



Guardianship Calendar

First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 03/26/18

All corrections/supplements addressing the notes should be filed by **03/19/18**

. 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.

Contacting the Research Attorneys:

Email service is not available for cases referred to Legal Research. Legal Research Attorneys do not respond to emails. (03/12/18 ww)(03/06/18 cs)

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: 03/26/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600420

CASE NAME: THOMAS KENNEDY ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

KATHLEEN ANNE EARLEY	(PET)...PRO/PER
THOMAS CHRISTOPHER KENNEDY	(MIN)...
MATTHEW CALIXTO GALLEGOS	(MIN)...
JACOB ANTONIO GALLEGOS	(MIN)...

XREF: FAMSS1405844 *GEORGE A GALLEGOS JR. -N- KATIE I KENNEDY*

RFLRS051571 *KATIE KENNEDY -V- CHRISTOPHER KENNEDY*

GENERAL INFORMATION:

Ex Parte Order denied on 08/29/16. Court requests Court Investigator make a DCFS Hotline Referral due to allegations in Petition for Temporary Guardianship.

Continued from **10/03/16** to clear probate notes. Referred to CI. David Daugherty indicates he is paternal grandfather and that his son, Christopher Kennedy, resides out of state and wants to retain his parental rights.

Continued from **01/23/17** Court does not accept the declaration of due diligence as to mother of Thomas Kennedy. Matter is continued to clear probates notes. Petitioner requests to dismiss petition as to the minors Matthew Gallegos and Jacob Gallegos, and proceeds only as the minor Thomas Christopher Kennedy.

Continued from **05/15/17** Court dispenses with notice to paternal grandparents of Thomas Christopher Kennedy. Court dismisses the petition as to the minors Matthew and Jacob Gallegos as petitioner indicates she does not intent to proceed on the petition as to those two minors. Court clears probate note 9 re X-Ref matters and note 10 re minors Matthew and Jacob residing with father.

Continued from 10/16/17. Petitioner states she withdraws her request for guardianship as to the minors Matthew and Jacob Gallegos. Court receives testimony regarding petitioner's request for court reconsidering the petition for temporary guardianship (previously denied on August 29, 2016). Kathleen Earley appointed as temporary guardian of the person only for Thomas only.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Kathleen Earley (maternal grandmother), minor Thomas (13); only

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

1. **Need** Notice of Hearing and Proof of Personal Service as to Katie Kennedy (mother) and minor (Thomas).
 - a. Proof of personal service filed on 09/30/16 as to Christopher Shawn Kennedy (father) is insufficient due to only 4 days' notice given. Per Pr.C.§1511 **Need** personal service and at least 15 days' notice.
2. Notice of Hearing and Proof of service filed 09/30/16 as to Thomas William Earley (maternal grandfather) is insufficient. Proof of service is incomplete as to section 4 (a) and (b) indicating date and place of mail. **Need** proper service.
3. Child Information Attachment indicates minor, Thomas' address is "unknown"; however, UCCJEA indicates his address in Alta Loma. **Need** verified supplement clarifying minor's current whereabouts, [Petition, LF p. 5 and 6].
4. Petition alleges intentions to adopt minor.
5. DCFS Emergency Response Disposition filed 09/29/16.
6. Court Investigator Report filed 12/19/16.
7. ~Proposed form Order: 08/19/16

RECOMMENDATION:

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

(lh/cs/ww)

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

DATE: 03/26/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700243

CASE NAME: HAZEL ELIZABETH BLAZE DOUGLAS

HEARING: Re: PETITION FOR GUARDIANSHIP

COUNSEL:

JASON FLORES	(PET)...GEORGE MARICIC
HEIDI FLORES	(PET)...GEORGE MARICIC
HAZEL ELIZABETH BLAZE DOUGLAS	(MIN)...

GENERAL INFORMATION:

Temporary Orders granted on 05/15/17. Jason and Heidi Flores are appointed temporary guardians of the person of Hazel Douglas. Referred to DCFS. Vacate PAPGD hearing scheduled For 06/14/17. Counsel to give notice for new hearing date of October 23, 2017.

