



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 04/11/18

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.

03/26/18lh; 04/06/18

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

GUARDIANSHIPS

DATE: 04/11/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700111

CASE NAME: DYSIAH DEANETTE ITURRALDE LEE ET AL

SEE ALSO 2 3

HEARING:

Hearing Re: OSC RE REPORT OF GUARDIAN AD LITEM

COUNSEL:

JUAN CARLOS JIMENEZ

(GP)...MAUREEN JAROSCAK

ARLENE INESSA JIMENEZ

(GP)...MAUREEN JAROSCAK

DYSIAH DEANETTE ITURRALDE LEE

(MIN)...

DYLIANA LETICIA ITURRALDE LEE

(MIN)...

DYTAIE E LEE

(FAT)...KYLE J FARQUHAR

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON OSC Re Report of Guardian Ad Litem/Written Settlement Agreement/Status Conference Re Advancement of Trial

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

1. Matter set on 01/04/18 at first day of trial, wherein, Court convened with Counsel, and parties reached a temporary agreed re visitation, cited into record. Court extended attorney Mitchell Roth's role as a Guardian Ad Litem, not limited. Maureen Jaroscak to prepare settlement agreement.

RECOMMENDATION

Inquire status.

(lh)

Future Hearings:

10/3/18 Readiness Calendar; 10/30/18 Court Trial (Day 1); 0/31/18 Court Trial (Day2)

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

Page: 2

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

DATE: 04/11/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700111

CASE NAME: DYSIAH DEANETTE ITURRALDE LEE ET AL

SEE ALSO 1 3

HEARING:

Hearing Re: OSC RE WRITTEN SETTLEMENT AGREEMENT

COUNSEL:

JUAN CARLOS JIMENEZ	(GP)...MAUREEN JAROSCAK
ARLENE INESSA JIMENEZ	(GP)...MAUREEN JAROSCAK
DYSIAH DEANETTE ITURRALDE LEE	(MIN)...
DYLIANA LETICIA ITURRALDE LEE	(MIN)...
DYTAIE E LEE	(FAT)...KYLE J FARQUHAR

Waiver of Court Fees and Costs filed by DYSIAH DEANETTE ITURRALDE LEE is GRANTED

Waiver of Court Fees and Costs filed by DYLIANA LETICIA ITURRALDE LEE is GRANTED

See notes on prior matter #1.

(lh)

Future Hearings:

10/3/18 Readiness Calendar

10/30/18 Court Trial (Day 1)

10/31/18 Court Trial (Day2)

Superior Court of Calif, County of San Bernardino
Page: 3
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/11/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700111

CASE NAME: DYSIAH DEANETTE ITURRALDE LEE ET AL

SEE ALSO 1 2

HEARING:

Hearing Re: STATUS CONFERENCE RE ADVANCEMENT OF TRIAL

COUNSEL:

JUAN CARLOS JIMENEZ	(GP)...MAUREEN JAROSCAK
ARLENE INESSA JIMENEZ	(GP)...MAUREEN JAROSCAK
DYSIAH DEANETTE ITURRALDE LEE	(MIN)...
DYLIANA LETICIA ITURRALDE LEE	(MIN)...
DYTAIE E LEE	(FAT)...KYLE J FARQUHAR

Waiver of Court Fees and Costs filed by DYSIAH DEANETTE ITURRALDE LEE is GRANTED

Waiver of Court Fees and Costs filed by DYLIANA LETICIA ITURRALDE LEE is GRANTED

See notes on prior matter #1.

(lh)

Future Hearings:

10/3/18 Readiness Calendar

10/30/18 Court Trial (Day 1)

10/31/18 Court Trial (Day2)

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 04/11/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700482

CASE NAME: MTR OF VICTORIA JOY INGLEHART ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SHIRLEY INGLEHART	(PET)...PRO/PER
VICTORIA JOY INGLEHART	(MIN)...
KAITLYN MICHELE INGLEHART	(MIN)...

GENERAL INFORMATION

Shirley Inglehart appointed as temporary guardian of the person only for the minors on 09/20/17.

Continued from **10/19/17**.

Continued from 12/14/17. Court accepted and filed the Due Diligence Declaration as to Michele C Inglehart, Consent as to Ronald E. Inglehart, and Consent as to Victoria Joy Inglehart presented in open Court. Referred to Court Investigator for investigation and report.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian of the person only by Shirley Inglehart (paternal grandmother); minors Victoria 12 and Kaitlyen 10.

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

1. Father is deceased.
2. Court excused notice to mother, Michele C Inglehart.
3. Minor Victoria and Ronald E. Inglehart (pgf) signed Consent and Waiver.
4. Court to see Declaration under UCCJEA for attached copy of active restraining order against Michele (mother). [LF pg.4-9]
5. **CI Report filed 03/27/18.**
6. ~Proposed Form Order: 09/13/17

RECOMMENDATION

Court's discretion.

