



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 03/07/18

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.

02/16/18lh; 03/01/18lh

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: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600620

CASE NAME: SERENITEE ANGEL GARCIA

HEARING:

Petition for Fixing Residence Outside the State of California

COUNSEL:

GEORGE A GARICA (PET)...PRO/PER
MARIA TERESA GARCIA (PET)...PRO/PER
SERENITEE ANGEL GARCIA (MIN)...

Waiver of Court Fees and Costs filed by SERENITEE ANGEL GARCIA is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Fix Residence Out of California by George and Maria Teresa Garcia (maternal grandparents/co-guardians)

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

1. Petitioners/Guardians, George and Maria Teresa Garcia, request Court to authorize the residence for minor, Serenitee Garcia (age 4), to be fixed outside the State of California in Kihei, Hawaii due to retirement of George Garcia; to live near their son; due to health of Maria Teresa Garcia.
2. Petitioner alleges the expected duration of the out-of-state move is more than 4 months and the guardianship of the person will be commenced in the place of the new residence.
3. ~Proposed Form Order: 02/06/18

RECOMMENDATION

Court's discretion. If approved, suggest Court order petitioner to seek guardianship in Hawaii and show proof by **06/06/18**. Court may wish to order that should petitioner fail to show proof of guardianship in Hawaii by 06/06/18 that court will order termination of guardianship in CA.

(lh)

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

DATE: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700172

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

SEE ALSO 3

HEARING:

Hearing Re: OSC RE DISMISSAL OF PTN FOR TERM OF GDNSHP

COUNSEL:

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

GENERAL INFORMATION

Continued from 01/22/18. Court sets petition for Termination of Guardianship for OSC re Dismissal on 03/07/18 at 11AM. Court notes that if Stacianique Handley fails to appear for hearing on 03/07/18, Court will dismiss petition for Termination by Stacianique Handley with prejudice.

THIS CASE IS SET FOR HEARING ON **OSC Re Dismissal** of Petition for Termination of Guardianship by Stacianique Handley (mother) as to minors: Dinero (3), Da'nina (2), D'yon (2)

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

1. Stacy Handley and Valarie Dillard, (maternal grandfather and spouse) were appointed **temporary** co-guardians of person only on 05/11/17.
2. Petitioner Stacianique is seeking termination of guardianship as to minors as it was temporary and not permanent.
3. **Need** Notice of Hearing and Proof of Service by Mail or file Due Diligence Declaration (local form) as to Stacy Handley and Valarie Dillard (guardians-maternal grandfather and spouse) Dion Trotter (father); Tara'mita Long (maternal grandmother); Dion Trotter Sr.; and Chanita Foust (paternal grandparents)
4. **Need** DCFS report.
5. ~Proposed Form Order: 12/12/17

RECOMMENDATION

Need to clear notes #3-4, then Court's discretion.

(ww/lh)

Future hearing dates: 04/11/18 Hearing re: petition for Appointment of Guardian 04/11/18 Readiness Calendar 05/16/18 Hearing re: Court trial (1st day) 05/17/18 Hearing re: Court trial (2nd day)

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

DATE: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700172

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

SEE ALSO 2

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

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

Waiver of Court Fees and Costs filed by DINERO ANMOL TROTTER, D'YON ASHANTI TROTTER & DA'NINA A'MIRICLE TROTTER is GRANTED

Future Hearing: 4/11/18: Petition for Appointment of Guardianship

See notes on prior matter #2.

(lh)

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

DATE: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700432

CASE NAME: BRADLY CASEY-JAMES PANTALION ET AL

SEE ALSO 5

HEARING:

Hearing Re: OSC RE OVERRULING/WAIVING MOTHER'S OBJECTIONS

COUNSEL:

AJA MAY KANE	(PET)...PRO/PER
BRADLY CASEY-JAMES PANTALION	(MIN)...
DARREN WILLIAM PANTALION KANE	(MIN)...
RYLY ALEXANDER PANTALION	(MIN)...
BRITTANY NICOLE ROBERTSON	(OBJ)...PRO/PER

GENERAL INFORMATION

Aja Kane (paternal aunt) appointed as temporary guardian of the person only on 08/21/17. **Continued from 9/21/17.** Objections must be in writing and served by 11/16/17. Referred to Court Investigator. Janet Latourette appointed GAL; report due 01/18/18.

