



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 05/21/18

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.

(05/07/18 & 05/15/18 ww) (04/30/18 cs)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

GUARDIANSHIPS

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600251

CASE NAME: WILLIAM A BUCKLEY ET AL

HEARING: Motion Re: To be relieved as attorney of record Filed by
Petitioner ALPHONSE F. PROVINZIANO

COUNSEL:

RUSSELL K JONES	(PET)...JANIS L HILKE
WILLIAM A BUCKLEY	(MIN)...
HARRISON E BUCKLEY	(MIN)...
ALPHONSE F. PROVINZIANO	(PET)...ALPHONSE F PROVINZIANO
WILLIAM BUCKLEY	(FAT)...ALPHONSE F PROVINZIANO

XREF: PROPS1501110 *MTR OF CAROLINE LOUISE BUCKLEY*
VFLVS024891 *CAROLINE BUCKLEY V WILLIAM BUCKLEY*

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Motion to be Relieved as Counsel by Alphonse Provinziano

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

1. Petitioner, Alphonse Provinziano, seeks to be removed as counsel for William Buckley,(father/Objector). Petitioner alleges that there has been a breakdown in communication between the client and attorney, which makes it unreasonably difficult for the attorney to carry out purpose of his employment effectively. Attorney should be relieved to allow client to obtain an attorney more consistent with his direction for case to proceed.
2. Notice of Hearing given.
3. ~Proposed Form Order: 04/06/18

RECOMMENDATION

Court's discretion.

(CS)

Future Hearings:

10/01/18 Readiness Calendar
10/29/18 Court Trial (Day 1)
10/30/18 Court Trial (Day 2)
10/31/18 Court Trial (Day 3)
11/01/18 Court Trial (Day 4)
11/02/18 Court Trial (Day 5)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600423

CASE NAME: PSALMS ZUNIGA ETAL

SEE ALSO 3, 4, 5

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00

COUNSEL:

SANDRA LUGO	(GP)...RAISSA D RIVAS
PSALMS ZUNIGA	(MIN)...
EXODUS ZUNIGA	(MIN)...
ROBERT MOLINA	(PET/FAT)...PRO/PER

X REF FAMSS1608469 ROBERT MOLINA -N- ESTATE OF ZUNIGA

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Sanctions of \$500.00

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

1. OSC set on 04/04/18 at the Petition for Visitation hearing due to non-appearance by Guardian Sandra Lugo and her counsel.
2. Sanctions of \$500.00 each ordered as to Sandra and Counsel Rivas.

RECOMMENDATION

Court's discretion re OSC.

(ww)

Future Hearings:

6/21/18 Hearing re: Amended petition for guardian of minor, person
6/21/18 Court Trial (Day 1)
6/22/18 Court Trial (Day 2)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600423

CASE NAME: PSALMS ZUNIGA ETAL

SEE ALSO 2, 4, 5

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SANDRA LUGO	(GP)...RAISSA D RIVAS
PSALMS ZUNIGA	(MIN)...
EXODUS ZUNIGA	(MIN)...
ROBERT MOLINA	(PET/FAT)...PRO/PER

X REF FAMSS1608469 ROBERT MOLINA -N- ESTATE OF ZUNIGA

GENERAL INFORMATION:

Temporary Order granted on 08/29/17. Sandra Lugo is appointed temporary guardian of Psalm and Exodus Zuniga. Petitioner states there is no father listed on birth certificates. Continued from **01/09/17** to clear probate notes. Court does not deem the letter from mother and power of attorney attached to petition as a nomination.

Continued from **05/08/17** OSC re Dismissal set. Court notes that if petitioner does not appear at next hearing, or have all probate notes cleared, Court will dismiss petition at next hearing date.

Continued from 09/25/17 Counsel does not stipulate to Judge Pro Tem. OSC RE Dismissal of Petition filed by Sandra Lugo trailed to 03/12/18.

Continued from 03/12/18. Trial dates are set. Trial estimate is 2 half days. Court orders that personal appearance is required for the readiness hearing in department S35. Court notes that if the parties fail to appear, the Court will consider imposing sanctions including the dismissal of the petition or the waiver of the objections, as applicable in the case. Court takes off calendar osc re dismissal

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Sandra Lugo (maternal grandmother), minors: Psalms (4) and Exodus (2).