Continued from 10/23/17

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Jason and Heidi Flores (non-relatives), minor: Hazel (1)

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

1. Minor was born 02/15/17 in Pensacola, Florida and has resided with petitioners in Alta Loma, CA since 04/16/17.
2. Mother appears to be in the military. If Court determines that mother is currently on active duty in the military, Court to appoint counsel for mother per Soldiers' and Sailors' Civil Relief Act. JTD
3. Mother, Annette Prow, signed Nomination, Consent and Waiver.
4. Child Information Attachment indicates minors do not have Indian ancestry; however, ICWA inquiry was not made [LFpg10]. JTD
5. Need Notice of Hearing and Proof of Personal Service on Cory Douglas, father.
 - a. Petitioners request to excuse from giving notice to father [petition, LF p. 4]. JTD
6. Need Notice of Hearing and Proof of Service by Mail on unknown paternal grandparents, Allen Cowan & Davina Tanner (maternal grandparents), or file Due Diligence Declarations.
 - a. Petitioners request to excuse from giving notice on all grandparents, [Petition, LF p. 4]. JTD
7. Court to review Guardianship Questionnaire form by Heidi Flores, LF p, 4.
8. Notice from DCFS re continuance request to 11/27/17. Need DCFS Report.

9. ~Proposed form Order submitted: 05/05/17

RECOMMENDATION:

Need to clear notes 5 – 6 and DCFS Report, then Court's discretion.

(cs)

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

DATE: 03/26/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700461
CASE NAME: MTR OF MATAI LIUGALUA BARNES

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

SAISAMOA B VAITAUTOLU (GP)...PRO/PER
MATAI LIUGALUA BARNES (MIN)...

GENERAL INFORMATION:

Continued from 10/16/17. Referred to CI

Temporary orders denied on 10/24/17. Petitioner reported that the minor has not returned to her home- did not after going to school, and that she has had flyers posted requesting information as to minor's whereabouts.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Saisamoa Vaitautolu, (maternal aunt), minor: Matai, 13

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

10. Petition indicates mother has given petitioner guardianship of minor through the Supreme Court of Samoa. **Need** a copy of the order.
11. **Need** Notice of Hearing and Proof of Personal Service on Joanne Barnes (mother). Alternatively, as mother resides in American Samoa, service may be completed by certified mail. **Need** signed return receipt as proof of service per CCP §415.40.
12. **Need** Notice of Hearing and Proof of Personal Service on Matai (minor).
13. Father is reportedly unknown. **Need** copy of minor's birth certificate per Local Rule 20-1302.
14. Notice of Hearing and proof of service filed 09/15/17 as to Eliepa Barnes (maternal grandmother); however, proof of service, item 5 does not indicate if a copy of petition was served, and complete address not indicated. **Need** proper notice.
15. Petitioner requests to excuse notice to paternal grandparents. **JTD**
16. Court to review Confidential Guardian Screening form. [LF p 3 and 4].
17. **Need** CI report.
18. ~Proposed form order: 08/29/17

RECOMMENDATION:

Need CI report and to clear notes 1-5 then Court's discretion.

(cs/ww)

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

DATE: 03/26/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800041

CASE NAME: Ayden Amari Johnson

HEARING: Petition for Appointment of Guardian of Minor (Amended)

COUNSEL:

KE'ARIA JACKSON	(GP)...PRO/PER
AYDEN AMARI JOHNSON	(MIN)...
CYNDI AARON	(OBJ)...PRO/PER
ALICIA AARON HARDNETT	(PRO/PER)

GENERAL INFORMATION:

Temporary Orders granted 02/02/18. Ke'Aria Jackson is appointed temporary guardian of the person of Ayden Johnson.

