



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 05/01/18

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.

nb0417 (04/26 cs)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **GUARDIANSHIPS**

DATE: 05/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600083

CASE NAME: MTR OF NYEMA CATHLEAN WARNER

HEARING:

Hearing Re: STATUS OF GUARDIANSHIP IN NORTH CAROLINA

COUNSEL:

BUA WARNER	(PET)...PRO/PER
JAMES ROBERT BOX	(GP)...PRO/PER
JONG LEE	(OBJ)...PRO/PER
NYEMA CATHLEAN WARNER	(MIN)...
SANDY WARNER	(GP)...PRO/PER

No notes – Status.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/01/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800133

CASE NAME: MTR OF KENDALL LAVONNE BARTON

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CYNTHIA STILLMAN (GP)...PRO/PER

KENDALL LAVONNE BARTON (MIN)...

X-REF: FVI 18000715

GENERAL INFORMATION:

Temporary Letters Issued 04/02/18.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother, Cynthia Stillman ["petitioner"], minor Kendall now 3.

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

1. Mother signed nomination, consent and waiver.
2. Petitioner requests an Order Dispensing with Notice as to father, paternal grandparents and paternal relatives as father is purportedly unknown. **Need** certified copy of birth certificate.
3. **Need** Notice of Hearing and proof of mailed service on unknown paternal grandparents or file Due Diligence Declaration(s).
4. Sections 5 and 8 to Child Information Attachment affixed to petition are incomplete. **Need** same.
5. Guardianship Questionnaire is incomplete as to other children or adults in the home; addresses for references; and birth parents information. **Need** complete questionnaire.
6. Upon referral to Court Investigator by the Court, requires Court Investigator Report.
7. ~Proposed Form Order/Letters 03/26/18.

RECOMMENDATION:

Need to clear notes 2-5 then Court's discretion.

(nb)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/01/18 TIME: 11:00 DEPT: S35G

CASE#: RG RS01273

CASE NAME: DESTINY VELASQUEZ

SEE ALSO 4

HEARING:

Petition for terminating visitation (ex parte)

COUNSEL:

DESTINY VELASQUEZ

(MIN)...

ELIZABETH I ARIZAGA

(PET)...PRO/PER

MARITZA HOLGUIN

(MOT)...CHRISTINA FERRANTE

Request for Waiver of Court Fees and Costs filed by MARITZA HOLGUIN is GRANTED

XREF: RFLRS036542

(Johnny R Velasquez-n-Maritza Holguin)

No notes – Visitation.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/01/18 TIME: 11:00 DEPT: S35G

CASE#: RG RS01273

CASE NAME: DESTINY VELASQUEZ

SEE ALSO 3

HEARING:re: Petition for Termination of Guardianship

COUNSEL:

DESTINY VELASQUEZ

(MIN)...

ELIZABETH I ARIZAGA

(PET)...PRO/PER

MARITZA HOLGUIN

(MOT)...CHRISTINA FERRANTE

XREF: RFLRS036542 (Johnny R Velasquez-n-Maritza Holguin)

GENERAL INFORMATION:

Great paternal aunt, Elizabeth I. Arizaga appointed temporary guardian of the person on 03/27/03. General appointment of the person on 05/13/08.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by mother, Maritza Holguin, minor Destiny, now 16.

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

1. **Need** Notice of Hearing with proof of service on maternal grandfather Angel Holguin and unknown paternal grandfather or need Due Diligence Declarations.
 - a. Petitioner requests an Order Dispensing with Notice as to maternal grandfather, Angel Holguin, as his whereabouts in Mexico are unknown and unknown paternal grandfather. **JTD**.
2. Petitioner, Maritza Holguin, requests that the guardianship of the person be terminated; alleges guardianship is no longer necessary because petitioner is now in a position to care for minor.
3. Section 3a to petition is incomplete as to date of appointment of guardian
4. Guardian and presumably, minor, now reside in Los Angeles County. **Need** to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).
5. **Objections to termination of guardianship filed 04/19/18 by Elizabeth Arizaga. Need proof of service.**
6. ~Proposed Form Order 04/04/18

RECOMMENDATION:

Need to clear note 4 then Court's discretion re: note 1.

(nb/cs)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **GUARDIANSHIPS**

DATE: 05/01/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700145

CASE NAME: MTR OF ARMANDO DAVID MAESE

HEARING:re: Petition for Appointment of Guardian

COUNSEL:

ALVARO ISSAC MAESE	(MIN)...
ARMANDO DAVID MAESE	(MIN)...
MANUEL ARGUELLES SOLARES	(PET)...PRO/PER
SILVIA S MAESE	(PET)...PRO/PER

GENERAL INFORMATION:

Temporary Orders denied on 04/03/17

Continued from **05/08/17**. for proper notice to be given. Court dispenses notice to paternal grandfather as he is deceased. Court determines mother and father have been served. Maternal grandmother still needs proper notice and proof of service.