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

1. **Note: Amended petition filed as is set for 06/21/18.**
2. Mother is deceased.
3. Petition filed 08/22/17 indicates father of both minors is unknown and provides copy of birth certificates [Petition 08/22/16, LF p. 12/13]. **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.

- a. However, Robert Molina filed DNA Test Results on 02/06/17 re Exodus. Minute order of 01/09/17 in X-Ref matter above finds Robert Molina is the biological father of minor Exodus Zuniga.
4. "Corrected" Child Information Attachment filed 09/12/17 as to Exodus Zuniga. However, pages 2, 4, & 5 are for minor Psalms. **Need** completed Child Information attachment form for Exodus.
5. CI Report filed 12/23/16. Special Court Investigator Report filed 05/01/17.
6. Court to see Declaration by Guardian Sandra Lugo filed 02/26/18.
7. **Objections by Robert Molina (father) of Exodus and "presumed" father of Psalms, filed 09/28/16 and 03/01/18. Does Court want to deem notice waived as to Robert Molina? JTD**
8. ~Proposed form Order/Letters: 08/22/16

RECOMMENDATION:

Contested matter. Court may wish to trail matter to 06/21/18 as amended petition has been filed. Need to clear note 3.

(lh/cs/ww)

Future Hearings:

- 6/21/18 Hearing re: Amended petition for guardian of minor, person**
- 6/21/18 Court Trial (Day 1)
- 6/22/18 Court Trial (Day 2)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600423

CASE NAME: PSALMS ZUNIGA ETAL

SEE ALSO 2, 3, 5

HEARING:

Petition for Visitation (Robert Molina - Father)

COUNSEL:

SANDRA LUGO	(GP)...RAISSA D RIVAS
PSALMS ZUNIGA	(MIN)...
EXODUS ZUNIGA	(MIN)...
ROBERT MOLINA	(PET/FAT)...PRO/PER

X REF FAMSS1608469 ROBERT MOLINA -N- ESTATE OF ZUNIGA

No Notes- Visitation. JTD

(ww)

Future Hearings:

6/21/18 Hearing re: Amended petition for guardian of minor, person

6/21/18 Court Trial (Day 1)

6/22/18 Court Trial (Day 2)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600423

CASE NAME: PSALMS ZUNIGA ETAL

SEE ALSO 2, 3, 4

HEARING:

Readiness Calendar

COUNSEL:

SANDRA LUGO	(GP)...RAISSA D RIVAS
PSALMS ZUNIGA	(MIN)...
EXODUS ZUNIGA	(MIN)...
ROBERT MOLINA	(PET/FAT)...PRO/PER

X REF FAMSS1608469 ROBERT MOLINA -N- ESTATE OF ZUNIGA

No Notes- Readiness. JTD

(ww)

Future Hearings:

6/21/18 Hearing re: Amended petition for guardian of minor, person

6/21/18 Court Trial (Day 1)

6/22/18 Court Trial (Day 2)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600481

CASE NAME: MTR OF DESTINY NICOLE SCHROEDER ET AL

HEARING: re: Petition for Termination of Guardianship

COUNSEL:

ANNA MARIE WRIGHT	(GP)...PRO/PER
ANDREW PATRICK WRIGHT	(GP)...PRO/PER
DESTINY NICOLE SCHROEDER	(MIN)...
ANDREW JOSEPH JAMES SCHROEDER	(MIN)...
ANDREW SCHROEDER	(PET/FAT)...PRO/PER

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Termination of Guardianship, by Andrew Schroeder (father), minor(s): Destiny, 7 and Andrew, 4