(ww/lc/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

Page: 5

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

DATE: 04/11/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700583

CASE NAME: JULES DACHINO

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

GRACE JORDAN	(GP)...PRO/PER
PARRISH JORDAN	(GP)...PRO/PER
JULES DACHINO	(MIN)...PRO/PER

GENERAL INFORMATION:

Temporary Orders granted 11/09/17. Grace and Parrish Jordan are appointed Temporary Guardians of the person of Jules Dachino.

Continued from 12/11/17. Court cleared probate note #1; death certificate of Emma Borjas was presented in open Court. Petitioner presented minor's birth certificate to the Court. Court notes there is no father and excuses notice as to Weston Armitage. Hearing continued at request of petitioner to clear remaining notes. Court referred to Court Investigator for investigation and report.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Grace Jordan, Parrish Jordan (maternal aunt and uncle), minor: Jules 15 (DOB 04/09/02

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

1. Cynthia Borgas (mother) was served.
2. Notice of Hearing and proof of mailed service filed 12/18/17 as to Jules (minor); however, **need proper personal service** per Pr. C. §1511.
3. Court to see Confidential Guardian Screening forms, [LF p. 3/4].
4. Court to see Confidential Questionnaire by Grace Jordan, [LF, p. 4].
5. **CI Report filed.**
6. ~Proposed form Order submitted: 11/03/17

RECOMMENDATION:

Need to clear note #2 then Court's discretion.

(cs/lh)

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Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 04/11/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800101

CASE NAME: MTR OF AMORA NEVAEH VILLA-FLORES

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JACKIE GONZALES (GP)...PRO/PER
AMORA NEVAEH VILLA-FLORES (MIN)...

GENERAL INFORMATION

Ex parte orders granted 03/14/18. Court appointed Jackie Gonzales as temporary guardian of the person.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian by Jackie Gonzalez (relation), minor: Amora Villa-Flores

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

1. Request to Excuse Notice and Due Diligence Declaration filed 03/07/18 as to Diana Villa-Flores, mother. **JTD**
2. **Need** Notice of Hearing and Proof of Personal Service as to Christopher Andrew Gonzalez (father). Alternatively, service may be completed by certified mail and return of signed receipt as father is purportedly incarcerated per Local Rule 20-1317.
3. **Need** Notice of Hearing and Proof of Service by mail as to Christopher Gonzalez (pgf).
4. Upon Court referral, need CI Report.
5. ~Proposed Order: 03/07/18

RECOMMENDATION

Need notice then Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 7
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 04/11/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800103

CASE NAME: MTR OF ANTHONY RAYMOND CABRAL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SANDRA AYALA (GP)...BRIAN J HOLOHAN
ANTHONY RAYMOND CABRAL (MIN)...

X-ref matter: GARPS1600142 (In Re: Anthony Cabral)

GENERAL INFORMATION

Ex parte orders denied 03/15/18 without prejudice.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian by Sandra Ayala (mgm), minor: Anthony, Jr (6)

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

1. Mother is deceased.
2. Minor Anthony currently resides with his father, Anthony Raymond Cabral.
3. **Need** Notice of Hearing and Proof of Personal Service as to Anthony Raymond Cabral (father).
4. **Need** Notice of Hearing and Proof of Service by mail as to Anthony Cabral (pgf), Maxine Vildosola (pgm), and Paul Rams (mgf), or file Due Diligence Declarations.
5. See attached Declaration in support of petition alleging CPS involvement. [Petition, 02/27/18, LFpg12-14].
6. Upon Court referral, need CI Report.
7. No proposed order submitted.

RECOMMENDATION

Need notice then Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 04/11/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS900031

CASE NAME: MATTER RE ADAN FLORES

HEARING:

Petition for APPOINTMENT OF SUCCESSOR GUARDIAN

COUNSEL:

JOSE FLORES	(PG)...PRO/PER
ADAN FLORES	(MIN)...
EILEANA FLORES	(PET)...PRO/PER
AURELIA FLORES	(PET)...PRO/PER

GENERAL INFORMATION:

Maternal grandfather, Jose Flores, appointed guardian of the person on 03/06/09. Now deceased.

Continued from 12/12/17. Court cleared probate note regarding Notice of Hearing and proof of personal service on mother and father as Court determined no further notice is required. Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother Aurelia Flores and maternal Aunt Eileana Flores, minor Adan now 12.

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

1. Minor signed consent and waiver.
2. Notice is complete.
3. **CI report filed 04/04/18.**
4. Petitioner requests authority to seek such medical, dental, psychiatric and psychological treatment/therapy as needed. JTD.
5. Petitioner requests authority to apply for and receive such public benefits, Social Security and SSI benefits minors may be entitled to receive. JTD.
6. ~Proposed Form Order/Letters 11/06/17

RECOMMENDATION:

Court's discretion.

(nb/lh)

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Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

GUARDIANSHIPS

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700564

CASE NAME: MTR OF EVER ANTONIO COLINDREZ ESCOTO

SEE ALSO 2

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

EVER ANTONIO COLINDREZ ESCOTO (PET)...GABRIEL OREA

FLORENCE CRITTENTON SRVCS OF ORANGE COUNTY (GP)...PRO/PER

EVER ANTONIO COLINDREZ ESCOTO (MIN)...