THIS CASE SET FOR HEARING ON **Amended** Petition for Appointment of Guardian, of the person only, by Ke'Aria Jackson and Andrew Phillips (non-relative), minor: Ayden (1 month)

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

1. Amended Petition filed to include proposed co-guardian Andrew Phillips. **Petition filed 01/26/18 by Ke'Aria Jackson only and continued to 06/26/18 is contested. Objections filed by Cyndi Aaron (maternal grandmother) and Alicia Aaron Hardnett (mother).**
2. Mother, Alicia Aaron, is a minor. Per CCP §372 appointment of GAL is not required unless the court finds that the minor's parents are unable to understand the nature of the proceedings. JTD.
3. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] of Amended Petition on Rayvon Johnson (father) and Alicia Aaron (mother).
4. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] of Amended Petition on unknown paternal grandparents, Cindy Aaron (maternal grandmother), unknown maternal grandfather, and sibling (Sky) if age 12 or older, or file Due Diligence Declarations.
5. Petitioners have intentions on adopting minor.
6. Need: DCFS report as Petitioners are non-relatives per Pr.C. §1513(g).
7. ~Proposed form Order submitted: 02/21/18

RECOMMENDATION:

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

(cs)

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

DATE: 03/26/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS1500081

CASE NAME: **MF**BRADLEY JAMES BLEHM.

HEARING:

Accounting Review by ***

COUNSEL:

DIANA T FRANCIS	(PG)...RICHARD G ANDERSON
BRADLEY JAMES BLEHM	(MIN)...NOLAN F KING
BRADLEY JAMES BLEHM	(PET/PLA)...NOLAN F KING
SAN ANTONIO COMMUNITY HOSPITAL (DEF)	...DAVIS, GRASS, GOLDSTEIN &
MICHEAL MAMMONE MD	(LAFOLLETTE JOHNSON DE HASS FES)
DAVID FRANSDEN FNP	(LAFOLLETTE JOHNSON DE HASS FES)
MOUNTAIN VIEW EMERGENCY PHYSICIANS	(LAFOLLETTE JOHNSON DE HA

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Diana Francis (maternal grandmother) appointed as guardian of the person and estate for minor on 04/15/15, no bond.
2. 1st and current account of Diana Francis was approved on 01/09/17.
 - a. **Need** Order on 1st and current account.
3. **Need** Final Inventory and Appraisal
4. **Need** 2nd accounting.

RECOMMENDATION

Need to clear notes 2-4.

(ww)

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

DATE: 03/26/18 TIME: 11:00 DEPT: S35G

CASE#: GAR VS800220

CASE NAME: MATTER OF EDDIE E HUERTA, CARLOS RUIZ, NOAH JIMENE

HEARING: re: Petition for Termination of Guardianship

COUNSEL:

RHONDA R JIMENEZ	(PET)...PRO/PER
EDDIE E HUERTA	(MIN)...
CARLOS RUIZ	(MIN)...
NOAH E JIMENEZ	(MIN)...
CARLOS RUIZ	(PET/FAT)...PRO/PER

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Termination of Guardianship, by Carlos Ruiz (father), minor: Carlos Ruiz, (11) **only**

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

1. Rhonda Jimenez, maternal aunt, appointed guardian of the person, of minor, Carlos Ruiz, on 03/20/09 and his siblings (Noah Jimenez and Eddie Huerta). Order filed 03/20/09, Letters never issued.
2. Father, Carlos Ruiz, is petitioning for termination of guardianship.
3. Need Notice of Hearing and Proof of Service by Mail (form GC-020) as to Rhonda Jimenez (guardian), Stephanie Jimenez (mother), unknown maternal grandfather, Janice Gamboa (maternal grandmother), Carlos Ruiz, (paternal grandfather), Irene Escandon (paternal grandmother) and all siblings (including Anthony Ruiz, Eddie Huerta, Noah Jimenez), if age 12 or older, or file Due Diligence Declaration(s).
4. ~Proposed form Order: 02/21/18

RECOMMENDATION:

Need to clear notes 4, then Court's discretion. Need Letters to be issued.
(cs)

Future Hearing: 4/25/18: Hearing Re: Family Court Services Report

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

DATE: 03/26/18 TIME: 1:30 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 dispensed with notice to father, mother and paternal grandfather. Referred to Court Investigator for investigation and report. Referred to Family Court Services.