Continued from 01/18/18. Written report received from Janet Latourett. Court set OSC re overruling/waiving mother's objections as mother failed to appear at hearing this date. Court notes that if mother does not appear at next hearing, Court will overrule/waive mother's objections and grant guardianship. Court orders mother to appear on 03/07/18 at 11AM.

THIS CASE SET FOR HEARING ON **OSC Re Overruling Mother's Objections**/Petition for Appointment of Guardian of the person only by Aja Kane, paternal aunt for minors Bradly 12, Darren 10 and Ryly 8 .

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

1. Father and paternal grandparents are deceased.
2. Due Diligence Declaration filed 09/13/17 as to unknown (maternal grandfather).
3. Mother Brittany Robertson served 08/17/17.
4. **CI Report filed 01/11/18.**
5. **GAL Report of Janet Latourette filed 01/18/18.**
6. **Objections filed by mother Brittany Robertson on 11/15/17.**

7. **Declaration filed by petitioner Aja Kane which appears to be a reply to objections on 12/14/17.**
8. ~Proposed Form Order:08/11/17

RECOMMENDATION

Matter is contested.

(ww/lc/ww/lc/lh)

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

DATE: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700432

CASE NAME: BRADLY CASEY-JAMES PANTALION ET AL

SEE ALSO 4

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

AJA MAY KANE	(PET)...PRO/PER
BRADLY CASEY-JAMES PANTALION	(MIN)...
DARREN WILLIAM PANTALION KANE	(MIN)...
RYLY ALEXANDER PANTALION	(MIN)...
BRITTANY NICOLE ROBERTSON	(OBJ)...PRO/PER

See notes on prior matter #4.

(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: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700681

CASE NAME: MTR OF ERIK JAVIER FLORES HERNANDEZ

SEE ALSO 7 8 9

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION FOR GUARDIANSHIP

COUNSEL:

ERIK JAVIER FLORES HERNANDEZ (PET)...IMMIGRANT DEFENDERS LAW
IRAZEMA FLORES VALDES (GP)...PRO/PER
ERIK JAVIER FLORES HERNANDEZ (MIN)...

GENERAL INFORMATION

Continued from 01/29/18. No appearance by Counsel or petitioner; Court set OSC re dismissal and notes that if Counsel does not appear at next hearing or have all probate notes cleared, Court will dismiss petition on 03/07/18.

THIS CASE SET FOR HEARING ON **OSC re dismissal**/Petition for Appointment of Guardian of the person only by former minor Erik(19, DOB 04/29/1999) for appointment of Irazema Flores Valdes (aunt) as his guardian

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

1. Mother, paternal grandmother and maternal grandparents are deceased.
2. Erik, (former minor) signed Consent and Waiver, filed on 12/22/17.
3. Javier Valdes (father) and Yajira Hernandez (sister) signed Consent and Waiver filed 02/28/18.
4. Guardianship Questionnaire is incomplete as to the section re "information about the minor..." on pages 4 & 5. **Need** completed form.
5. Court to see Guardianship Screening form.
6. If referred to Court Investigator, a CI report would be required.
7. ~Proposed Form Order: 12/22/17

RECOMMENDATION

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

(ww/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: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700681

CASE NAME: MTR OF ERIK JAVIER FLORES HERNANDEZ

SEE ALSO 6 8 9

HEARING:

Hearing Re: OSC RE DISMISSAL OF SIJS PETITION

COUNSEL:

ERIK JAVIER FLORES HERNANDEZ (PET)...IMMIGRANT DEFENDERS LAW

IRAZEMA FLORES VALDES (GP)...PRO/PER

ERIK JAVIER FLORES HERNANDEZ (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal**/Request for findings re: special immigrant juvenile status (former minor is 19)

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

1. Petitioner, **Erik Flores Hernandez**, a former minor (**age 19**), 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. Erik offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Former minor was born on 04/29/1999, in Mexico and lived there with minor's parents and various other family members until 2016.
 - b. Former minor was abused and neglected by father and mother was kidnapped when Erik was young. (see documents for specifics).
 - c. Former minor was forced to move to the United States to escape the abuse by his father.
 - d. Former minor does not believe he can return to his father because it is unsafe and he would have nowhere to live.
 - e. Petitioner alleges minor was neglected and abandoned by his father. (see documents for specifics).
 - f. Minor's declaration request to be placed in the sole custody of his aunt.
6. Former minor is 19 years' old. The underlying guardianship petition will become moot if an Extension for the purpose of this petition is filed and granted. If guardianship is not granted then minor is not eligible to a finding of SIJS status.
7. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
8. ~Proposed Form Order: 12/22/17

RECOMMENDATION

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

(ww/lh)

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

DATE: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700681

CASE NAME: MTR OF ERIK JAVIER FLORES HERNANDEZ

SEE ALSO 6 7 9

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ERIK JAVIER FLORES HERNANDEZ (PET)...IMMIGRANT DEFENDERS LAW
IRAZEMA FLORES VALDES (GP)...PRO/PER
ERIK JAVIER FLORES HERNANDEZ (MIN)...

Waiver of Court Fees and Costs filed by ERIK JAVIER FLORES HERNANDEZ is GRANTED

See notes on prior matter #6.

(lh)

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

DATE: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700681

CASE NAME: MTR OF ERIK JAVIER FLORES HERNANDEZ

SEE ALSO 6 7 8

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

ERIK JAVIER FLORES HERNANDEZ (PET)...IMMIGRANT DEFENDERS LAW

IRAZEMA FLORES VALDES (GP)...PRO/PER

ERIK JAVIER FLORES HERNANDEZ (MIN)...

Waiver of Court Fees and Costs filed by ERIK JAVIER FLORES HERNANDEZ is GRANTED

See notes on prior matter #7.

(lh)

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

DATE: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800042

CASE NAME: ANDREW CARRILLO AND JESSICA CARRILLO

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

GEORGE ANTHONY FIGUEROA	(PET)...PRO/PER
ANDREW JAVIER CARRILLO	(MIN)...
JESSICA MARIE CARRILLO	(MIN)...

GENERAL INFORMATION

Ex parte orders granted 02/02/18. George Figueroa appointed temporary guardian of the person.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by George Figueroa (brother), minors: Andrew (age 17) and Jessica (15)

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

1. Mother and paternal grandparents are deceased.
2. Francisco and Lucy Meza, maternal grandparents, signed Consent and Waiver.
3. **Need** Notice of Hearing and Proof of Personal Service as to Ernest Carrillo (father) and minors, Andrew and Jessica.
4. UCCJEA Declaration filed 01/26/18 is incomplete at item #6 as to any persons who may have physical custody or visitation rights to minors. **Need completed form, or alternatively, Court may wish to clarify on the record.**
5. Questionnaire filed 01/26/18 is not dated on page 7 of form. However, signature on page 1 of form is dated 01/25/18.
6. Upon Court referral, need CI Report.
7. ~Proposed Order: 01/26/18

RECOMMENDATION

Need to clear notes #3-4, then Court's discretion.

(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: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800050

CASE NAME: ISAAC MARCUS BROOKS

MOVED TO S36G

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

TIMMARIE TYSON (GP)...PRO/PER
ISAAC MARCUS BROOKS (MIN)...

