



Guardianship Calendar

First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 03/28/18

All corrections/supplements addressing the notes should be filed by 03/21/18

. 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.

03/12/18lh

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: 03/28/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700511

CASE NAME: ANIYA L WRIGHT & KARTER M JOSEPH

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

APRIL L SHELL	(PET)...PRO/PER
JORGE D PINEDA	(PET)...PRO/PER
ANIYA LATRICE WRIGHT	(MIN)...
KARTER MARIO JOSEPH	(MIN)...

GENERAL INFORMATION

Continued from 11/01/17, Court cleared probate note #1 as mother was present in Court this date. Court referred to Court Investigator. Informal consent by mother needs to be completed on appropriate form. Form provided to petitioners. Mother is to provide Birth Certificates of both minors to petitioners.

Continued from 02/21/18 at request of petitioners.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by April Shell (3rd cousin) and Jorge Pineda (spouse of cousin), minors: Aniyah (3) and Karter (2)

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

1. Consent and Waiver signed by Latianunna Porter (mother) filed 01/26/18.
2. Request to Excuse Notice with Due Diligence Declaration as to Krystal Edwards (mgm) filed 01/26/18. **JTD.**
3. **Need** Notice of Hearing and Proof of Personal Service as to unknown father.
4. Fathers are purportedly unknown. **Need** copy of birth certificates per Local Rule 20-1302.
5. **Need** Notice of Hearing and proof of mailed service as to Christopher Porter (mgf) and unknown paternal grandparents, or file Due Diligence Declaration(s).
6. UCCJEA Declaration is unclear as to when minors previously resided in Las Vegas, Nevada with their mother. **Need** verified supplement clarifying prior residences with dates.
7. Non-relative, referred to DCFS on 12/19/17. **CI Report of no report filed 02/13/18. Need DCFS report.**
8. ~Proposed form Order: 09/28/17

RECOMMENDATION

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

(lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700571

CASE NAME: ZARIAH JAYDE SALAZAR

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

BIANCA SALAZAR (GP)...PRO/PER
ZARIAH JAYDE SALAZAR (MIN)...PRO/PER

GENERAL INFORMATION:

Temporary Letters Issued 11/02/17.

Court dispenses with notice to father and paternal grandparents on general petition after review of birth certificate.

Continued from 12/05/17. Referred to Court Investigator for report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother, Bianca Salazar ["Petitioner"], minor now 8 months.

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

1. Nomination, consent and waiver signed by mother, Delana A. Salazar.
2. Petitioner alleges parental custody would be detrimental to minor.
3. **Need CI Report.**
4. ~Proposed Form Order/Letters 11/01/17.

RECOMMENDATION:

Need CI Report.

(nb/lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S35G

CASE#: GAR RS1100142

CASE NAME: BRIA J BUSHNELL

SEE ALSO 4

HEARING:

Hearing Re: STATUS OF GUARDIANSHIP IN TEXAS

COUNSEL:

BILLIE JEAN COOKS	(GPE)...
BRIA JEAN BUSHNELL	(MIN)...
MELINDA S BELL	(TP)...

XREF: CIPDS1400071 *IN RE: COOKS*

GENERAL INFORMATION:

Ex parte orders granted on 11/29/17 to continue hearing date. Court took off calendar the OSC re surcharge/sanctions set on 12/13/17 and reset to 03/28/18.

THIS CASE IS SET FOR HEARING ON Status of Texas Guardianship

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

1. Matter set on 08/16/17, wherein Court granted petition to fix residence outside of California. Court informed petitioner she must establish guardianship of minor in Texas. Guardian authorized to appear by Court Call at the next hearing set for 12/13/17.
2. **Need** proof of Texas guardianship.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S35G

CASE#: GAR RS1100142

CASE NAME: BRIA J BUSHNELL

SEE ALSO 3

HEARING:

Accounting Review by Billie Jean Cooks

COUNSEL:

BILLIE JEAN COOKS	(GPE)...
BRIA JEAN BUSHNELL	(MIN)...
MELINDA S BELL	(TP)...

XREF: CIPDS1400071 *IN RE: COOKS*

GENERAL INFORMATION

Continued from 09/13/17. No appearance. Court sets OSC re Surcharge on guardian of estate in amount of \$500 for same date as the hearing re status of Texas guardianship on 12/13/17.

Ex parte orders granted on 11/29/17 to continue hearing date. Court took off calendar the OSC re surcharge/sanctions set on 12/13/17 and reset to 03/28/18.