GENERAL INFORMATION

Continued from 12/14/17. Court cleared notice to foster parents and referred to Court Investigator for investigation and report.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, person only by minor Ever Antonio Colindrez Escoto [17] for Crittenton Services.

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

1. Minor is currently residing with foster parents in Fontana.
2. Father Selso Antonio Colindrez signed consent and waiver.
3. Mother Ana Escoto Cruz signed consent and waiver.
4. All other relatives signed consent and waiver.
5. **Non Relative Referral sent to DCFS on 01/03/18. Need DCFS non-relative report.**
6. ~Proposed Form Order: 10/24/17

RECOMMENDATION

Need to clear note #5.

(lc/lh)

Superior Court of Calif, County of San Bernardino
Page: 2
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700564

CASE NAME: MTR OF EVER ANTONIO COLINDREZ ESCOTO

SEE ALSO 1

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

EVER ANTONIO COLINDREZ ESCOTO (PET)...GABRIEL OREA
FLORENCE CRITTENTON SRVCS OF ORANGE COUNTY (GP)...PRO/PER
EVER ANTONIO COLINDREZ ESCOTO (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status by minor Ever Antonio Colindrez Escoto [17].

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

1. Petitioner, by minor Ever Antonio Colindrez Escoto [17], a minor [17], seeks 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. Ever, minor, offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on 11/19/00, in Honduras and lived there with minor's parents until he was approximately 15.
 - b. Minor was allegedly abandoned and neglected by parents.
 - c. Minor alleges he fled to the United States when he was 16.
 - d. Minor does not believe he/she can return to minor's parents because he will allegedly not be cared for and would work under dangerous conditions.
6. Minor will be 18 yrs old in November 2018.
7. Father Selso Antonio Colindrez signed consent and waiver.
8. Mother Ana Escoto Cruz signed consent and waiver.
9. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
10. ~Proposed Form Order: 10/24/17.

RECOMMENDATION

Accompanying guardianship to be approved prior to this petition. Court's discretion re factual findings that would support this petition.

(lc/lh)

Superior Court of Calif, County of San Bernardino
Page: 3
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700565

CASE NAME: Audelia Gonzalez Garcia

SEE ALSO 4

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

FLORENCE CRITTENTON SRVCS OF OC(PG)...IMMIGRANT DEFENDERS
AUDELIA GONZALEZ GARCIA (MIN)...

GENERAL INFORMATION

Continued from 12/14/17. Referred to Court Investigator for investigation and report.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, person only by minor Audelia Gonzalez Garcia [17] for Crittenton Services.

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

1. Parents Antolin Saavedrea and Irma Garcia Ortiz consent and waive notice.
2. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on foster parents Juan Angel and Maria del Carmen Perez per Pr.C. § 1511(c)(3).
 - a. Petitioner alleges notice should be waived as Crittenton waived notice. However, per Pr.C. § 1511(c)(3) parties shall be noticed. JTD
3. Maternal grandmother and siblings signed consent and waiver.
4. Maternal grandfather and paternal grandparents are deceased.
5. Non Relative Referral sent to DCFS on 01/03/18. **Need DCFS non-relative report.**
6. ~Proposed Form Order: 10/24/17.

RECOMMENDATION

Court's discretion re note #2. Need DCFS report.

(lc/lh)

Superior Court of Calif, County of San Bernardino
Page: 4
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700565

CASE NAME: Audelia Gonzalez Garcia

SEE ALSO 3

HEARING:

Petition for Special Immigrant Juvenile Findings

COUNSEL:

FLORENCE CRITTENTON SRVCS OF OC(PG)...IMMIGRANT DEFENDERS
AUDELIA GONZALEZ GARCIA (MIN)...

GENERAL INFORMATION

Continued from 12/14/17.

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status minor Audelia Gonzalez Garcia [17].

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

1. Petitioner, Audelia, a minor 17, requests that the court issue an order finding that minor is eligible for special immigrant juvenile status under the Special Immigrant Juvenile Status Statute (SIJS), 8 U.S.C., § 1101(a)(27)(J), which provides in relevant part as follows:
 - a. "The term 'special immigrant' means ... an immigrant who is present in the U.S.-
 - i. who has been declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law;
 - ii. for whom it has been determined in administrative or judicial proceedings that it would not be in the alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; and
 - iii. in whose case the Secretary of Homeland Security consents to the grant of special immigrant juvenile status..."