Continued from **01/17/18**. Mother/objector is admonished that if her address or phone number has changed, she is to file promptly the Notice of Change of Address with the Court. Matter re-referred to Family Court Services. Matter is set contested. Exchange deadline set for 4PM on 02/28/18. Court made pretrial orders; parties state they understand Court's order.

Continued from 02/28/18. Mother states she is withdrawing objections to the petition for guardianship but is requesting court ordered visitation with the minor. Court notes that the trial date will be vacated- the court will continue this matter to March 26, 2018 at 1:30pm for the court to interview the minor in camera as to the issue of visitation only. The trial is vacated. Court takes off calendar the hearing re receipt of the FCS report as the court is in receipt of FCS report. Court orders Barbara Reed to bring the minor, Olivia Reed, to court at 1:30pm on March 26, 2018.

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

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

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.

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. FCS report filed 10/27/17. FCS Report filed 02/08/18.
3. CI report filed 01/08/18.
4. **Objection by Gayle Reed (mother) filed 10/02/17 then withdrawn on 02/28/18.**
5. ~Proposed form Order: 08/08/17

RECOMMENDATION

Need to clear note 1.

(lh/ww)

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: 03/26/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700334

CASE NAME: MTR OF CHRISTOPHER JAMES BATES

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MICHELLE BATES (GP)...TERRY E. CALDWELL
CHRISTOPHER JAMES BATES (MIN)...

GENERAL INFORMATION

Temporary guardianship, of the person only, granted to Michelle Bates of minor Christopher Bates.

Continued from **08/09/17**. The mother withdraws her consent to the guardianship. Mother to file written objections.

Continued from 11/15/17 Court excuses notice to the MGM. Oral motion by attorney Jeanne Kennedy for an appointment of temporary guardianship. Referred to Court Investigator for investigation and report. Uncontested guardianship.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Michelle Bates (paternal uncle's spouse), minor Christopher (2)

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

1. Kyle Bates (father), Lyndsay Wootten (mother), and Wendy Murphy (paternal grandmother) signed Consents and Waivers.
2. See Confidential Screening form filed 07/03/17 [LFpg4].
3. Need CI report.
4. ~Proposed form Order: 07/03/17

RECOMMENDATION

Need CI Report, then Court's discretion.
(lh/cs)

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

DATE: 03/26/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700454

CASE NAME: ANTHONY VAZQUEZ AND DARLEENE VAZQUEZ

SEE ALSO 3

HEARING:

Hearing Re: Visitation Petition

COUNSEL:

ESTHELA SILVA MARTINEZ	(PET)...PRO/PER
JOSE DE JESUS VAZQUEZ FLORES	(PET)...PRO/PER
ANTHONY L VAZQUEZ OROS	(MIN)...
DARLEENE R VASQUEZ OROS	(MIN)...
LIDIA OROS	(PET/OBJ)...PRO/PER
OLIVIA VAZQUEZ	(PRO/PER)

No notes Visitation. JTD

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

DATE: 03/26/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700454

CASE NAME: ANTHONY VAZQUEZ AND DARLEENE VAZQUEZ

SEE ALSO 2

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

ESTHELA SILVA MARTINEZ	(PET)...PRO/PER
JOSE DE JESUS VAZQUEZ FLORES	(PET)...PRO/PER
ANTHONY L VAZQUEZ OROS	(MIN)...
DARLEENE R VASQUEZ OROS	(MIN)...
LIDIA OROS	(PET/OBJ)...PRO/PER
OLIVIA VAZQUEZ	(PRO/PER)

GENERAL INFORMATION:

Esthela Silva Martinez and Jose De Jesus Vazquez Flores are appointed temporary guardians of the person only for minors on 08/30/17.

Continued from **10/02/17**. Due to the appearance of Lidia Vasquez (Oros) in Court probate note 2 is cleared. Mother states she objects. Mother to file her objections with the court. On **10/18/17** Petition for termination by Lidia Oros (mother) was denied and parties were referred to FCS.