THIS CASE IS SET FOR HEARING ON **OSC Re Surcharge of \$500/Accounting Review**

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

1. Order approving Amended Second Account entered 02/10/16 for period ending 07/31/15.
2. Third account current now due.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S35G

CASE#: GAR VS700121

CASE NAME: MTR OF JOANA VENTURA,ERNIE,MARISOL,ERICK RIVERA

HEARING:

Accounting Review by ***

COUNSEL:

MARTHA RIVERA	(GPE)...CALDWELL, KENNEDY & PORTER
JOANA VENTURA	(MIN)...
ERNIE RIVERA	(MIN)...
MARISOL RIVERA	(MIN)...
ERICK RIVERA	(MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Erick Rivera (age 13)

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

1. Court approved 5th account current on 04/06/16 for account period ending 11/30/15.
2. **Need** 6th account current for account period commencing 12/01/15.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S35G

CASE#: GAR VS900063

CASE NAME: MATTER OF LILLY PAIGE JOHNSON

HEARING:

Petition for Visitation by Mother

COUNSEL:

CAROL A MEYERS	(PET)...PRO/PER
LILLY PAIGE JOHNSON	(MIN)...
SALLY JEAN JOHNSON	(PET)...PRO/PER

Visitation—no notes—JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRIALS**

DATE: 03/28/18 TIME: 1:30 DEPT: S35G

CASE#: GAR PS1700413

CASE NAME: MTR OF SARIAH PACHECO, ET AL

SEE ALSO 8 9

HEARING:

Hearing Re: COURT TRIAL (FIRST SESSION)

COUNSEL:

KATHY J JIRON (GP)...PRO/PER

DONALD R JIRON (GP)...PRO/PER

SARIAH I PACHECO (MIN)...

ABREE J PACHECO (MIN)...

ENRIQUE PACHECO III (PET/FAT)...LEGAL AID SOCIETY SAN BERNARDINO

Waiver of Court Fees and Costs filed by ABREE J PACHECO, SARIAH I PACHECO & ENRIQUE PACHECO III is GRANTED

Court trial—no notes—JTD

Future Hearing: 3/29/18 Court Trial

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

DATE: 03/28/18 TIME: 1:30 DEPT: S35G

CASE#: GAR PS1700413

CASE NAME: MTR OF SARIAH PACHECO, ET AL

SEE ALSO 7 9

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

KATHY J JIRON (GP)...PRO/PER
DONALD R JIRON (GP)...PRO/PER
SARIAH I PACHECO (MIN)...
ABREE J PACHECO (MIN)...
ENRIQUE PACHECO III (PET/FAT)...LEGAL AID SOCIETY SAN BERNARDINO

GENERAL INFORMATION

Kathy and Donald Jiron appointed temporary guardians of the person only on 08/10/17. Notice to unknown paternal grandparents was excused.

Continued from 09/14/17. Court deemed father served. Court admonished father that objections are to be complete, in writing, and served by 10/12/17. Objections will be waived permanently if not filed timely. Court directed petitioners to mail father a complete copy of petition with attachments by 4PM on 09/20/17. Exchange deadline for trial documents set for 4pm on 12/21/17. Referred to Court Investigator for report. **Continued from 01/19/18. Matter came on for trial. Court continued trial. Court made visitation orders. Parties not to discuss case with minors.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian of the person only by Donald R. and Kathy Jiron (maternal grandparents) for minor(s) Sariah (6) and Abree (4)

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

1. Angela Pacheco (mother) and Donald A. Jiron (brother) signed Consent and Waiver of Notice forms.
2. Notice is complete.
3. CI Report filed 01/17/18.
4. **Objections filed by father Enrique Pacheco III on 08/28/17.**
5. ~Proposed Form Order: 08/04/17

RECOMMENDATION

Matter is contested.

(ww/lh)

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

DATE: 03/28/18 TIME: 1:30 DEPT: S35G

CASE#: GAR PS1700413

CASE NAME: MTR OF SARIAH PACHECO, ET AL

SEE ALSO 7 8

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

KATHY J JIRON	(GP)...PRO/PER
DONALD R JIRON	(GP)...PRO/PER
SARIAH I PACHECO	(MIN)...
ABREE J PACHECO	(MIN)...
ENRIQUE PACHECO III	(PET/FAT)...LEGAL AID SOCIETY SAN BERNARDINO

GENERAL INFORMATION

Continued from 01/19/18.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by Enrique Pacheco III (father) as to minors: Sariah(6) and Abree (4)

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

1. Kathy and Donald Jiron appointed temporary co- guardians of person only as to both minors on 08/10/17
2. Enrique (father) is seeking termination of guardianship as to minors as he was unaware of the temporary guardianship and the children should be returned to his care.
3. **Need** Notice of Hearing and Proof of Service by Mail as to Kathy and Donald Jiron (maternal grandparents/temporary co-guardians); and Angela Pacheco (mother).
4. **Need** Parent Questionnaire form filed.
5. **Need** CII referral.
6. ~Proposed Form Order: 11/27/17

RECOMMENDATION

Need to clear notes 3-5, then Court's discretion.