GENERAL INFORMATION

Ex parte orders denied on 02/13/18 – no emergency.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Timmarie Tyson (sister), minor Isaac (13)

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

1. **Need** Notice of Hearing and Proof of Personal Service as to Arran Brooks (father), Maria Murrell (mother) and minor Isaac.
2. Petition indicates paternal grandparents and maternal grandparents are unknown. **Need Due Diligence Declarations as to all unknown grandparents.**
3. Petitioner Timmarie Tyson indicates she is minor's oldest sister; however, no other siblings are identified in Child Information Attachment. Court to clarify whether minor has any other siblings entitled to notice. [Petition, 02/02/18, LFpg3]. **JTD**
4. Upon Court referral, need CI report.
5. ~Proposed form Order: 02/02/18.

RECOMMENDATION

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

(lh)

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

DATE: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800051

CASE NAME: DIAMOND STUKES

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SIRRITA STUKES (GP)...PRO/PER
DIAMOND STUKES (MIN)...PRO/PER

GENERAL INFORMATION

Ex parte orders denied on 02/08/18 due to no appearance.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Sirrita Stukes (paternal grandmother) minor: Diamond.

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

1. **Need** Notice of Hearing and Proof of Personal Service as to Herman Stukes, III (father), Mary Jones (mother) and minor Diamond.
 - a. Alternatively, if father is incarcerated, notice may be served by certified mail and return of signed receipt in accordance with Local Rule 20-1317.
2. **Need** Notice of Hearing and proof of mailed service as to siblings: Lakesha and LaQuasha (if 12 years+).
3. Request to Excuse Notice with Due Diligence Declaration filed 02/05/18 as to Herman Stukes, Jr (pgf); however, declarant did not indicate due diligence attempts to locate party. **JTD**
4. UCCJEA Declaration filed 02/05/18 indicates minor was a non-resident until 12/13/17. It appears Court does not have current jurisdiction under Ca. Fam. Code §3424 for 6 months. However, court has temporary jurisdiction under Pr. C. § 2202 and 2352(a). **JTD**
5. Upon Court referral, need CI report.
6. ~Proposed form Order: 02/05/18

RECOMMENDATION

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

(lh)

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

DATE: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800052

CASE NAME: IASIS SORAVAN DANCY ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

DEBRESHA SMITH	(GP)...PRO/PER
IASIS SORAVAN DANCY	(MIN)...PRO/PER
KBONNA DANCY	(MIN)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Debresha Smith (maternal aunt), minors lasis (13) and Kbonna (11)

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

1. Mother is deceased.
2. Minor lasis signed consent to petition.
3. Request to Excuse Notice with Due Diligence Declaration filed 02/28/18 as to Van Johnson (MGF). **JTD**
4. Request to Excuse Notice with Due Diligence Declaration filed 02/28/18 as to unknown paternal grandfather; however, form is not signed or dated. **Need** completed form.
5. **Need** Notice of Hearing and Proof of Personal Service as to Paul Dancy (father).
6. **Need** Notice of Hearing and proof of mailed service as to Lorretta Forbus (pgm), and siblings: Dionnedre Johnson, and Dionnetae Pincame (if 12 years+), or file Due Diligence Declarations.
7. Upon Court referral, need CI report.
8. ~Proposed form Order: 02/06/18

RECOMMENDATION

Need to clear notes #4-6, then Court's discretion.

(lh)

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

DATE: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700462

CASE NAME: LAWRENCE GENE RUBIO

SEE ALSO 15

HEARING:

Hearing Re: TSC/Possible Referral to Court Investigator

COUNSEL:

GINA WOOKEY	(MOT)...PRO/PER
LAWRENCE GENE RUBIO	(MIN)...PRO/PER
MARIA ALFONSO	(GP)...PRO/PER

TSC—no notes-JTD

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

DATE: 03/07/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700462

CASE NAME: LAWRENCE GENE RUBIO

SEE ALSO 14

HEARING:

Order to Show Cause RE: Why Objections Shouldn't be Overruled for Conduct

COUNSEL:

GINA WOOKEY	(MOT)...PRO/PER
LAWRENCE GENE RUBIO	(MIN)...PRO/PER
MARIA ALFONSO	(GP)...PRO/PER

GENERAL INFORMATION

Maria Alfonso appointed temporary guardian on 09/05/17. Parents appeared. Written objections to be filed by 10/03/17.