2. The specific findings required under the statutory scheme would be: (1) that petitioner is an immigrant placed under the custody of an individual appointed by a state court (probate guardianship); (2) that petitioner's reunification with one or both parents is not viable due to abandonment; and (3) it is not in the petitioner's best interest to be returned to his/her home country.
3. Once the above findings are made, petitioner may then begin the process with the Bureau of Citizenship and Immigration Services to obtain legal permanent residence status. In other words, the findings requested are a prerequisite to filing a petition for a "green card."
4. State Superior Courts have jurisdiction to make factual findings of eligibility under SIJS See *N.O. v. Super. Ct. of Calif.*, County of Alameda, No. A122430 at 2-3 (Cal. Ct. App. 9/25/08). Thus, under the federal legislation, any superior court judge would have jurisdiction to hear the SIJS petition
5. Petitioner offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on 10/17/00, in Mexico and lived there with minor's parents until minor was 16.
 - b. Minor was neglected by minor's parents.
 - c. Minor fled to United States 01/2017.
 - d. Minor does not believe he/she can return to minor's parents because her family is allegedly unable to care for her.
6. Minor will be 18 yrs old in October 2018.
7. Parents Antolin Saavedrea and Irma Garcia Ortiz waive notice.
8. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on foster parents Juan Angel and Maria del Carmen Perez.
 - a. Petitioner alleges notice should be waived as Crittenton waived notice.
9. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
10. ~Proposed Form Order: 10/24/17.

JTD

RECOMMENDATION

Need to clear note 9, Court's discretion re note 8 and accompanying guardianship approved prior to this petition. Court's discretion re factual findings that would support this petition.

(lc/lh)

Superior Court of Calif, County of San Bernardino
Page: 5
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700634

CASE NAME: JAIME ANDRES LOPEZ TERCERO

SEE ALSO 6

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

HELEODORA VICTORIANA TERCERO FUNES (PET)...MARCUS GOMEZ

JAIME ANDRES LOPEZ TERCERO (PET)...MARCUS GOMEZ

JAIME ANDRES LOPEZ TERCERO (MIN)...

GENERAL INFORMATION

Continued from 01/10/18 at request of Counsel.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Heleodora Funes (maternal aunt) and Jaime Tercero (former minor 10/25/97)

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

1. **Need** Notice of Hearing and Proof of Personal Service as to Leticia Funez (mother) and Anastacio Ramos (father). Alternatively, as parents reside in Guatemala: either by **a) international registered mail, return receipt**; b) service by agent (typically an attorney in Guatemala); c) service by Letters Rogatory; or (d) service via the Guatemala Ministry of Foreign Affairs. CCP section 413.10(c); Pr. C. §1511; In re Alyssa F. (2003) 112 Cal. App. 4th 846, 885, fn. 10; Convention on the "Service Abroad of Judicial and Extrajudicial Documents" in Civil or Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. No. 6638 (Hague Service Convention).
2. **Need** Due Diligence Declarations as to unknown paternal grandparents and unknown maternal grandparents.
3. **Need CII referral form.**
4. **Minor/Petitioner Jaime Tercero signed consent to petition, but did not sign the verification as a co-petitioner. Need same.**
5. Upon Court referral, need CI report.
6. ~Proposed form Order: 12/06/17

RECOMMENDATION

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

(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

Page: 6

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

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700634

CASE NAME: JAIME ANDRES LOPEZ TERCERO

SEE ALSO 5

HEARING:

Petition for SPECIAL IMMIGRANT JUVENILE FINDINGS

COUNSEL:

HELEODORA VICTORIANA TERCERO FUNES (PET)...MARCUS GOMEZ
JAIME ANDRES LOPEZ TERCERO (PET)...MARCUS GOMEZ
JAIME ANDRES LOPEZ TERCERO (MIN)...

GENERAL INFORMATION

Continued from 01/10/18 at request of Counsel.

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

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

1. Petitioner, **Jaime Tercero**, former minor, age 20, requests that the court issue an order finding that minor is eligible for special immigrant juvenile status under the Special Immigrant Juvenile Status Statute (SIJS), 8 U.S.C., § 1101(a)(27)(J), which provides in relevant part as follows:

- a. "The term 'special immigrant' means ... an immigrant who is present in the U.S. –
 - i. who has been declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law;
 - ii. for whom it has been determined in administrative or judicial proceedings that it would not be in the alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; and
 - iii. in whose case the Secretary of Homeland Security consents to the grant of special immigrant juvenile status..."

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.**

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."
1. 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
2. Petitioner, Jaime, offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Former minor was born on **10/25/97**, in **Guatemala** and lived there with minor's parents until **November, 2015**.
 - b. Minor was forced to move to the United States to escape forced gang recruitment when he was approached by gang members of the "MS-13" gang to steal from his parents, or else risk death.
 - c. Minor does not believe he can return to Guatemala because he fears for his life from "MS-13" gang.
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 mailed service to parents.**

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)

Superior Court of Calif, County of San Bernardino
Page: 7
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700686

CASE NAME: MTR OF KATHERINNE CRISTINA MARTINEZ LEMUS

SEE ALSO 8

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

KATHERINNE CRISTINA MARTINEZ LEMUS (PET)...ELIZABETH ALAMILLO
KEVIN ALEXANDER RODRIGUEZ MARTINEZ (GP)...PRO/PER
KATHERINNE CRISTINA MARTINEZ LEMUS (MIN)...