(ww/lh)

Future Hearing: 3/29/18 Court Trial

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **GUARDIANSHIPS**

DATE: 03/28/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700066

CASE NAME: DIANA JAYLEEN HERNANDEZ
HEARING:
Hearing re: Petition for Appointment of Guardian

COUNSEL:

GABRIELA LOPEZ (PET)...PRO/PER
MARTIN DAVID DELGADO (PET)...PRO/PER
DIANA JAYLEEN HERNANDEZ (MIN)...

GENERAL INFORMATION:

Temporary Orders denied on 02/16/17.

Continued from 03/29/17. Father is unknown, petitioner to file copy of Birth Certificate.

Continued from 07/12/17. Court excuses notice to Ernesto Hernandez Naranjo (mgf). Matter continued by Court. Court refers matter to DCFS for investigation and report as petitioner is a non-family member.

Continued from 10/04/17. Court accepts Due Diligence Declaration as to unknown paternal grandparents. Court is informed minor lives with petitioner, and there are no adverse interest claims in this matter. Court continues for DCFS investigation/report.

Continued from 01/10/18. DCFS investigation and report has not been completed. Petitioner has completed the finger printing and paid fees. Court notes this is the third continuance and request for DCFS report. Court requests the report be completed by next hearing.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Gabriela Lopez and Martin Delgado (non-relatives), minor: Diana, 3

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

1. Diana Hernandez (mother) signed Nomination, Consent and Waiver filed 04/20/17.
2. Ana Portillo (mgm) signed Consent and Waiver. Filed 04/20/17.
3. Copy of Birth Certificate filed 04/20/17 [Declaration, 04/20/17, LFp.3].
4. **Need** DCFS report.
5. ~Proposed form Order: 02/09/17

RECOMMENDATION:

Need DCFS report.

(cs/lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700444

CASE NAME: ANDREW DANIEL DURAN

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CHARLENE DURAN (PET)...PRO/PER
ANDREW DANIEL DURAN (MIN)...

GENERAL INFORMATION

Ex parte orders granted 09/08/17. Charlene Duran appointed temporary guardian of the person.

Continued from 10/04/17. Corinne Duran provided court with documents from juvenile court in Los Angeles County appointing her as guardian of the minor, Andrew Daniel Duran. Referred to Court Investigator to follow up to see if Los Angeles County guardianship is current/active or status on that case. Court orders immediate report regarding jurisdiction as Corrine Duran status CPS appointed her guardian in Los Angeles County.

Continued from 11/15/17. Court orders Charlene Duran to appear at next hearing. If no appearance made, Court may dismiss this petition.

Continued from 01/31/18. It appears there is a guardianship in Los Angeles Juvenile County in place. Petitioners wish to move forward with this petitioner. Matter is continued for petitioner to show why this matter should be heard in this Court and not Juvenile Court in Los Angeles.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Charlene Duran (maternal grandmother), minor Andrew (15)

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

1. Minor signed petition; however, signature is not dated.
2. Nomination, Consent and Waiver signed by Lonnene Vreede (mother).
3. Consent and Waiver signed by Jason Poore (father), Andrew Duran (minor), Lonny Duran (mgf), and Marlene Duran (sister).
4. Confidential Screening Form filed 01/29/18. See attachment #3.
5. CI Report filed 10/30/17.
6. **Declaration in support of petition filed 01/29/18.**
7. **Los Angeles County minute order dated 10/02/17.**
8. ~Proposed form Order: 08/18/17

RECOMMENDATION
Court's discretion.

(lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700576

CASE NAME: MTR OF DOMINIC & SIENNA ERICKSON

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JANA CITLAU	(GP)...PRO/PER
DOMINIC ERICKSON	(MIN)...
SIENNA ERICKSON	(MIN)...

GENERAL INFORMATION:

Temporary Letters Issued 11/07/17.