Continued from 01/08/18

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Esthela Silva Martinez and Jose De Jesus Vazquez Flores (paternal grandparents), minors: Anthony, 3 and Darleene, 5

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

1. Jose De Jesus Vazquez Silva (father) signed Consent and Waiver filed 08/22/17.
2. Due Diligence Declaration filed 01/03/18 as to unknown maternal grandfather. **JTD**
3. Section 4 of Child Information Attachment regarding why appointing guardian would be best for the children is incomplete; however, section 8 of petition addresses reasons for guardianship. **JTD** [LF pgs. 10 & 15]
4. Partial report from Family Court Services filed 01/08/18.
5. Court to see Declaration by Esthela filed 01/25/18.
6. **Need:** If referred to Court Investigator, a CI report would be required.
7. **Objection by Olivia Vazquez (maternal grandmother) filed 10/11/17.**

8. **Objection by Lidia Oros (mother) filed 10/11/17; however, proof of service completed by Olivia Vazquez (maternal grandmother) who is a party to the action. JTD**
9. No Proposed form order. Submit after hearing.

RECOMMENDATION:

Matter is contested. Court's discretion.

(cs/ww/cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700540

CASE NAME: MTR OF KARAH GENESIS HENRY

SEE ALSO 5

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

BRENDA J MARSHALL	(GP)...PRO/PER
KARAH GENESIS HENRY	(MIN)...
SHANA DANIELS	(MOT)...PRO/PER

GENERAL INFORMATION

Temporary guardianship, person only, of minor Karah Henry granted to Brenda Marshall. Continued from 11/15/17. Referred to Court Investigator for investigations and report. Referred to Family Court Services.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Brenda Marshall (Maternal grandmother), minor Karah, 9 (DOB 03/21/08)

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

1. Shana Daniels, mother, was personally served.
2. Proof of Service by mail filed 10/31/17 as to William Henry (father). However, **need** proof of certified mail service with attached return of signed receipt.
3. **Need** Notice of Hearing and proof of mailed service as to Jack Henry (pgf).
4. **Need** verified supplement clarifying maternal grandfather's identity and status information.
5. UCCJEA Declaration is incomplete at item #3 as to last 5 years of residences. **Need** verified supplement.
6. Petitioner indicates DCFS involvement. See item #8 of petition filed 10/13/17, [LFpg3]. Court may wish to inquire.
7. **Need** family Court Services report.
8. **Need** CI report.
9. ~Proposed form Order: 10/13/17

RECOMMENDATION

Contested matter.

Need to clear notes 2-5 and CI & FSC reports.

(lh/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700540

CASE NAME: MTR OF KARAH GENESIS HENRY

SEE ALSO 4

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

BRENDA J MARSHALL	(GP)...PRO/PER
KARAH GENESIS HENRY	(MIN)...
SHANA DANIELS	(MOT)...PRO/PER

GENERAL INFORMATION

On 11/15/17, Court appointed Brenda J. Marshall as temporary guardian of the person. Court referred to Court Investigator for investigation and report.

Continued from 01/31/18 to be heard with petitioner for guardianship. Court excuses notice as to Brenda Marshall as she is present in court. All existing temporary orders shall remain in full force and effect until 03/26/18.

THIS CASE IS SET FOR HEARING ON Petition for Termination of [temporary] Guardianship of minor Karah Henry (9)

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

1. Petitioner, Shana Daniels (mother) seeks termination of temporary guardianship and contests the general petition for guardianship. Petitioner alleges there is drug use in guardian's home, a firearm in guardian's home, that the neighborhood guardian resides in has high crime, and that guardian is seeking to receive public assistance due to her limited income.
2. **Need** Notice of Hearing and Proof of Service by Mail as to William Henry (father), Jack Henry (pgf), and Callie Henry (pgm).
3. **Need** CI report.
4. ~Proposed Order: 12/29/17

RECOMMENDATION

Need to clear notes 2-3, then Court's discretion.
(lh/cs)

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

DATE: 03/26/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800074

CASE NAME: MTR OF HAILEY LYNN HOWZE

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

MANDI L MARSHALL (GP)...PRO/PER
HAILEY LYNN HOWZE (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Mandi Marshall (non-relative), minor: Hailey, 1