GENERAL INFORMATION

Continued from 02/28/18 to complete service.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Katherinne Lemus (minor, 19) to appoint Kevin Alexander Martinez (sibling)

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

1. Victoria Lemus (mother) and Gabriel Torres (father) signed Consent and Waiver.
2. Minor requests court to dispense with unknown paternal grandparents and maternal grandfather as their identities and whereabouts are unknown. **JTD**
3. Upon Court referral, need CI report.
4. ~Proposed Order: 02/23/18

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 8
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700686

CASE NAME: MTR OF KATHERINNE CRISTINA MARTINEZ LEMUS

SEE ALSO 7

HEARING:

Petition for SPECIAL IMMIGRANT JUVENILE FINDINGS

COUNSEL:

KATHERINNE CRISTINA MARTINEZ LEMUS (PET)...ELIZABETH ALAMILLO
KEVIN ALEXANDER RODRIGUEZ MARTINEZ (GP)...PRO/PER
KATHERINNE CRISTINA MARTINEZ LEMUS (MIN)...

GENERAL INFORMATION

Continued from 02/28/18 to complete service.

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status by Katherinne Lemus

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

4. Petitioner, **Katerinne Lemus**, 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..."

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. 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.
6. 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 Katherine Lemus** offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on 10/23/98 in El Salvador and lived there with her grandmother until 2015.
 - b. Minor was abandon by her father at a young age and has had not communication or relationship with him.
 - c. Minor moved to the United States to reside with her mother and sister; however, her mother is unable to financially support minor. Minor now resides with her brother, Kevin, who is able to support her.
 - d. Minor does not believe she can return to minor's parents because her mother cannot afford to care for her, and her father is not in her life.
8. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
9. Consent and Waiver signed by mother and father as to petition for guardianship. Does Court wish to waive notice as to SIJS petition? If not, need mailed service to parents. **JTD**

RECOMMENDATION

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

(lh)

Superior Court of Calif, County of San Bernardino
Page: 9
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800014

CASE NAME: MTR OF SILAS JOHN CORP

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CARINA CORP	(GP)...PRO/PER
JAMES CORP	(GP)...PRO/PER
SILAS JOHN CORP	(MIN)...

GENERAL INFORMATION

Ex parte orders granted 01/17/18. Court referred matter to DCFS for 1513(b) investigation.

Continued from 02/14/18. Mother to file written objections.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Carina and James Corp, minor Silas (5 months)

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

1. Stephanie Corp (mother) was served.
2. Michael Corp (father) was served; however, only 12 days' notice was given.
Need proper service to include at least 15 days' notice per Pr. C. §1511.
3. **DCFS report filed 02/09/18.**
4. Upon Court referral, need CI Report.
5. Proposed Order: 01/10/18

RECOMMENDATION

Need to clear note #2 then Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 10
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800084

CASE NAME: RENE VASQUEZ-JUAREZ

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

FELIX VARGAS HERNANDEZ (PET)...CECILIA I ONUNKWO
RENE VASQUEZ-JUAREZ (MIN)...
SEBASTIAN VAZQUEZ-JUAREZ (MIN)...

GENERAL INFORMATION

Ex parte orders denied on 03/07/18. Court granted Counsel's request to move hearing for appointment of general guardianship to 04/11/18.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian by Felix Vargas Hernandez (non-relative), minors: Rene (15) and Sebastian (12)

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

1. Maria Teresa Vasquez Juarez (mother) signed Nomination, Consent and Waiver.
2. Petitioner requests Court to excuse notice to Alberto Vasquez (father) alleging he was deported to Mexico years ago; mother has no contact and does not know whereabouts. **JTD**
3. **Need** Notice of Hearing and Proof of Personal Service as to minors Rene (15) and Sebastian (12).
4. **Need** DCFS non-relative report.
5. ~Proposed Order: 02/26/18

RECOMMENDATION

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

(lh)

Superior Court of Calif, County of San Bernardino
Page: 11
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800104

CASE NAME: MTR OF HETZABELL & MARTIN HERNANDEZ

HEARING:
Hearing re: Petition for Appointment of Guardian

COUNSEL:
BIBIAN M AVILA (PET)...PRO/PER
HETZABELL HERNANDEZ (MIN)...
MARTIN MARIN HERNANDEZ (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian by Bibian Avila , minors: Hetzabell (15) and Martin (9)

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

1. Hetzabell Hernandez (minor) signed petition consenting to appointment.
2. Mother and paternal grandfather are deceased.
3. **Need** Notice of Hearing and proof of service to Martin Hernandez (father) either by a) international registered mail, return receipt; b) service by agent (typically an attorney in Mexico); c) service by Letters Rogatory; or (d) service via the Mexico Ministry of Foreign Affairs. CCP section 413.10(c); Pr. C. §1511; In re Alyssa F. (2003) 112 Cal. App. 4th 846, 885, fn. 10; Convention on the "Service Abroad of Judicial and Extrajudicial Documents" in Civil or Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. No. 6638 (Hague Service Convention).
6. **Need** Notice of Hearing and Proof of Service by mail as to Catalina Ramirez (pgm), Abel Avila (mgf) and Teresa Marragan (mgm), or file Due Diligence Declarations.
7. Upon Court referral, need CI report.
8. ~Proposed Order: 03/08/18

RECOMMENDATION

Need notice then Court's discretion.
(lh)

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR RS800194

CASE NAME: ALEXANDRIA HIDALGO

SEE ALSO 12A

HEARING:

PETITIONER'S SIXTH AND FINAL ACCOUNT and Report of DANA R HIDALGO, and Petition for allowance of fees filed.