Continued from 12/12/17 for petitioner to clear notes.

Continued from 02/06/18. Court excuses notice on father and paternal grandparents as they are unknown. Petitioner to file Due Diligence Declaration as to Steve Erickson, Jr (mgf), and consent by mother. No siblings over age 12. All existing orders to remain in effect until 03/28/18.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother Jana Citlau, minors now Dominic (11) and Sienna (10).

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

1. Mother, Stephanie Ramirez, served. However, section 1 to notice is incomplete.
Need consent from mother per m/o on 02/06/18.
2. **Need** Due Diligence Declaration as to Steve Erikson, Jr (mgf).
3. Petitioner alleges CPS involvement. [Petition, 10/31/17, LFpg5].
4. ~Proposed Form Order/Letters 10/31/17

RECOMMENDATION:

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

(nb/lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800085

CASE NAME: MYRA ANN POWELL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MYRA ANN POWELL (GPE)...PRO/PER
MYRA ANN POWELL (MIN)...PRO/PER

GENERAL INFORMATION

Ex parte orders denied 03/05/18; no emergency.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian of the Person and Estate by Myra A. Powell (pgm), minor: Myra Ann Powell (age 14)

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

1. Petitioner requests no bond but did not specify reasons in Attachment C. Estimated assets are unknown. It appears minor is a beneficiary of a life insurance policy. Court to inquire.
2. Minor Myra Ann Powell signed Consent and Waiver filed 02/26/18.
3. Request to Excuse Notice as to Anthony W. Powell, Jr (father) filed 02/26/18.
JTD
4. **Need** Notice of Hearing and Proof of Personal Service as to Bertha M. Williams (mother).
5. **Need** Notice of Hearing and Proof of Service by mail as to Anthony W. Powell, Sr (mgf), unknown paternal grandparents, and siblings: Anthony III, Aliciay, Alijah, and Amajae (if 12 years+), or file Due Diligence Declarations.
6. Petition is incomplete as page 2 of petition is missing. **Need** verified supplement.
7. Petition indicates CPS involvement, LFpg13. See also Questionnaire, LFpg8.
8. UCCJEA Declaration filed 02/26/18 indicates prior guardianship matter filed in Los Angeles County Superior. Court to clarify status of Los Angeles guardianship. **JTD**
9. Upon Court referral, need CI report.
10. -Proposed form Order: 02/26/18

RECOMMENDATION

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

(lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S36G

CASE#: GAR VS1000166

CASE NAME: MATTER OF MICHAEL JAMES DARNELL

HEARING:

Petition for leave to resign as guardian of person

COUNSEL:

BROCK E LYNCH	(PET)...CALDWELL, KENNEDY & PORTER, A.
MARY J LYNCH	(PET)...CALDWELL, KENNEDY & PORTER
MICHAEL J DARNELL	(MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Leave to Resign as Guardian of the Person by Brock E. Lynch and Mary J. Lynch (uncle/aunt/co-guardians) of minor, Michael J. Darnell (16)

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

1. Brock E. Lynch (uncle) and Mary J. Lynch, (aunt) were appointed co-guardians of the person of Michael Darnell on 11/05/10.
2. Petitioners, Brock and Mary Lynch, seek to resign as co-guardians as minor's behavior toward them has deteriorated to the point they can no longer serve minor's needs. Court to see supporting declaration of Mary Lynch filed 02/20/18.
3. Petitioners allege as minor is currently age 16, there is a continuing need for guardianship. However, there does not to be a viable successor guardian.
4. **Need** notice of hearing and proof of service to minor, Michael J. Darnell.
5. ~Proposed order: 02/20/18

RECOMMENDATION

Need notice to minor, then Court's discretion.

(lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S36G

CASE#: GAR VS900164

CASE NAME: MTTR OF KATIE M;KELLY M;KYLE M LAMBRIGHT(3)

HEARING:

Probate status report

COUNSEL:

ANGELICA MARIE LAMBRIGHT (PET)...JOELLE LEE A. NICHOL
KATIE MARIE LAMBRIGHT (MIN)...
KELLY MARIE LAMBRIGHT (MIN)...
KYLE MITCHELL LAMBRIGHT (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status Report of Angelica Lambright, **minor: Kyle Mitchell Lambright (age 16)**