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

1. Anna and Andrew Wright, (maternal grandmother and spouse), appointed guardians of the person, of minor(s) on 04/13/18.
2. Andrew Schroeder, father is petitioning for termination of guardianship on the basis that minors want to be with him and he is more than capable of raising the children.
3. Guardians served on 04/05/18. However, **need** Notice of Hearing form GC-020 to be filed with proof of service. **Need** corrected notice and proof of service.
4. Need Notice of Hearing and Proof of Service by Mail (form GC-020) to Darian Murphy (mother), Daniel Murphy (maternal grandfather), Henry and Amy Schroeder (paternal grandparents), or file Due Diligence Declaration(s).
5. Termination of Guardianship Parent Questionnaire is incomplete as to section re: 2 non-related references. **Need** complete form.
6. Court to see Parent Questionnaire.
7. Objections filed 04/16/18 by guardian, Anna Wright. Objections served by guardian. **Need** proper service by someone other than the parties to the action.
8. ~Proposed form Order: 04/05/18

RECOMMENDATION:

Need to clear notes 3-5, Contested matter.

(CS)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600592

CASE NAME: MTR OF DAMIAN GUSTAVO MEDINA

SEE ALSO 8

HEARING:

Hearing Re: OSC RE DISMISSAL (IF PROBATE NOTES NOT CLEARED)

COUNSEL:

DELIA MEDINA (PET)...PRO/PER
DAMIAN GUSTAVO TORRES MEDINA (MIN)...

GENERAL INFORMATION:

Delia Medina is appointed temporary guardian of the person of Damian Gustavo Medina Continued from **01/09/17 and 05/08/17** OSC set re Dismissal. Court notes that if petitioner does not appear at next hearing, or have all probate notes cleared, court will dismiss petition at next hearing date.

Continued from **09/28/17**

continued from 03/12/18. Court notes that it will not refer this case to court investigator until notice/service issues are cleared. Case is referred to legal aid for legal assistance. Interpreter coordinator notified that Spanish interpreter is needed at next hearing. OSC re dismissal set (if probate notes not cleared)

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal on** Petition for Appointment of Guardian, person only, by Delia Medina (maternal grandmother), minor: Damian (6)

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

1. Mother (Sonia Medina) and paternal grandmother signed consent and waivers.
2. Father (Gustavo Torres Carranza) signed Nomination, Consent and Waiver.
3. Due Diligence Declarations filed 03/05/18 as to Cristobal Torres Lopez (paternal grandfather). **JTD**
4. **Need** Notice of Hearing and proof of mailed service (form GC-020) as to sibling Eren Carr, if 12 years+.
5. **Need:** Upon referral to CI by the Court, requires CI report.
6. ~Proposed form Order: 11/21/16

RECOMMENDATION

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

(lh/cs/ww/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600592

CASE NAME: MTR OF DAMIAN GUSTAVO MEDINA

SEE ALSO 7

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

DELIA MEDINA (PET)...PRO/PER
DAMIAN GUSTAVO TORRES MEDINA (MIN)...

See notes on matter #7.
(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700465

CASE NAME: ANESSAH RENAE JOHNSON

SEE ALSO 10

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION FOR GUARDIANSHIP

COUNSEL:

SHATUNYA BREANNA MORRIS (PET)...PRO/PER
ANESSAH RENAE JOHNSON (MIN)...

Waiver of Court Fees and Costs filed by ANESSAH RENAE JOHNSON is GRANTED

GENERAL INFORMATION:

Continued from **10/16/17**. Referred to CI.

Continued from 04/02/18. No appearance. OSC set.

THIS CASE SET FOR HEARING ON **OSC re dismissal of** Petition for Appointment of Guardian, of the person only, by Shatunya Morris (maternal aunt), minor: Anessah, 5

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

1. Matter set for OSC on 04/02/18 due to non appearance by Shatunya.
2. Due Diligence Declarations filed 10/13/17 as to Michael Johnson (father); Tashima Morris (mother); Michael Johnson Jr, (sibling); and Steven Morris (maternal grandfather. **JTD**
3. Petitioner indicates willingness to adopt minor.
4. CI report filed on 03/14/18.
5. ~Proposed form Order: 08/29/17

RECOMMENDATION:

Court's discretion re: OSC and note 2.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700465

CASE NAME: ANESSAH RENAE JOHNSON

SEE ALSO 9

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SHATUNYA BREANNA MORRIS

(PET)...PRO/PER

ANESSAH RENAE JOHNSON

(MIN)...