COUNSEL:

DANA R HIDALGO (PET)...PRO/PER
ALEXANDRIA HIDALGO (MIN)...

Waiver of Court Fees and Costs filed by DANA R HIDALGO is GRANTED
Waiver of Court Fees and Costs filed by ALEXANDRIA HIDALGO is GRANTED

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 6th and Final Account and Report of Guardian Dana Hidalgo, minor Alexandria (age 18 on 09/20/17)

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

1. Accounting period: 08/01/17 to 09/14/17
2. Assets on hand appears to be \$47,367.53 as petitioner provided three separate accountings for three separate reports but did not total and state in report.
3. No distributions were made.
4. Petitioner did not request fees.
5. Proposed Order on 6th account dated 02/23/18: date of hearing is incorrect. Need corrected order.

RECOMMENDATION

Court's discretion. If approved, set future hearing for receipts and final discharge for **10/17/18**.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 12A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR RS800194

CASE NAME: ALEXANDRIA HIDALGO

SEE ALSO 12

HEARING:

FIFTH ACCOUNT & REPORT Account and Report of DANA R HIDALGO and
Petition for allowance of fees filed.

COUNSEL:

DANA R HIDALGO (PET)...PRO/PER
ALEXANDRIA HIDALGO (MIN)...

Waiver of Court Fees and Costs filed by DANA R HIDALGO is GRANTED
Waiver of Court Fees and Costs filed by ALEXANDRIA HIDALGO is GRANTED

GENERAL INFORMATION

Continued from **10/04/17**.

Continued from **12/13/17**. Court is in need of Order approving 4th account, then 5th account can be approved. Guardian will also need to file a 6th and final account now that minor has reached age of majority.

Continued from 02/07/18 at request of petitioner.

Continued from 04/03/18 to trail sixth and final account.

THIS CASE IS SET FOR HEARING ON 5th Account and Report of Guardian Dana Hidalgo, minor Alexandria (age 18 on 09/20/17)

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

1. 4th Account current approved on 05/17/16. ~**Proposed Order 02/23/18**.
2. Accounting period: 01/01/16 to 07/31/17
3. Assets on hand appears to be \$46,732.24 as petitioner provided three separate accountings for three separate reports but did not total and state in report.
4. No distributions have been made.
5. Petitioner did not request fees.
6. ~Proposed Order on 5th Account submitted 01/12/18

RECOMMENDATION

Court's discretion.

(lh/nb/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.**

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

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1500444

CASE NAME: MTR OF RHYAN A J EROE

HEARING:
Accounting Review

COUNSEL:
RYANNE N EROE (GE)...JASON L GAUDY
RHYAN A J EROE (MIN)...

GENERAL INFORMATION
Continued from 02/07/18.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ryanne Enroe (mother) appointed guardian of the estate on 12/28/15, with blocked account in lieu of bond.
2. **Need** final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. No accounting or status report of administration. Need same.

RECOMMENDATION
Inquire status.

(lh)

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

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: RG RS01676

CASE NAME: MARIE SAMANTHA AGUILAR

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

LORRAINE MARIE MONTALVO-VALDER (PET)...PRO/PER
MARIE SAMANTHA AGUILAR ALVAREZ (MIN)...
TASHIA CHERIE AGUILAR (MOT)...PRO/PER

GENERAL INFORMATION

**Continued from 02/14/18. Court cleared note 3 as guardian is present this date.
Guardian to file and serve written objections.**

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by
Tashia Aguilar (mother) as to minor Marie (13)

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

1. Lorraine Montalvo-Valderrama (mgm) was appointed guardian of the person on 07/26/05.
2. Petitioner Tashia Aguilar (mother) seeks termination of guardianship as she has improved her life by: obtaining a GED and graduating from college; working in the behavioral health field for the last 7 years; is happily married with 2 children from marriage; shares custody of her two other children; and has maintained a close relationship with minor Marie.
3. **Need** Notice of Hearing and proof of mailed service as to minor Marie, Sammy Aguilar (mgf), and all siblings who are over age 12.
4. **Objection by Lorraine Montalvo-Valderrama (guardian) filed on 03/29/18.**
5. No proposed Order submitted.

RECOMMENDATION

Matter is contested.
Need to clear note #3.