Continued from 09/25/17 and 01/08/18. Court clears notice as to maternal grandmother, Bertha Wauls and maternal grandfather. Referred to Court Investigator for investigation and report.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Silvia Maese and Manuel Solares (paternal grandmother & spouse), minors: Armando (12) and Alvaro (10)

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

1. Paternal grandfather is deceased.
2. Armando Maese (father) signed Consent and Waiver, filed on 07/26/17.
3. Per minute order 05/08/17, Mother Rashawn Wauls has been served.
4. **Need** Notice of Hearing and Proof of Personal Service as to Armando (minor).
5. **CI report filed 04/24/18..**
6. No proposed form order submitted.

RECOMMENDATION:

Need to clear notes 4 & 5 then Court's discretion.

(cs/ww/nb/cs)

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Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/01/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800046

CASE NAME: JADE SHAW MARTIN ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JADE NICHOLE SHAW-MARTIN (MIN)...
JANETTE ELISE SHAW-MARTIN (MIN)...
JAYDEN SHAW-MARTIN (MIN)...
LAKISHA CLARK (PET)...PRO/PER

GENERAL INFORMATION:

Ex parte orders denied 02/06/18. No appearance.

Continued from 03/13/18 at request of petitioner. Father present and objects to guardianship. Father is directed to file written objections.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother, Lakisha Clark [petitioner], minor Jade [4 ½], Janette [3], Jayden [1 ½].

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

1. Minors do not reside with petitioner.
2. **Need** Notice of Hearing and proof of personal service on mother, Justice Joyce and father, Maurice Marcus Shaw-Martin.
3. **Request to Excuse Notice with Due Diligence Declaration filed 04/19/18 on unknown paternal grandfather. JTD**
4. Upon referral to Court Investigator by the Court, requires Court Investigator Report.
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. **Declaration by Lakisha Clark filed 04/18/18 in support of guardianship.**
7. No written objections filed as of the review of this matter.
8. ~Proposed Form Order/Letters 01/30/18.

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RECOMMENDATION:

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

(nb/cs)

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

DATE: 05/01/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800074

CASE NAME: MTR OF HAILEY LYNN HOWZE

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

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

GENERAL INFORMATION:

Continued from 03/26/18 for notes to be cleared. Court excuses service on father based on Mrs. Marshall's representation. Referred to Legal Aid for assistance.

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

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

1. Stacey Brungs (mother) signed Consent and Waiver and Temporary Guardianship Agreement which is attached to consent, [LFp3/4].
2. Petitioner seeks to dispense with notice as to Hesston Howze (father) as noticing him would be contrary to the interest of justice. **Due Diligence filed 03/21/18. JTD**
3. **Due Diligences filed as to unknown paternal grandparents. JTD.**
4. Petitioner indicates minor resides with petitioner in Crestline since 10/17 and prior to that she was homeless.
5. **Need:** DCFS report as Petitioner is non-relative per Pr.C. §1513(g).
6. ~Proposed form Order submitted: 02/21/18

RECOMMENDATION:

Court's discretion re: notes 3- 4
(cs/nb/cs)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/01/18 TIME: 11:00 DEPT: S36G

CASE#: RG RS01966

CASE NAME: BRYCE RICHARDS AND KENDALL RICHARDS

HEARING:

SIXTH AND FINAL Account and Report of RITA D MICHAEL and
Petition for allowance of fees filed.

COUNSEL:

BRYCE RICHARDS	(MIN)...
C L FARRELL	(PET)...C L FARRELL
KEITH RICHARDS	(PET)...TYRE KAMINS KATZ
KENDALL RICHARDS	(MIN)...
RITA D MICHAEL	(GE)...CRAIG M PARKER
RITA D. MICHAEL	(GE)...C.L. FARRELL
TYRE, KAMINS KATZ AND GRANOF	(PET)...SILVER & FREEDMAN

GENERAL INFORMATION:

Kendall Richards attained the age of majority on 08/28/16.

THIS CASE IS SET FOR HEARING ON Sixth and Final Account and Petition for Fees and Distribution by Guardian of the Estate, Rita D. Michael ["Petitioner"-PPF].