See notes on matter 9.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700521

CASE NAME: JAIME & ETURIEL CARRILLO CARRILLO

SEE ALSO 12, 13

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JAIME CARRILLO CARRILLO (PET)...PRO/PER

ETURIEL CARRILLO CARRILLO (PET)...PRO/PER

ALFONSO MURO (PG)...

GENERAL INFORMATION

Continued from **01/31/18**. Continued for DCFS report.

Continued from 03/12/18 for receipt of the report from Department of Children & Family Services. Interpreter coordinator notified that Spanish interpreter is needed at next hearing.

THIS CASE IS SET FOR HEARING ON **Amended [filed 12/19/17]** Petition for Appointment of Guardian, person only, by Jaime and Eturiel Carrillo to appoint Alfonso Muro; non-relative for themselves; Jaime 20 and Eturiel 18.

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

1. Notice of no report by DCFS filed 03/15/18.
2. Proposed guardian is a non-relative per Pr.C. § 1513(g). However, as minors are now 18, DCFS may not provide a report.
3. Parents Juan Velasquez and Marcelina Ramos signed Consent and Waiver.
4. It appears petitioners/minors reside with a friend, Alfred Perez, per UCCJEA Declaration filed 10/04/17.
5. Court to see next matter regarding SIJS petitions filed 10/04/17.
6. ~Proposed form Order not submitted.

RECOMMENDATION

Court's discretion.

(lh/lc/cs)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700521

CASE NAME: JAIME & ETURIEL CARRILLO CARRILLO

SEE ALSO 11, 13

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

JAIME CARRILLO CARRILLO (PET)...PRO/PER
ETURIEL CARRILLO CARRILLO (PET)...PRO/PER
ALFONSO MURO (PG)...

GENERAL INFORMATION

Continued from **01/31/18**

Continued from 03/12/18 for receipt of the report from Department of Children & Family Services.

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status by Eturiel Carrillo 18.

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

1. Petitioner, **Eturiel Carrillo**, age 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, **Eturiel Carrillo**, offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Former minor was born on 09/18/99 in Guatemala and lived there with minor’s parents until June, 2016.
 - b. Former minor was abused and neglected by minor’s parents. At age 14, minor was forced to work in fields to help support the family. Former minor’s father was physically abusive.
 - c. Minor does not believe he can return to minor’s parents because of the years of abuse he endured under their care and gang endangerment.
6. Per the statutory scheme, this petition is to proceed only if guardianship of the former minor is granted pursuant to the accompanying petition.
7. Notice complete.
8. No proposed order submitted.

RECOMMENDATION

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

(lh/lc/cs)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700521

CASE NAME: JAIME & ETURIEL CARRILLO CARRILLO

SEE ALSO 11, 12

HEARING:

Petition for Special Immigrant Juvenile Findings

COUNSEL:

JAIME CARRILLO CARRILLO (PET)...PRO/PER
ETURIEL CARRILLO CARRILLO (PET)...PRO/PER
ALFONSO MURO (PG)...

Waiver of Court Fees and Costs filed by JAIME CARRILLO CARRILLO is GRANTED
Waiver of Court Fees and Costs filed by ETURIEL CARRILLO CARRILLO is GRANTED

GENERAL INFORMATION

Continued from 01/31/18.

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status by Jaime Carrillo, 20.

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

1. Petitioner, **Jaime Carrillo**, 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...”
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, **Jaime Carrillo**, offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Former minor was born on 12/11/97 in Guatemala and lived there with minor’s parents until December, 2014
 - b. Former minor was abused and neglected by minor’s parents. At age 14, minor was forced to work in fields to help support the family. Former minor’s father was physically abusive.
 - c. Minor does not believe he can return to minor’s parents because of the years of abuse he endured under their care and gang endangerment.
9. Per the statutory scheme, this petition is to proceed only if guardianship of the former minor is granted pursuant to the accompanying petition.
10. Notice complete.
11. No proposed order submitted.