(lh)

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

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: VG VS02079

CASE NAME: MTR OF AIDAN RAY BRANDON (MCKAY)

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

PEBBLES R DAVIS	(PET)...PRO/PER
AIDAN RAY BRANDON (MCKAY)	(MIN)...
CHRISTOPHER BRANDON	(PET)...PRO/PER
SINEAD BRANDON	(PET)...PRO/PER
MATTHEW PAUL MCNIEL	(MIN)...
ISABELLA SAOIRSE MCKAY	(MIN)...
CIARA JEAN ESCRIBANO	(MIN)...
JUSTIN MCNIEL	(OBJ)...PRO/PER

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

Ex parte orders granted on 09/07/17. Pebbles R David appointed temporary guardian of the person of Matthew McNeil, Isabella McKay and Ciara Escribano Continued from **10/17/17**. Due to the appearance of Justin McNeil in court this date the court deems him served. Court determines that the minors do not need notice as they are all under the age of 12. Court states that if the petitioner files certified copies of the minors' birth certificates and the birth certificates do in fact state the father is unknown the Court will waive notice as to the unknown fathers and the unknown paternal grandparents. Court orders that if there are any objections to the petition for guardianship they must be filed and served to be considered. Referred to Court Investigator for investigation and report.

Continued from 01/30/18. The Court notes the CI investigator requests a continuance to 5/22/18 in order to submit the CI report. The Court DENIES request for continuance to 5/22/18 due to the following reason(s): The Court notes at the time the temporary guardianship, Justin McNeil was awarded custody orders in a Family Law case which was less than 9 months old at the time the temporary guardianship orders were made. The Court notes Justin McNeil has joint legal and physical custody of Matthew McNeil. Visitation orders made.

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.

Continued from 03/06/18. Parents filed objections to guardianship. Court will set this matter for mediation. Court made visitation orders for mother with minors Ciara Escribano and Isabella McKay.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Pebbles Davis (mgm), minors Matthew 6, Isabella (2) and Ciara (9 mos)

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

1. Petitioner currently has guardianship of minors' siblings. Minors reside with their mother.
2. Fathers are purportedly unknown as to Isabella and Ciara. Copies of birth certificates filed. **JTD**
3. **Need** Notice of Hearing and proof of mailed service to and all three sets of unknown paternal grandparents or file Due Diligence Declarations.
4. **CI Report filed 02/28/18.**
5. **Objections filed by Justin McNiel, Matthew's father, on 10/13/17 and 01/19/18 [with conformed copy of Child Custody and Visitation Order from Fresno County Superior Court].**
6. **Objections filed by mother, Sinead McNiel Escribano and father, Andrew Escribano on 01/31/18. Need proof of service.**
7. ~Proposed form Order: 08/31/17

RECOMMENDATION

Need to clear note #4 then set for contested hearing.

(lh/nb/lh)

SAME DAY HEARING: 4/11/18 MEDIATION SETTLEMENT CONFERENCE @ 8:30 IN S34

Superior Court of Calif, County of San Bernardino
Page: 16 add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 04/11/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700395

CASE NAME: LEONARDO LOPEZ JR ET AL

HEARING:
Hearing Re: Visitation (FCS REPORT)

COUNSEL:
EREDINA JUAREZ (PET)...PRO/PER
LEILANI M LOPEZ (MIN)...
LEONARDO LOPEZ JR (MIN)...
MELISSA REYES (MOT)...PRO/PER

Future Hearing:06/12/18 Hearing re: Petition for appointment of guardian

Visitation—no notes—JTD

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 04/11/18 TIME: 11:00 DEPT: S37G

CASE#: GAR MS1200007

CASE NAME: MATTER OF DERIAN WILLIAMS, et al

HEARING:

Motion Re: NTC OF MOTION & MOTION TO BE RELIEVED AS COUNSEL

Filed by Petitioner NATALIE S KELLER

COUNSEL:

DERIAN WILLIAMS	(PET/MIN)...GREGORY P JOHNSON
DAYLYNN WILLIAMS	(MIN)...LAW OFFICE OF KELLER & KAIMER
DARAH WILLIAMS	(MIN)...LAW OFFICE OF KELLER & KAIMER
DECEMBER WILLIAMS	(PET/MIN)...GREGORY P JOHNSON
DORIS M WILLIAMS	(GP)...IGNAZIO FICARA
DESTINY WILLIAMS	(GP)...PRO/PER
NATALIE S KELLER	(PET)...NATALIE S KELLER
CHARLES WILLIAMS	(PET)...PRO/PER
TARYN QUEZADA	(PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Motion to be Relieved as Counsel by Natalie Keller ["Petitioner"].

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

1. Petitioner, Natalie Keller, makes this motion to be relieved as counsel under Code of Civil Procedure section 284(2) instead of filing consent under section 284(1) due to attorney's recent employment with Riverside County Superior Court is a conflict of interest.
2. **Need** Notice of Hearing with proof of service as to minors Daylynn (age 16) and Darah (age 15) to include service of a copy of the proposed order as required by CRC 3.1362(d).
3. ~Proposed Form Order: 03/05/18

RECOMMENDATION:

Need notice then Court's discretion.