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

1. Stacey Brungs (mother) signed Consent and Wavier and Temporary Guardianship Agreement which is attached to consent, [LFp3/4].
2. Child Information attachment [LFp8] is incomplete as to section 2 re identity of all relatives. **Need** completed form.
3. **Need** Notice of Hearing and Proof of Personal Service on Hesston Howze (father).
 - a. Petitioner seeks to dispense with notice as to father. JTD
4. **Need** Notice of Hearing and Proof of Service by Mail unknown paternal grandparents, maternal grandparents and any siblings age 12 or older, or file Due Diligence Declarations.
5. Petitioner indicates minor resides with petitioner in Crestline since 10/17 and prior to that she was homeless.
6. Court to review Confidential Guardian Screening form for possible conflicting
7. Need: DCFS report as Petitioner is non-relative per Pr.C. §1513(g).
8. ~Proposed form Order submitted: 02/21/18

RECOMMENDATION:

Need to clear notes 2-4, then Court's discretion
(cs)

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

DATE: 03/26/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800075

CASE NAME: NATHAN M GEE

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

MELISSA A SCHMIDT (PET)...PRO/PER
NATHAN MICHAEL GEE (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Melissa Schmidt (maternal grandmother), minor: Nathan, 8

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

1. Petition indicates petitioner is seeking guardianship of Nathan Gee only; however, Child Information Attachments for minors Jase Taylor and Owen Taylor are attached. Court to clarify if petitioner is seeking guardianship of all minors. JTD
2. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Jesse Taylor (father) and Carlee Green (mother).
3. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] on unknown paternal grandparents, Carl Green (maternal grandfather) and any siblings age 12 or older, or file Due Diligence Declarations.
4. **Need** Consent of Proposed Guardian [form GC-211].
5. **Need** Guardianship Questionnaire, [Local form SB 18074].
6. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b)
7. 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.
8. Need: Upon referral to CI by the Court, requires CI report.
9. ~Proposed form Order submitted: 02/21/18

RECOMMENDATION:

Need to clear notes 2-5, then Court's discretion
(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO Rancho District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 03/26/18 TIME: 11:00 DEPT: S36G

CASE#: GAR RS1200136

CASE NAME: NATHANIEL WOODS AND DAVEYON FRAZIER-BELL

HEARING:
Petition for visitation

COUNSEL:
VALARIE HAWTHORNE (PET)...PRO/PER
NATHANIEL M WOODS (MIN)...
DAVEYON D FRAZIER-BELL (MIN)...
JENNIFER BROWN (MOT)...PRO/PER

No notes – Visitation. 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: 03/26/18 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1300076

CASE NAME: MARCUS WILLIAMS JR

VACATED

HEARING: re: Petition for Termination of Guardianship

COUNSEL:

CYNTHIA DENISE WILBURN	(GP)...JOYCE M HOLCOMB
MARCUS WILLIAMS JR	(MIN)...
MIEISHIA JACKSON	(PET/MOT)...PRO/PER

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 03/26/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700078

CASE NAME: MTR OF YESENIA SALAS-GOMEZ

HEARING:

Hearing Re: PETITION FOR GUARDIANSHIP

COUNSEL:

DIANA BANUELOS	(GP)...PRO/PER
GUILLERMO BANUELOS	(GP)...PRO/PER
YESENIA SALAS-GOMEZ	(MIN)...

GENERAL INFORMATION:

Temporary Orders denied on **02/27/17**. Referred to DCFS

Diana and Guillermo Banuelos appointed temporary guardians of the person only on **06/05/17**. Temporary guardians are allowed to take minor to Mexico for two months over the summer. Minor is deemed served by her appearance.

Continued from **10/16/17**. Petitioner informs the court when she took minor to Mexico for two months, with court's permission, that the minor's parents did not want to allow the minor to return with the petitioner and minor is now enrolled in school in Mexico. Court orders petitioner to file a written statement under penalty of perjury explaining the circumstances and reasons that the minor was left in Mexico and did not returned with petitioner after the vacation to Mexico was over. Written statement is to be filed no later than 11/06/17. Court continues this matter and orders petitioner to bring the minor back to this court for the hearing on 11/27/17. Petitioner is to do her best to bring the minor's mother to the hearing as well. If petitioner appears with the minor, and the minor's mother, the court will treat the hearing as a petition for termination of guardianship.