RECOMMENDATION

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

(lh/lc/cs)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800152

CASE NAME: NATHANIEL FORTINO JIMENEZ ET AL

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

JOSE R JIMENEZ JR (GP)...PRO/PER
NATHANIEL FORTINO JIMENEZ (MIN)...PRO/PER
VIVIANA MONIQUE RICCO (MIN)...PRO/PER

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Jose Jimenez, Jr. (maternal grandfather) for minors: Nathaniel (8), Viviana (3 months)

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

1. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Victoria Jimenez (mother).
2. Due Diligence Declaration filed 05/02/18 as to Anthony Hernandez (father of Nathaniel). Petitioner indicates that there is no father listed on the birth certificate.
 - a. Father is reportedly unknown; **need** copy of birth certificate per Local Rule 20-1302.
3. Due Diligence Declarations filed 05/02/18 as unknown paternal grandparents of Nathaniel. **JTD**
4. Proof of service by mail as to Arthur Ricco, Sr., (paternal grandfather of Viviana) filed 05/02/18; however, **need** mandatory form Notice of Hearing (GC-020) filed.
5. Petitioner indicates that CPS is currently investigating and advised him to obtain guardianship before a case is open on mother. Court may wish to inquire. [LF pg. 8]
6. **Need:** Upon referral to CI by the Court, requires CI report. *
7. ~Proposed Form Order: 04/09/18

RECOMMENDATION:

Need to clear notes 1, 2 & 4 then Court's discretion.

(ww)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS800052

CASE NAME: MTR RE EUSTAQUID ANTONIO LOPEZ PAVA

HEARING:

Petition for transfer out & Clarification of Daniel Arvizu as Guardian

COUNSEL:

DANIEL ARVIZU	(GP)...PRO/PER
MARIA D ARVIZU	(GP)...PRO/PER
EUSTAQUID ANTONIO LOPEZ PAVA	(MIN)...
GUADALUPE JACOBO OCHOA	(GP)...PRO/PER

XREF: FAMSS1202330 *MARIA LOPEZ -N- DANIEL ARVIZU*
FAMSS1200895 *MARIA DE LOS ANGELES LOPEZ -N- DANIEL ARVIZU*
SDASS097264 *CO OF SAN BNDO -V- ARVIZU*
SBFSS93853 *MARIA LOPEZ VS DANIEL ARVIZU*

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for transfer out & Clarification of Daniel Arvizu as Guardian

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

1. Maria and Daniel Arvizu (aunt and uncle) appointed co-guardians, of the person only of minor, on 07/21/08. Minor, Eustaquio now age .11 (DOB 06/20/07)
2. On 08/07/13 the Court ordered **Daniel Arvizu to be removed as guardian, but Maria Arvizu remains as guardian. On 01/07/15 Court ordered Daniel and Maria Arvizu to remain appointed as guardian of minor.**
3. Petitioner requests clarification on the status of Daniel Arvizu's appointment as guardian since he was ordered removed on 08/07/13, and later on 01/07/15, both petitioner and Daniel were ordered to remain guardians of minor. JTD
4. Petitioner requests that Daniel Arvizu remain as guardian,
5. Petitioner and minor have been residing in Riverside since 02/04/13. Accordingly, Petitioner requests to transfer matter to Riverside County.
6. Post move Notice of change of address, per PrC § 2352 and CRC 7.1013(c) filed 04/04/18; however, **need** proof of service.
7. **Need** Amended Letters issued by San Bernardino County.

8. ~Proposed order: 04/04/18.

RECOMMENDATION:

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

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/21/18 TIME: 1:30 DEPT: S35G

CASE#: GAR PS1700502

CASE NAME: (MASTER FILE) JAVIER VALENZUELA ET AL

HEARING:

Hearing Re: CONFIRMATION OF SERVICE PETITIONS, ETC

COUNSEL:

CHRISTINE P RIVAS

(PET)...PRO/PER

MANUEL MARTINEZ RIVAS SR

(PET)...PRO/PER

JONATHAN ANTONIO VALENZUELA

(MIN)...WALTER T. MOORE

JAVIER ALFREDO VALENZUELA

(MIN)...WALTER T. MOORE

LETICIA CORRAL

(PET)...ROSSANA MITCHELL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Confirmation of Service Petitions, Etc.

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

1. Matter set on 04/27/18 at the Hearing re: Court issues further pretrial orders.
2. Court ordered that all parties and attorneys are to be personally present to confirm service of petitions, objections and responses.