(lh) Future Hearings 5/07/18 Petition for Appointment of Guardian/OSC Re Dismissal/Pet for Removal

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
Page: 2
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 04/11/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700578

CASE NAME: MTR OF MIKHAEL CONNER DEAN

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

VIOLET GUERRERO (GP)...PRO/PER
EDDIE GUERRERO (GP)...PRO/PER
MIKHAEL CONNER DEAN (MIN)...

GENERAL INFORMATION

Ex parte orders granted 11/08/17. Violet Guerrero and Eddie Guerrero appointed temporary guardians of the person. Matter continued one week for proper service to mother and father. Guardians to provide consent and waiver of guardianship to be brought to the next hearing on 11/15/17.

Hearing on petition for temporary guardianship continued from 11/15/17.

Petitioners report they are still attempting to serve mother. Court advised petitioners on steps needed for declarations of due diligence. All existing orders remain in full force and effect.

Continued from 12/06/17. Court clears probate note regarding proof of personal service to Violet Wills as proof of personal service was accepted in open Court. Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Violet and Eddie Guerrero (mgp), minor Mikhael (2)

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

1. Violet Wills, mother, was served.
2. **Need** Notice of Hearing and Proof of Personal Service as to Brenndan Dean (father).
3. **CI Report filed 04/05/18.**
4. ~Proposed form Order: 11/01/17

RECOMMENDATION

Need to clear note #2 then Court's discretion.

(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

Page: 3

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 04/11/18 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1300269

CASE NAME: Kalayasia Melody McDowell

HEARING:

SECOND Account and Report of RICHARD MCDOWELL, IRMA MCDOWELL and
Petition for allowance of fees filed.

COUNSEL:

RICHARD MCDOWELL (PG)...JAMES L HEYWOOD AND ASSOC

IRMA MCDOWELL (PG)...JAMES L HEYWOOD AND ASSOC

KALAYASIA MELODY MCDOWELL (MIN)...

GENERAL INFORMATION

Continued from 10/18/17 and 01/03/18 at request of petitioner to clear notes.

THIS CASE IS SET FOR HEARING ON Second Account and Report of Guardian and
Petition for Approval by Richard and Irma McDowell, minor Kalayasia (10)

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

1. Richard and Irma McDowell were appointed guardians of the estate on 11/07/13. Order entered on 11/07/13 does not include estate powers at Section 7b. Also amount to be deposited is blank at Section 9c. **Need corrected order.**
2. Accounting period covers 07/12/16 to 07/31/17. Accounting period to include 11/07/13 to 07/1/16 as of date of appointment. **Need amended accounting.**
3. **Need Final Inventory and Appraisal** per Pr.C. § 2610 with supporting statement as of date of appointment.
4. Summary of Account indicates \$50,351.11 in Charges; however, does not balance with Credits of \$0. **Need verified supplement with balanced Summary of Account per Pr. C. §1061(c).**
5. Assets on hand indicates \$0. However, attached bank statement indicates current balance of \$50,395.66 [See Acct, 08/31/17, LFpgs6, 8].
6. **Need Notice of Hearing and Proof of Service.**
7. Guardians do not seek compensation.
8. Attorney fees to be paid by guardians, and not by estate. The Guardians and Attorney purportedly have an agreement for payment of attorney fees. Does Court wish to require a copy of subject agreement? JTD.

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.

9. No proposed Order submitted.

RECOMMENDATION

Need amended accounting to clear notes 1-4, & 6. If approved, set future hearing for Accounting/Status Review on **09/26/18 [if one year] or 09/25/18 [if two years]**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 04/11/18 TIME: 11:00 DEPT: S37G

CASE#: GAR VS1100149

CASE NAME: THE MATTER OF JOSEPH MCCOY

HEARING:

THIRD Account and Report of HELEN SLOAN and Petition for allowance of fees filed.

COUNSEL:

LUCENDY GATHRIGHT	(PET)...PRO/PER
JOSEPH MCCOY	(MIN)...
HELEN SLOAN	(PET/GPE)...PRO/PER
WIL R MULLINS	(PET)...WIL R MULLINS ESQ
DONALD D GATHRIGHT	(GP/FAT)...PRO/PER

Waiver of Court Fees and Costs filed by LUCENDY GATHRIGHT, DONALD GATHRIGHT & JOSEPH MCCOY is GRANTED

GENERAL INFORMATION

Continued from 01/03/18 at request of Court to clear probate notes. Petitioner advised beginning and ending bank statements for accounting period for Chase checking account are to be filed with verified supplement.

THIS CASE IS SET FOR HEARING ON THIRD Account and Report of HELEN SLOAN and Petition for allowance of fees, minor Joseph (age 12)

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

1. Accounting period: 10/27/16 to 10/25/17
2. AOH: \$17,278.76, cash in blocked account.
3. **Need** notice of hearing and proof of service to minor, or signed acknowledgment of receipt of service.
4. Proposed Order dated 11/30/17 does not include correct assets on hand. Submit corrected order after hearing.

RECOMMENDATION

Need to clear note #3. If approved, set future hearing for Accounting/Status Review on **01/02/19** [if one year] or **01/08/20** [if 2 years]. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 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.