S.C – No notes – JTD *

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

DATE: 03/01/18 TIME: 11:00 DEPT: S36G

CASE#: GAR VS1100074

CASE NAME: MATTER OF BENJAMIN AND JACOB GLUHCHEFF

HEARING:
Accounting Review

COUNSEL:

BENJAMIN C GLUHCHEFF	(MIN)...
GEORGE A FRENCH	(PET)...PRO/PER
JACOB GLUHCHEFF	(GPE)...SHERRI L KASTILAHN
JACOB GLUHCHEFF	(MIN)...
JACOB S FRENCH	(MIN)...
JACOB S GLUHCHEFF	(MIN)...
KAREN L FRENCH	(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review re Jacob, 18.

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

1. George & Karen French, maternal grandparents, appointed guardian on 07/20/11; person and estate for Benjamin and Jacob. Guardians discharged as to Benjamin now 20 on 08/26/16.
2. Petition to Dispense Accounting per Pr.C. § 2628 filed 01/18/18; however, this is final accounting and should be set for hearing. JTD
3. **Need** proof of service on Jacob.

RECOMMENDATION

Need proof of service. If waiver approved, set hearing on the filing of receipts and final discharge for **03/07/19**.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **GUARDIANSHIPS**

DATE: 03/01/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700580

CASE NAME: MTR OF ELLIOTT PAUL GOMEZ
HEARING: Hearing Re: PTN FOR GUARDIANSHIP

COUNSEL:

CLAUDIA I AGUIRRE (GP)...PRO/PER
ELLIOTT PAUL GOMEZ (MIN)...

GENERAL INFORMATION

Claudia Aguirre appointed temporary guardian, person only, on 11/09/17. Minor was taken by maternal aunt and uncle Miriam Kirk to their home. Therapy to continue for minor. Referred to Court Investigator. Competing petition may be filed by aunt and uncle.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, person only by Claudia Aguirre, sister, minor 16.

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

1. Minor signed consent and waiver.
2. Father is deceased.
3. Mother Claudia Gallardo appeared on 11/09/17.
4. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
 - a. Paternal grandparents Salvador and Maria Gallardo.
 - b. Maternal grandparents Eugene and Stella Gomez.
 - c. Siblings Jacqueline, Salvador and Gabriel if 12 or older.
5. Declaration filed 1/26/18 by minor indicating his desire to stay with petitioner.
6. **Objections filed 11/08/17 by petitioner stating that she wishes to give guardianship to minor's aunt and uncle, Miriam and Richard Kirk. However, no petition or consent appears to have been filed.**
7. **Need** Court Investigator report.
8. ~Proposed Form Order: 11/02/17

RECOMMENDATION

Need to clear notes 3-4 and 7. Court to inquire if petition will be filed by aunt and uncle.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700678

CASE NAME: RAELYN SARIANNA, BERLYN SARIANNA, JASMINE SARIANNA

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

BERLYN GRACIE SARIANNA (MIN)...
EDDIE SARIANNA (PET)...LAW OFFICES OF TANYA L WILLIS
JASMINE AMAL SARIANNA (MIN)...
RAELYNN SKYE SARIANNA (MIN)...

XREF: PROPS1600446 (*Sally Michel Mityas- mother*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, **estate only** by Eddie Sarinana, father, minors Jasmine 9, Beryln 7, and Raelynn 3.

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

1. Petitioner seeks no bond; however, there is no attachment indicating why bond shall be waived. Minors will receive real property valued at \$385,000 from mother's estate. JTD
2. Mother and maternal grandmother are deceased.
3. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
 - a. Paternal grandparents Angie Quintanar and Tomas Sarinana Sr.
 - b. Maternal grandfather Michael Mityas.
4. Court to see Confidential Screening Form filed 12/22/17.
5. *If* referred to Court Investigator, need report.
6. ~Proposed Form Order: 12/22/17.

RECOMMENDATION

Need to clear note 3. If approved, set Inventory and Appraisal for **06/21/18** Accounting/Status Review for **05/09/19**. 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: 03/01/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800029

CASE NAME: PATRICK J URREA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MONICA C HERNANDEZ (PET)...PRO/PER
PATRICK J URREA (MIN)...

GENERAL INFORMATION

Monica Hernandez appointed temporary guardian on 1/24/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, person only by Monica Hernandez, sister, minor 16 ½.

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

1. Petitioner is allegedly guardian of minor's sibling, Frances, where she was appointed guardian in Illinois.
2. Petitioner indicates \$800 in public benefits; however, is not seeking estate powers.
3. Mother and maternal grandmother are deceased.
4. Request to excuse notice filed re father on 1/17/18. JTD
5. Minor consents to guardianship; however, did not waive notice.
6. **Need** notice of hearing and proof of personal service [GC-020/020P] for minor.
7. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
 - a. unknown paternal grandparents
 - b. unknown maternal grandfather
 - c. sibling Frances if 12 or older.
8. *If* referred to Court Investigator, need report.
9. ~Proposed Form Order: 01/17/18.

RECOMMENDATION

Need to clear notes 6-7.

(lc)

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

DATE: 03/01/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800038

CASE NAME: MYONNE MARSHALL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ARTHUR THOMPSON	(PET)...PRO/PER
MARGO THOMPSON	(PET)...PRO/PER
MYONNE MARSHALL	(MIN)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, person only by Margo and Arthur Thompson, paternal aunt and spouse, minor 15.

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

1. **Need** notice of hearing and proof of personal service [GC-020/020P] on parents Royal Marshall and Shekeva Key.
2. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
 - a. unknown maternal grandparents.
 - b. sibling Royal III if 12 or older.
3. Paternal grandparents are deceased.
4. *If* referred to Court Investigator, need report.
5. ~Proposed Form Order: 01/22/18.

RECOMMENDATION

Need to clear notes 1-2.

(lc)

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

DATE: 03/01/18 TIME: 11:00 DEPT: S37G

CASE#: MG MS00407

CASE NAME: GUARDIANSHIP OF LIBERTY ROSE DA SILVA

HEARING:
Accounting Review

COUNSEL:
LIBERTY ROSE DA SILVA (MIN)...
MARGARET L DA SILVA (GP)...PRO/PER

GENERAL INFORMATION

Continued from 11/30/17. No appearance. Margaret DaSilva ordered to appear and file accounting.

THIS CASE SET FOR HEARING ON Accounting review, minor now 18.

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

1. Margaret DaSilva, paternal grandmother, appointed guardian of person and estate on 11/23/11.
2. Documents filed by guardian deemed as sufficient for accounting purposes on 09/16/15.
3. **Need** final accounting beginning 06/24/15.

RECOMMENDATION

Inquire status of accounting.

(lc)