Continued from 11/16/17. Parents, minor and maternal grandparents appeared. There is an existing restraining order as to mother Gina Wookey.

Continued from 01/25/18. Court noted that mother, Gina Wookey, was disrespectful towards the Court and admonished mother that Court takes into account and consideration the conduct and demeanor of parties throughout proceedings. Court admonished parties that they are to be reasonable and courteous in all dealings with each other and the Court. Court set OSC why objections should not be overruled based on conduct as the mother has been rude to Court and refused to fill out Court Investigator questionnaire needed by the Court.

THIS CASE SET FOR HEARING ON **OSC re Overruling Objections**/Petition for Appointment of Guardians, person only by Maria Alfonso, maternal great grandmother; minor 16.

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

1. Parents, Gina Wookey and Ernie Rubio, appeared at all hearings.
2. Minor appeared on 11/16/17.
3. **Notice of Hearing and proof of mailed service filed 01/17/18 as to Ernie and Teresa Rubio (paternal grandparents) and Keith Rubio (bro); however, only 9 days' notice was given. Need proper service to include at least 15 days' notice per Pr. C. §1511.**
4. Petitioner indicates willingness to adopt.
5. *If* referred to Court Investigator, need report.

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

6. **Objections filed by Gina Wookey, mother, on 10/03/17.**
7. ~Proposed Form Order: 08/29/17.

RECOMMENDATION
Need to clear note 3

(lc/lh)

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: 03/07/18 TIME: 11:00 DEPT: S36G

CASE#: GAR RS900056

CASE NAME: ISABELLA BARBONI

SEE ALSO 2

HEARING:

Hearing Re: Termination of Guardianship

COUNSEL:

REGINA BARBONI	(PET)...PRO/PER
MELISSA LYONS	(PET)...PRO/PER
ISABELLA BARBONI	(MIN)...
ISABELLA DEL CARMEN BARRIENTO	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 06/20/17 to clear probate notes.

Continued from 09/05/17. Court will accept the resignation of Melissa Lyons and Regina Barboni - once the petition for successor guardianship is ready to rule on.

Continued from 11/07/17. No appearance. Notice by Judicial Assistant.

Continued from 01/02/18. OSC dismissed.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by Regina Barboni and Melissa Lyons (co-guardians), minor: Isabella Barboni (15)

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

1. Court appointed Regina Barboni (paternal grandmother) and Melissa Lyons (aunt), co-guardians of the person of Isabella Barboni on 10/20/09.
2. Regina Barboni and Melissa Lyons, co-guardians, seek termination of guardianship for fear of their safety as minor is discontent and has stated on numerous occasions that she does not want to live with co-guardians.
3. Petition is incomplete as to addresses of guardian, minor, and relatives in item 9. However, refer to DCFS report filed 12/28/17. **See Dismissal Report by DCFS filed 02/27/18.**
4. Note: co-guardians have concurrently filed a petition for successor guardian to appoint Isabella Del Carmen Barrientos, a non-relative. Does Court wish to deem this petition as a resignation? JTD
5. ~Proposed form Order: 05/08/17

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

RECOMMENDATION
Court's discretion.

(lh/nb/lh)

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

DATE: 03/07/18 TIME: 11:00 DEPT: S36G

CASE#: GAR RS900056

CASE NAME: ISABELLA BARBONI

SEE ALSO 1

HEARING:

Hearing Re: PTN FOR SUCCESSOR GUARDIANSHIP

COUNSEL:

REGINA BARBONI	(PET)...PRO/PER
MELISSA LYONS	(PET)...PRO/PER
ISABELLA BARBONI	(MIN)...
ISABELLA DEL CARMEN BARRIENTO	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 06/20/17 to clear probate notes.