RECOMMENDATION

Inquire status of service.

(ww)

Future Hearings:

6/28/18 Readiness Calendar

8/01/18 Court Trial (Day 1)

8/02/18 Court Trial (Day 2)

8/03/18 Court Trial (Day 3)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

GUARDIANSHIPS

DATE: 05/21/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700106

CASE NAME: ALICIA FLORES

HEARING:

Hearing Re: STATUS

COUNSEL:

JHOSELIN J SUMA

(PET)...PRO/PER

ALICIA FLORES

(MIN)...

Waiver of Court Fees and Costs filed by ALICIA FLORES is GRANTED

No notes – Status. JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700426

CASE NAME: MTR OF CARMA LEIGH GONZALES

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

PAULA ANITA RIVERA (GP)...PRO/PER
ZACHARY SEBASTIAN GILL (GP)...PRO/PER
CARMA LEIGH GONZALES (MIN)...

XREF: RGRS01371 CARMA LEIGH GONZALEZ

GENERAL INFORMATION

Temporary guardianship person only granted to Paula Rivera and Zachary Gill on 12/07/18
Temporary orders denied on 08/17/17. No emergency.
Continued from **09/20/17. Sibling Gabriel is under 12.**
Continued from **12/07/17** Matter not contested. Referred to CI for investigation and report.
Continued from 04/09/18 matter vacated upon request from CI's request for further action to continue.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Paula Rivera (mgm) and Zachary Gill (mat. uncle), minor Carma (age 14)

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

1. Request to excuse notice as to father Gilbert Gonzales and mother Jessica Mercado filed 08/10/17.
2. Notice of hearing and proof of personal service filed as to minor, paternal grandfather James Gonzales and siblings Lilia and Gabriel; however, proof of service is incomplete as to server and notice was not full 15 days' notice. **Need** proper proof of service.
3. Section 6 of UCCJEA filed 08/10/17 is incomplete as to persons with physical custody. **Need** verified supplement or amended form.
4. Siblings Jesse and Vanessa Gonzales consent and waive notice.
5. Petition indicates co- petitioner Paula Rivera was previously appointed guardian of the person of minor, terminated on 03/25/08.
6. See Guardian Screening form by Paula Rivera filed 08/10/17 [LF pg. 4].
7. CI report filed 05/03/18.

8. ~Proposed form Order: 08/10/17

RECOMMENDATION

Need to clear notes 2-3 and CI Report, then Court's discretion.

(lh/lc/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700616

CASE NAME: NAVI GRACE HOUSTON

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

STEPHANIE P ROBINSON (GP)...PRO/PER
NAVI GRACE HOUSTON (MIN)...PRO/PER

GENERAL INFORMATION:

Ex parte orders granted 12/04/17.

Continued from 01/02/18 to clear probate notes. Temporary letters to continue in full force and effect. All existing temporary orders shall remain in full force and effect until 04/23/18. Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by paternal grandmother, Stephanie P. Robinson ["Petitioner"], minor Navi, 11 months.

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

1. **Need** Notice of Hearing and proof of mailed service on unknown maternal grandparents, or file Due Diligence Declaration(s).
2. UCCJEA Declaration filed 04/10/18 in not dated. **JTD**
3. Petitioner requests authority to apply for and receive such public benefits, Social Security and SSI benefits minors may be entitled to receive. **JTD**.
4. CI Special Report filed 05/07/18.
5. **Objections filed 04/26/18 by Bernadette Resendez and Jacques Houston, II (mother/father).**
6. ~Proposed Form Order/Letters 11/27/17

RECOMMENDATION:

Matter is contested. Need to clear note 1 then Court's discretion.

(nb/cs/ww)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800150

CASE NAME: Mtr of Damon Daniel Thompson

HEARING: Case Management Conference

COUNSEL:

VIRGIL L THOMPSON (GP)...PRO/PER
DAMON DANIEL THOMPSON (MIN)...
MICHAEL ALAN THOMPSON (GP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON CMC re Transfer in from Riverside County.