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

1. Account indicates former minor resided in Murrieta, Riverside County, during this account period.
2. Accounting period 01/01/16 to 12/31/17 (2 years). However, fifth accounting period ended on 06/30/16. Does Court wish to require an amended accounting? **JTD**.
3. Assets on hand \$135,214.55 consisting of \$101,911.76 cash and remaining in a judgment in favor of Keith Richards, GAL, against Angelina Richards.
4. Current amount of bond \$484,345.00. Appears sufficient.
5. Cash Assets for Property on Hand at Beginning of Account does not match Cash Assets for Property on Hand at End of Prior Account Period reflected in supplement filed on 04/17/17 [LF, p. 8]. **Need** corrected Summary of Account and affected schedule(s).
6. Petition does not include distribution clause. **Need** same.

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7. Petitioner requests compensation of \$2,404.50, less court-approved periodic payment of \$632.50, leaving a balance of \$1,772.00. Billed at \$55 to \$160/hour for 17.6 hours' time. Itemized [LF, pgs. 24-28]. **JTD.**
8. Attorney requests fees of \$3,605.00. Billed at \$350/hour for 10.3 hours' attorney time. Itemized [LF, p. 30]. **JTD.**
9. Disbursements – Schedule 4 reflects a preliminary distribution to Kendall Richards in the amount of \$75,000. Receipt filed on 03/19/18.
10. Petitioner requests discharge upon filing of receipts and Declaration for Final Discharge. However, discharge does not occur until the entry of a final discharge order.
11. Proposed Order 03/19/18; judgment amount differs; attorney fee amount differs; and does not include distribution clause.

RECOMMENDATION:

Need to clear notes 5-6 then Court's discretion re: note 2 and fees. If approved, set next hearing for receipts and final discharge for **05/07/19**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 05/01/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1600628

CASE NAME: VICTOR HERNANDEZ III

SEE ALSO 2

HEARING:

Order to Show Cause RE: DISMISSAL

COUNSEL:

SUANN KORMES

(PET)...PRO/PER

VICTOR HERNANDEZ III

(MIN)...

GENERAL INFORMATION:

Temporary orders denied on 12/28/16.

Temporary orders granted on 02/22/17. Suann Kormes is appointed Temporary Guardian of the person of Victor Hernandez, II. Petitioner advised to notify DCFS re issues with mother. Notice given to paternal grandparents, maternal grandfather, two siblings over 12 and the Mohave Indian Tribe.

Continued from 02/22/17. Father filed consent, and Court accepted mother's declaration of due diligence. Notice to be given to paternal grandparents, maternal grandfather, and two siblings over 12 of the Mohave Indian tribe. Courts granted temporary guardianship to Suann Kormes of the person. Petitioner advised to notify DCFS regarding issues with mother.

Continued from 05/17/17. Court finds notice is still required as to paternal grandmother. Court notes tribe was notified of this matter on 04/05/17. Court advises mother should she continue to object to guardianship, objections are to be filed in writing. Referred to Court Investigator for report.

Continued from 09/20/17. No appearance. Report of Court Investigator was read and considered. Court Investigator's request to continue for 4 months is granted. Notice given by Judicial Assistant.

Continued from 01/17/18. No appearance. Referred Court orders matter re-referred to the Court Investigator for the reasons stated in the in the 9/20/17 hearing. Referred to Court Investigator for investigation and report. Court orders matter referred to CPS Hotline as Court is concerned about the well-being

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of the minor child Court needs proof of service as to paternal grandmother and maternal grandfather Notice by Judicial Assistant.

THIS CASE SET FOR HEARING ON **OSC re Dismissal** on Petition for Appointment of Guardian, of the person only, by Suann Kormes (maternal grandmother), Victor Hernandez, III, age 9.

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

1. Petition indicates minor has Indian ancestry. Notification of rights under Indian Child Welfare Act (ICWA) must be served.
 - a. ICWA-030 form is to be completed by the petitioner to the best of their ability and must be signed and dated. As petitioner is not represented by an attorney, service will be done by the clerk of the court **once the form is completed and submitted by petitioner**. The ICWA-030 and a copy of the petition with attachments must be served on the parents, Indian Custodian (if applicable) and the Tribe and/or Bureau of Indian Affairs. **Return of receipt of Fort Mojave Tribe filed 05/17/17.**
 - b. Notice must be given as to all subsequent hearings unless or until such time as it is determined that the act does not apply to the case.
 - c. If no response is received from the tribe within a reasonable time (not less than 60 days) from the tribe the court may determine that the act does not apply.
 - d. If the tribe intervenes service of the ICWA-30 form is no longer required and subsequent notices will be in the standard form contained in the Probate Code for service of notice.
 - e. Notice in the manner described above must be served in addition to all notices required by the Probate Code.
 - f. **No proceeding shall be held until at least 10 days after receipt of notice by the parent, Indian custodian, the tribe or the Bureau of Indian Affairs per Pr.C.§1460.2(e).**
2. **Need** Parental Notification of Indian Status (form ICWA-020).
3. **Need** Notice of Hearing and proof of mailed service as to paternal grandmother Michele Alverado and maternal grandfather (listed as unknown), or file Due Diligence Declaration(s).
4. CI report filed 01/10/18. **Need** CI report as directed by Court on 01/17/18.
5. **Need** DCFS Report.
6. Father and maternal grandfather signed Consent and Waiver.
7. Due Diligence Declarations filed 05/17/17 as to Diego Hurtado (brother), Sureyna Vera (sister), and Victor Hernandez (pgf). JTD
8. Petitioner plans to adopt minor.
9. ~ Proposed form Oder/Letters: 12/16/16