Continued from 11/27/17. Parties do not stipulate to judge pro tem.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Diana and Guillermo Banuelos (non-relatives), minor: Yesenia, 15 (DOB 05/30/02).

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

1. Maternal grandfather is deceased.
2. Mother, father, maternal grandmother and paternal grandfather signed Consent and Waivers filed 06/05/17.

3. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on Martha Escalera (paternal grandmother) and sibling (Daniel).
4. Need written statement under penalty of perjury from petitioner explaining the circumstances and reasons that the minor was left in Mexico and did not returned with petitioner after the vacation to Mexico was over as directed by Court on 10/16/17. **(Decl 01/251/8. Petitioners indicate that Lidia Gomez (mother), decided not to send minor back for the following school year and that the petitioner's respect her decision. Petitioners are now requesting termination of the guardianship case.) JTD**
5. Court to review Guardian Screening forms filed 02/17/17, [LF pgs. 3, 6 and 7].
6. DCFS Report of no report filed 05/31/17. **JTD**
7. ~Proposed form Order submitted: 02/17/17

RECOMMENDATION:

Need DCFS Report and to clear note 3. Court's discretion re note 4.

(cs/ww)

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

DATE: 03/26/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700539

CASE NAME: GENESIS SANTIAGO, JAIDEN SANTIAGO, MELODY SANTIAGO

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CORRINA MARQUEZ	(PET)...PRO/PER
GENESIS SANTIAGO	(MIN)...
JAIDEN SANTIAGO	(MIN)...
MELODY SANTIAGO	(MIN)...

GENERAL INFORMATION:

Temporary Orders denied on 10/23/17.

Continued from 11/27/17. The Court determines that mother, present, consents to guardianship.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Corrina Marquez, (maternal aunt), minors: Genesis, 10; Jaiden, 7; and Melody, 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 & GC-020(P)] on Edgar Santiago (father).
2. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on unknown paternal grandparents, unknown maternal grandfather and Susie Sanchez (maternal grandmother).
3. Petition indicates interactions with CPS, [LF pg. 3 & 8]. Court to inquire. **JTD**
4. Petition indicates minors reside with mother, Alyssa Gomez.
5. **Need:** Upon referral to CI by the Court, requires CI report.
6. ~Proposed form Order submitted: 10/13/17

RECOMMENDATION:

Need to clear notes 1-2, then Court's discretion re note 3.

(cs/ww)

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

DATE: 03/26/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700549

CASE NAME: ALEXANDER NAVARRETTE VALENCIA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CARMEN PEREZ (GP)...PRO/PER
ALEXANDER NAVARRETE VALENCIA (MIN)...

GENERAL INFORMATION:

Carmen Perez appointed temporary guardian of the person of Alexander Valencia on **10/23/17**.

Continued from 11/27/17.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Carmen Perez (cousin), minor: Alexander, (**age 18 DOB 02/24/00**)

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

1. **Note: Minor reached the age of majority on 02/24/18.**
2. Mother, maternal grandmother and paternal grandparents are all deceased.
3. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Alexander (minor).
 - a. Due Diligence Declaration filed 11/27/17 as to Cesar Navarrete (father).
JTD
4. Due Diligence Declarations filed 11/27/17 as to Jose Valencia (maternal grandfather); Bianca Murillo (sister); however, signatures are not dated. **JTD**
5. Guardianship Questionnaire filed 10/16/17; however, not dated at signature line, page 7. **JTD**
6. Court to review Guardianship Questionnaire, [LF, pgs. 2 & 4].
7. **Need:** Upon referral to CI by the Court, requires CI report.
8. ~Proposed form Order submitted: 10/16/17

RECOMMENDATION:

Need to clear note 2 then Court's discretion re: remaining notes.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800068