Continued from 09/05/17. Isabella Del Carmen Barriento is sworn and clarifies where the minor is currently living. Referred to DCFS (Carol Albrecht) for investigation and report.

Continued from 11/07/17. No appearance. Notice by Judicial Assistant.

Continued from 01/02/18. OSC dismissed. Court excused notice to maternal grandfather and mother. Court deems the father, Aaron Geer, served. Court ordered father to file written objections by 02/07/18. If written objections are not filed by said date, objections will be deemed waived. Court appointed Isabella Del Carmen Barrientos as Temporary Guardian of the person of Isabella Barboni. Order to be submitted.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of **Successor** Guardian, person only, by Regina Barboni and Melissa Lyons (co-guardians), appointing Isabella Del Carmen Barriento (non-relative), of minor Isabella Barboni (now 15)

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

1. **There is currently no vacancy for a successor guardian.** However, co-guardians have concurrently filed a Petition for Termination on 05/08/17. Does Court wish to deem petition as a resignation per Pr. C. §2660? JTD
2. Minor currently resides with proposed guardian in Riverside County (petition, LF pgs 2, 6) per proof of service filed 07/13/17. Suggest Court transfer matter to Riverside County, if petition approved.

3. DCFS Dismissal Report (Carol Albrecht) filed 12/28/17 **and 02/27/18. JTD.**
4. *No written objections filed as of examiner review on 02/16/18.*
5. ~Proposed form Order: 05/08/17

RECOMMENDATION

Need vacancy prior to appointment.

Court's discretion re note 1 and 3. If approved, Court may wish to set hearing re transfer to Riverside.

(lh/nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/07/18 TIME: 11:00 DEPT: S36G

CASE#: GAR VS1000085

CASE NAME: MATTER OF MARINNA E RODRIGUEZ

HEARING:

Hearing Re: Status on Visitation

COUNSEL:

SONJA TORRES	(PET)...PRO/PER
NATHAN HARRISON	(PET)...PRO/PER
MARINNA ELLENA RODRIGUEZ	(MIN)...
AMANDA CHRISTINE FOLEY	(PET)...PRO/PER

Waiver of Court Fees and Costs filed by SONJA TORRES is GRANTED

Visitation—no notes—JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/07/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800050

CASE NAME: ISAAC MARCUS BROOKS

MOVED FROM S35G

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

TIMMARIE TYSON

(GP)...PRO/PER

ISAAC MARCUS BROOKS

(MIN)...

GENERAL INFORMATION

Ex parte orders denied on 02/13/18 – no emergency.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Timmarie Tyson (sister), minor Isaac (13)

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

1. **Need** Notice of Hearing and Proof of Personal Service as to Arran Brooks (father), Maria Murrell (mother) and minor Isaac.
2. Petition indicates paternal grandparents and maternal grandparents are unknown. **Need Due Diligence Declarations as to all unknown grandparents.**
3. Petitioner Timmarie Tyson indicates she is minor's oldest sister; however, no other siblings are identified in Child Information Attachment. **Court to clarify whether minor has any other siblings entitled to notice. [Petition, 02/02/18, LFpg3]. JTD**
4. Upon Court referral, need CI report.
5. ~Proposed form Order: 02/02/18.

RECOMMENDATION

Need to clear notes #1-2, then 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

GUARDIANSHIPS

DATE: 03/07/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1600390

CASE NAME: BENJAMIN J KOVACH ET AL

HEARING:

First Account and Report of KIMBERLY KOVACH and Petition for allowance of fees filed.

COUNSEL:

KIMBERLY KOVACH	(GE)...JOELLE LEE A. NICHOL
BENJAMIN J KOVACH	(MIN)...
MADISON R KOVACH	(MIN)...
JACOB J KOVACH	(MIN)...