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

1. Estate is not in a condition to close. The only estate asset is a 25% undivided interest in real property which minors inherited from their grandfather. The real property remains occupied by the minors' aunt and her disabled child, who resided in the property prior to the death of the minors' grandfather. The aunt continues to pay the mortgage, taxes, and insurance on the property. No rental income is generated.
2. The intent of the family is to remain status quo until Kyle Lambright, the youngest of minors, reaches 18 on 10/01/19, at which time the remaining 25% will be transferred to him.
3. Petitioner requests an additional 24 months to close the estate. Suggest 18-month continuance.
4. Notice was given.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review for **12/09/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 03/28/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1600507

CASE NAME: MTR OF SONGLU ZAI

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

CHUNLING MIAO

(PET)...PRO/PER

SONGLU ZAI

(MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by Chunling Miao (mother); minor Songlu Zai (16)

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

1. Chungling Miao (mother) was appointed guardian of the estate of Songlu Miao on 02/14/17 with no bond; Letters were issued same date.
2. Petitioner Chungling Miao seeks termination of guardianship of the estate, simply stating "We are not going to use it." It is not clear what estate assets consist of, or if any assets have been marshalled. If no assets exist, need proper petition to terminate for lack of assets per Pr. C. §12251. Court to inquire.
3. **Need** Inventory and Appraisal.
4. **Need** Notice of Hearing and Proof of Service.
5. ~Proposed Order: 02/22/18

RECOMMENDATION

Need to clear notes, then Court's discretion.

(lh)

Future Hearing: 4/17/18 Accounting Review

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

DATE: 03/28/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700558

CASE NAME: ZAEYION LAMAR WARE & ZY'MARIUN LAMEAR CANNON

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

NETTIE GORDON (PET)...PRO/PER
ZAEYION LAMAR WARE (MIN)...
ZY'MARIUN LAMEAR CANNON (MIN)...

GENERAL INFORMATION

Ex parte orders granted 10/30/17. Nettie Gordon appointed temporary guardian of the person. Court waives notice to fathers and paternal grandparents.

**Continued from 11/29/17 to clear probate notes and for notice to be given.
Referred to Court Investigator for report.**

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Nettie Gorden, minors: Zae'yion (6) and Zy'Mariun (3).

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

1. **Need** Notice of Hearing and Proof of Personal Service on Kimmisha Cannon (mother). Alternatively, as mother is incarcerated, notice may be served by certified mail and filing return of signed receipt with proof of service, along with Declaration of Hardship per Local Rule 20-1302.
2. **Need** Notice of Hearing and proof of mailed service as to Kumm Cannon (maternal grandfather).
3. **Need** CI report.
4. ~Proposed form Order: 10/20/17

RECOMMENDATION

Need to clear notes, then Court's discretion.

(lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700577

CASE NAME: MTR OF JUANA GRASIELITA SANCHEZ CANAY

SEE ALSO 4

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

FLORENCE CRITTENTON SERVICES (GP)...IMMIGRANT DEFENDERS LAW
JUANA GRASIELITA SANCHEZ CANAY (MIN)...

GENERAL INFORMATION

Continued from 01/10/18 to clear probate notes. Court determined notice was given untimely. Court orders foster parents to be given notice. Court waives notice to maternal and paternal grandparents. Court orders that minor be brought to the next hearing in lieu of matter being referred to DCFS for a limited report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Juana Canay, minor (14) to appoint Florence Crittenton Services

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

1. Due Diligence Declaration filed 01/03/18 as to Juan Sanchez Caba (father), Juana Olivia (mother), and siblings: Silvia, Juana Olivia, Domingo, Maria, Mateo, Domingo, and Angel Canay. JTD.
2. **Need** Notice of Hearing and proof of mailed service as to Juana and Maria del Carmen Perez (foster parents).
3. ~Proposed form Order: 10/31/17

RECOMMENDATION

Need to clear note #2, then court's discretion.

(lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700577

CASE NAME: MTR OF JUANA GRASIELITA SANCHEZ CANAY

SEE ALSO 3

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile
Findings

COUNSEL:

FLORENCE CRITTENTON SERVICES (GP)...IMMIGRANT DEFENDERS LAW
JUANA GRASIELITA SANCHEZ CANAY (MIN)...

GENERAL INFORMATION

Continued from 01/10/18. Court determined notice was given untimely. Court orders foster parents to be given notice. Court waives notice to maternal and paternal grandparents. Court orders that minor be brought to the next hearing in lieu of matter being referred to DCFS for a limited report.