CASE NAME: MTR OF LUIS GUSTAVO DUARTE RIVERA

SEE ALSO 5

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

LUIS GUSTAVO DUARTE RIVERA	(PET)...JESUS ZELADA
LUIS GUSTAVO DUARTE RIVERA	(MIN)...
MARGARITA CASTELLANOS	(GP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian of the person only by Margarita Castellanos (Aunt) for minor: Luis Gustavo Duarte Rivera (age 19, DOB 08/25/99)

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

1. **Need** Notice of Hearing and Proof of Personal Service [GC-020 & GC-020(P)] .on Paulino Duarte (father) and Lety Rivera (mother).
2. **Need** Notice of Hearing and Proof of Service by Mail or file Due Diligence Declarations (local form) as to Cecilio Duarte and Trinidad Fajardo (paternal grandparents); Adan Rivera and Transito Duarte (maternal grandparents) ; and siblings: Maria, Johanna, Eric and Cecilio Duarte if 12 years or older.
3. **Need** Consent of Proposed Guardian form GC-211.
4. Petitioner requests for an order dispensing with notice to the persons in Attachment 10; however no attachment provided. **Need** attachment via verified supplement.
5. Guardianship Questionnaire is incomplete as to Driver's license and SSN of petitioner and other adults in the home; and any medical/special needs of Luis. **Need** completed form.
6. **Need**: Upon referral to CI by the Court, requires CI report.
7. No Form Order Provided.

RECOMMENDATION

Need to clear notes 1-6 then Court's discretion.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/26/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800068

CASE NAME: MTR OF LUIS GUSTAVO DUARTE RIVERA

SEE ALSO 4

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

LUIS GUSTAVO DUARTE RIVERA	(PET)...JESUS ZELADA
LUIS GUSTAVO DUARTE RIVERA	(MIN)...
MARGARITA CASTELLANOS	(GP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status for Luis Gustavo Duarte Rivera (age 19, DOB 08/25/99)

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

1. Petitioner, Luis Gustavo Duarte Rivera ,a former minor (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. Luis offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Attached declaration to Petition by Luis is in Spanish. **Need** English interpretation via verified supplement.
 - b. Minor was born on **08/25/1999**, in **Guatemala** and lived there with minor’s parents until **June of 2017** in which he came to the United States alone to escape abuse and to be able to go to school. He was apprehended by immigration authorities and then released to his aunt Margarita (Proposed guardian).
 - c. Minor was abused and neglected by minor’s parents (see documents for specifics).
 - d. Minor was forced to quit school at the age of 12 so that he could work. His parents would threat to hit him if he did not go to work.
 - e. Minor does not believe he can return to minor’s parents because of abuse, abandonment and neglect.
6. Minor is 19 years of age. 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. **Need** Notice of Hearing and Proof Service as to Paulino Duarte (father) and Lety Rivera (mother).
9. No Form Order Provided.

RECOMMENDATION

Need to clear notes 5a & 8. Court to reach only if accompanying guardianship petition is first granted. Court’s discretion re factual findings that would support this petition.

(ww)

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

DATE: 03/26/18 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1300079

CASE NAME: MICHAEL A MITCHELL ET AL

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

THERESA JOHNS	(GP)...PRO/PER
MICHAEL A MITCHELL	(MIN)...
MAYLONIE T MITCHELL	(MIN)...
MARRIAN SYKES	(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by Marrian Sykes (mother) as to minors: Michael (11) and Maylonie (9)

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

1. Theresa Johns (paternal grandmother) appointed guardian of person only on 09/26/13.
2. Petitioner Marrian Sykes (mother) is seeking termination of guardianship as to minors as mother has been released, fulfilled all terms of releases and has been able to secure housing and employment.
3. Court to see the attached declaration. [Pet. LF pgs. 4-10]
4. **Need** Notice of Hearing and Proof of Service by Mail or file Due Diligence Declaration (local form) as to unknown maternal grandfather; and Robin Sykes (maternal grandmother).
5. Last CI Report was filed on 08/26/13.
6. ~Proposed Form Order: 02/27/18

RECOMMENDATION

Need to clear note 4 then Court's discretion.

(ww)