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

1. Michael Thompson, uncle, was appointed as temporary guardian of the person only of minor Damon (14) on 12/15/17 in Riverside County.
2. Matter was transferred from Riverside County as the guardian and minor reside and intend to continue to reside in Running Springs, San Bernardino County.
3. Last CI report filed 11/28/17.
4. **Need** amended Letters.
5. **Need** to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c) with proof of service.

RECOMMENDATION

Need to clear notes.

(cs/ww)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800160

CASE NAME: Mtr of Alexa Dawn Lewis
HEARING: re: Petition for Appointment of Guardian

COUNSEL:

TAMILEE NEWNHAM (GE)...JAMES E NEWNHAM
ALEXA DAWN LEWIS (MIN)...

X-REF GARSS1000089 (guardianship of Alexa and Daelan Lewis)

GENERAL INFORMATION

Temporary order taken off calendar as counsel not present – no action taken.

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, estate only, by non-relative, Tamilee Newnham [Petitioner] minor: Alexa (15)

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

1. Petitioner was appointed temporary guardian of the person of minor and her sibling (Dealan) on 04/12/10 and general guardian on 12/10/10 under X-REF case. Does court wish to consolidate cases under lower number? JTD
2. Estate consists of \$8,300 inheritance as a result of the death of great-grandmother. Petitioner requests all funds held in blocked accounts in lieu of bond. **JTD**
3. Paternity matter indicated in petition under case SBFSS081769.
4. Notice of hearing and proof of mailed service as to Ronald White (father) and Ruth Lewis (mother) filed 05/03/18; however, service must be personal. **Need** proper service.
5. **Need** Notice of hearing and proof of mail service or file due diligence declarations on unknown paternal grandparents.
6. Notice of related case as to GARSS1000089 filed 05/03/18.
7. ~Proposed order 04/12/18

RECOMMENDATION:

Need to clear notes 4-5, then Court's discretion. If estate powers are granted, set control date for proof of blocked account and hearing re Accounting review for **07/29/19**. Any accounting to be filed 30 days in advance. Note Local Rule requirements.

(cs/ww)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800164
CASE NAME: Mtr of Allison Cube, ETAL
HEARING: re: Petition for Appointment of Guardian

COUNSEL:

JANE MARIE MANASUK	(PET)...JOHN N. VEGA
MARIE ANGELINE HANSON	(PET)...JOHN N. VEGA
ALLISON CUBE	(MIN)...
EMILY CUBE	(MIN)...
DOUGLAS CUBE	(MIN)...
CHARLES CUBE	(MIN)...

GENERAL INFORMATION:

Jane Manasuk and Marie Hanson appointed as temporary co-guardians of the person only for minors on 04/23/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Jane Manasuk (mat. aunt) and Marie Hanson (maternal grandmother), minors: Allison, 15; Emily, 12; Dauglas, 8; and Charles, 3

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

1. Mother is deceased. Death certificate received on 05/08/18.
2. Father, Ian Cube, signed Nomination, Consent and Waiver.
3. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Allison and Emily (minors).
4. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] on August and Bernedita Cube (paternal grandparents), or file Due Diligence Declarations.
5. Guardianship Questionnaire by Marie Hanson is incomplete as to section under references, page 6 as it only lists one reference,. **Need** complete form.
6. **Need** Guardian Screening forms by both petitioners.
7. Child Information Attachment indicates minors do not have Indian ancestry; however, ICWA inquiry was not made [LF pgs. 9, 14, 19, & 24]. **JTD**
8. Declaration of Petitioners filed 04/13/18 in support of guardianship.
9. Petitioners have intentions on adopting minors.
10. **Need:** Upon referral to CI by the Court, requires CI report.
11. ~Proposed form Order submitted: 04/13/18

RECOMMENDATION:

Need to clear notes , then Court's discretion
(cs/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/21/18 TIME: 1:30 DEPT: S36G

CASE#: GAR PS1700207

CASE NAME: DARNIEL LACEY JR

SEE ALSO 8, 9, 10

HEARING:

Hearing Re: VISITATION

COUNSEL:

DARNIEL LACEY	(FAT)...PRO/PER
DARNIEL LACEY JR	(MIN)...PRO/PER
JONTUE DAVIS	(PET)...PRO/PER
LAMONIQUE MEARS	(PET)...PRO/PER
WENEKA EARLINE DAVIS	(PET)...PRO/PER