XREF: PROPS1501150 JONATHAN WILLIAM KOVACH
GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON First Account Current and Report of Guardian, Petition for Order to Waive Future Accountings by Kimberly Kovach, guardian, minors: Benjamin (12); Madison (10); Jacob (8)

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

1. Accounting period: 11/16/16 to 12/26/17
2. Assets on hand: \$51,656.28, cash held in blocked accounts for each minor
3. Guardian waives compensation and reimbursement of costs.
4. Petitioner requests Court waive all future accountings to conserve costs of accounting as all funds are held in blocked account until minors reach age of majority. However, accountings must be filed at least every two years per Pr. C. §2620. Furthermore, assets on hand exceed \$15,000 per minor, and do not qualify for waiver under Pr. C. §2628. Does Court wish to require *biennial* accountings?
5. Proposed Order submitted 01/17/18 does not include accounting period and waives all future accountings.

RECOMMENDATION

Court's discretion. If approved, set future hearing for Accounting/Status Review on on **02/27/19 (if one year) or 02/26/20 (if two years)**. Note requirements of Local Rule 20-901 and 20-908. (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: TARA REILLY

DATE: 03/07/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700177

CASE NAME: BRIANNA SINOHUI

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

FRANCISCA JANET LUCERO YBARRA (GP)...PRO/PER
BRIANNA SINOHUI (MIN)...PRO/PER

XREF: FAMSS705084 JONATHAN MEZA LUCERO-V-JESSICA SINAHOUI

GENERAL INFORMATION:

Temporary Orders granted on 04/17/17. Francisca Janet Lucero Ybarra is appointed Temporary Guardian of the person of Brianna Sinohui. If mother objects, she is to file written objections.

Continued from 05/10/17. Court deems mother served by her appearance in court on 04/17/17. Declaration of Due Diligence to be filed as to maternal grandfather. Notice to be filed as to paternal grandfather and maternal grandmother.

Continued from 07/12/17. Court is informed father will be filing Consent to guardianship. Court accepts declaration of due diligence as to paternal grandfather. Court waives notice to maternal grandmother by her appearance today. All existing orders to remain in full force and effect. Referred to Court Investigator for investigation and report.

Continued from 11/29/17 at request of Court to clear probate notes. Copies of Court Investigator report filed 10/31/17 and 11/27/17 given to petitioner.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Francisca Janet Lucero Ybarra (paternal grandmother), minor: Brianna, 9

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

1. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Jonathan Lucero (father). Alternatively, as father is allegedly incarcerated, Court could allow certified mail return receipt with declaration of hardship of personal service per Local Rule 20-1317.
2. **Need** Due Diligence Declaration as to unknown maternal grandfather.
3. Court to review Confidential Guardian Screening form, [LF p. 2 and 4].
4. Court to review Confidential Guardianship Questionnaire [LF p. 4].

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

5. UCCJEA indicates related family law matters under case FAMSS705084.
6. Petitioner seeks power to apply for and receive any public benefits, social security & SSI benefits the minor child(ren) 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.
7. **CI Report filed 10/31/17 and 11/27/17.**
8. ~Proposed form Order: 04/10/17

RECOMMENDATION:

Need to clear notes 1-2, 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: 03/07/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700416

CASE NAME: MTR OF LEVI DALE VOWELL, JR

HEARING:

Hearing Re: Status of GAL Report

COUNSEL:

JASON TRUST	(GPE)...PRO/PER
SHONTAY TRUST	(GPE)...PRO/PER
LEVI DALE VOWELL JR	(MIN)...BRYAN C HARTNELL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status of GAL Report

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

1. Matter set on 01/30/18, wherein, Court reviewed CI Report filed 01/22/18 and confirmed Trevor and Rachel Vowell do not wish to proceed with their petition for guardianship. Court suspended powers of guardians of the estate of minor, Levi Dale Vowell, Jr. Court found guardianship to be in the best interest of minor. Jason Trust and Shontay Trust were appointed guardians of the person only of Levi Vowell, Jr.
2. Court appointed Bryan Hartnell as Guardian Ad Litem for Levi Vowell, Jr. **Need GAL Report.**

RECOMMENDATION

Inquire status.

(lh)