RECOMMENDATION:

Need to clear notes 1-5, then Court's discretion.

(cs/lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/01/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1600628

CASE NAME: VICTOR HERNANDEZ III

SEE ALSO 1

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SUANN KORMES

(PET)...PRO/PER

VICTOR HERNANDEZ III

(MIN)...

Request for Waiver of Court Fees and Costs filed by VICTOR HERNANDEZ III is GRANTED

See prior matter #1.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700507

CASE NAME: ASHLEY LEILANI MEDRANO

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ASHLEY LEILANI MEDRANO (MIN)...
MELISSA BISHOP (GP)...VANESSA B GNEKOW

GENERAL INFORMATION

Ex parte orders denied 10/05/17.

Continued from **11/01/17**. Declaration of Due Diligence regarding mother to be filed.

Continued from 01/17/18 on courts motion. Timing of notices is incorrect.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Melissa Bishop (sister), minor Ashley Medrano (13)

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

1. Angel Medrano (father) signed Nomination, Consent and Waiver filed 09/27/17.
2. Ashley Medrano (minor) signed Consent to guardianship.
3. Notice of Hearing and Proof of Mailed Service filed 10/10/17. Proof of Service is incomplete at item #4 as to date of mailing. **Need amended proof of service** as to service on Susan Winterbourne (mgm).
4. Declaration of Due Diligence filed 10/23/17, 11/01/17 & **01/11/18 & 01/16/18** re attempts personal service to Jennifer Medrano (mother). **JTD.**
 - a. **Due Diligence as to mother filed.**
5. Upon Court referral, need CI report.
6. ~Proposed form Order: 09/27/17

RECOMMENDATION

Need to clear note 3, then Court's discretion re note 4.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/01/18 TIME: 11:00 DEPT: S37G

CASE#: GAR VS1000017

CASE NAME: MATTER OF DWAIN A THOMAS

HEARING:

Hearing Re: PTN TO TERMINATE GUARDIANSHIP

COUNSEL:

BETTY LISIEWSKI (PET)...PRO/PER
DWAIN A THOMAS (MIN)...

GENERAL INFORMATION:

Continued from 10/17/16 OSC set Due to nonappearance.

Continued from **12/06/16**. Maternal grandfather is deceased. Matter continued to clear notes and referral to Court Investigator.

Continued from **03/21/17**. Court Investigator report filed. Daniel deemed served by his appearance today. Matter re-referred to Court Investigator for interview with Dwaine.

Continued from **07/11/17 and 09/26/17** at request of Court for mother to get stable housing.

Continued from 01/16/18 at request of Petitioner due to illness.

THIS CASE IS SET FOR HEARING ON: OSC Re: Dismissal on Petition for Termination of Guardianship by, Betty Lisiewski, Guardian/maternal grandmother, minor, Dwaine A. Thomas (14).

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

1. Betty Lisiewski, maternal grandmother, was appointed guardian on 08/27/10.
2. Guardian is petitioning for termination of guardianship due to her age and health restrictions. Guardian indicates the mother, Cheryl Shine, is willing to care for minor.
3. Cheryl Shine (mother) signed Consent and Waiver.
4. **Need** Notice of Hearing and Proof of Service by Mail as to Dwaine (minor), Dwaine Thomas (father), paternal grandparents (unknown), Wendy Shine (sibling, if 12 years+), or file Due Diligence Declarations.
5. CI Report filed 03/01/17. **CI report filed 06/26/17.**
6. Letter from Betty Lisiewski (guardian/petitioner) filed 08/18/17 indicates Cheryl Shine (mother) is still working on obtaining a job and apartment. Guardian has

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the help of minor's brother, and is willing to continue caring for minor until mother is in a better position to care for minor.

7. ~Proposed form Order: 08/29/16

RECOMMENDATION

Need notice then Court's discretion.

(lh/mr/lh/nb)