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status by minor Juana Canay (01/20/03)

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

1. **Petitioner Jauna Canay, minor**, 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, Jauna Canay, offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on 01/20/03 in Guatemala and lived there with minor’s parents until
 - b. Minor was neglected by her parents as they lived in extreme poverty, did not have adequate clothing or food, could not afford to go to school, and lived in a dangerous area.
 - c. Minor went to the United States when she was approximately 13 years of age to reside with a foster family where her basic needs are met.
 - d. Minor does not believe he/she can return to minor’s parents because she will not be able to continue with school or receive basic care.
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 foster parents, Juana and Maria del Carmen Perez.
8. Court’s discretion re Due Diligence Declaration filed as to father, mother and siblings.
9. ~Proposed form Order: 10/31/17

RECOMMENDATION

Need notice. Court to reach only if accompanying guardianship petition is first granted, then Court’s discretion re factual findings that would support this petition.

(lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800078

CASE NAME: ROSENDA GUADALUPE GARCIA SACALXOT

SEE ALSO 6

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ROSENDA GUADALUPE GARCIA SACALXOT (PET/MIN)...BALLARD SPAHR
LESBIA VERONIA GARCIA SACALXOT (GP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian of the Person by Rosenda Sacalxot (former minor, age 18) to appoint Lesbia Sacalxot (sister)

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

1. Petitioner Rosenda Sacalxot seeks to appoint Lesbia Sacalxot (sister) as her guardian of the person.
2. Petitioner requests Court dispense with notice as to Domingo Garcia Az (father), Maria Sacalxot (mother), Juan and Catarina Sacalxot (maternal grandparents), and siblings: Juan, Amalia, and Maria as they all reside in Guatemala at unknown addresses. Petitioner further alleges USPS priority mail has been suspended to Guatemala; however, the attached USPS notice indicates "Global Express Guaranteed ("GXG") is still available. [Petition, 02/23/18, LFpg8]. **JTD**
3. Paternal grandparents are deceased.
4. Upon Court referral, need CI Report.
5. No proposed order submitted.

RECOMMENDATION

Court's discretion re note #2.

(lh)

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

DATE: 03/28/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800078

CASE NAME: ROSENDA GUADALUPE GARCIA SACALXOT

SEE ALSO 5

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

ROSENDA GUADALUPE GARCIA SACALXOT (PET/MIN)...BALLARD SPAHR
LESBIA VERONIA GARCIA SACALXOT (GP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status by Rosenda Sacalxot (minor, now 18)

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

1. Petitioner, Rosenda Sacalxot (now 18), requests that the court issue an order finding that minor is eligible for special immigrant juvenile status under the Special Immigrant Juvenile Status Statute (SIJS), 8 U.S.C., § 1101(a)(27)(J), which provides in relevant part as follows:
 - a. "The term 'special immigrant' means ... an immigrant who is present in the U.S.-
 - i. who has been declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law;
 - ii. for whom it has been determined in administrative or judicial proceedings that it would not be in the alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; and
 - iii. in whose case the Secretary of Homeland Security consents to the grant of special immigrant juvenile status..."
2. The specific findings required under the statutory scheme would be: (1) that petitioner is an immigrant placed under the custody of an individual appointed by a state court (probate guardianship); (2) that petitioner's reunification with one or

- both parents is not viable due to abandonment; and (3) it is not in the petitioner's best interest to be returned to his/her home country.
3. Once the above findings are made, petitioner may then begin the process with the Bureau of Citizenship and Immigration Services to obtain legal permanent residence status. In other words, the findings requested are a prerequisite to filing a petition for a "green card."
 4. State Superior Courts have jurisdiction to make factual findings of eligibility under SIJS See *N.O. v. Super. Ct. of Calif.*, County of Alameda, No. A122430 at 2-3 (Cal. Ct. App. 9/25/08). Thus, under the federal legislation, any superior court judge would have jurisdiction to hear the SIJS petition
 5. Petitioner, Rosenda Sacalxot, offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on 03/12/00 in Guatemala and lived there with minor's parents until minor was 2 when father left the family. Minor continued to reside with her mother and siblings until April, 2016, when petitioner travelled to the United State by herself where she was placed with her sister, Lesbia.
 - b. Minor was abused and neglected by her older brother who resided with petitioner and their mother. Petitioner was forced to quit school and work to help support family.
 - c. Minor was forced to move to the United States to seek education and opportunities.
 - d. Minor does not believe she can return to minor's parents because her father abandoned her at a young age, and is subject to physical abuse if living with her mother.
 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 relatives in petition for guardianship in prior matter #6.

RECOMMENDATION

Need notice, then Court's discretion re factual findings that would support this petition.

(lh)