No Notes-Visitation- JTD.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/21/18 TIME: 1:30 DEPT: S36G

CASE#: GAR PS1700207

CASE NAME: DARNIEL LACEY JR

SEE ALSO 7, 9, 10

HEARING:

Court Trial set for PETITION FOR GUARDIANSHIP of JONTUE DAVIS

COUNSEL:

DARNIEL LACEY	(FAT)...PRO/PER
DARNIEL LACEY JR	(MIN)...PRO/PER
JONTUE DAVIS	(PET)...PRO/PER
LAMONIQUE MEARS	(PET)...PRO/PER
WENEKA EARLINE DAVIS	(PET)...PRO/PER

No Notes-Court Trial- JTD.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/21/18 TIME: 1:30 DEPT: S36G

CASE#: GAR PS1700207

CASE NAME: DARNIEL LACEY JR

SEE ALSO 7, 8, 10

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

DARNIEL LACEY	(FAT)...PRO/PER
DARNIEL LACEY JR	(MIN)...PRO/PER
JONTUE DAVIS	(PET)...PRO/PER
LAMONIQUE MEARS	(PET)...PRO/PER
WENEKA EARLINE DAVIS	(PET)...PRO/PER

GENERAL INFORMATION:

Jontue Davis and Lamonique Mears appointed Temporary Guardians on 05/01/17. Continued from **06/05/17** Court determines that Jontue Davis and Lamonique Mears' intent was to file jointly as guardians. Petitioners are ordered to file an amended/corrected petition for guardianship. Father deemed served by his appearance today. Father to file written objections. Court determines minor, **Trinity Lacey, is not a subject of this guardianship and is residing with father.** Father is ordered to give petitioners address of paternal grandparents so petitioners may give paternal grandparents notice of this petition. Proof that mother was served on 05/01/17 is filed in court. Matter referred to DCFS for report. Parties to arrange visitation for father. All existing orders remain. Continued from **10/26/17**. Matter re-referred to DCFS. Current visitation schedule to continue.

Continued from **01/29/18**. Temporary guardians reported mother's visitation was terminated as last exchange became violent. Mother to have every Friday from 9am – Sunday 7pm, exchanges to be at Hesperia Sheriff's Substation. Father to have visitation 01/29/18 until 5pm as arranged whenever father is in town. Referred to FCS.

Continued from 05/10/18. Matter continued, trial dates set.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian person only by Jontue Davis, maternal aunt, for Lamonique Mears, non-relative; minor: Darniel 1

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

1. Mother and father served per minute order of 06/05/17.
2. Maternal grandmother Joyce Wilson signed Consent and Waiver.

3. Petitioner Jontue Davis is requesting that Lamonique Mears be appointed guardian of minor. **Need** amended petition adding Jontue Davis to petition, section 1(a) [appears to be an oversight]. Alternatively, does court wish to clear on the record/require supplement as petition is signed by Jontue and DCFS report states both are petitioners? **JTD**
4. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declarations on
 - a. unknown paternal grandparents,
 - b. unknown maternal grandfather
 - c. sibling Trinity if 12 or older.
5. UCCJEA Declaration is incomplete as to minor Darniel [LF p. 2] re residential history. **Need** residential history since minor's birth.
6. FCS report filed 04/18/18.
7. Proposed guardian Lamonique is a non-relative per Pr.C.§ 1513(g). DCFS report filed 01/24/18.
8. Mother Weneka Davis filed a Petition for Termination. **See other matter.** Does Court wish to deem as an objection? **JTD**
9. **Objections filed by father Darniel Lacey on 1/02/17.**
10. ~Proposed form Order: 04/24/17

RECOMMENDATION:

Matter is contested. Need to clear notes 3-5.

(cs/ww/lc/ww)

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

DATE: 05/21/18 TIME: 1:30 DEPT: S36G

CASE#: GAR PS1700207

CASE NAME: DARNIEL LACEY JR

SEE ALSO 7, 8, 9

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

DARNIEL LACEY	(FAT)...PRO/PER
DARNIEL LACEY JR	(MIN)...PRO/PER
JONTUE DAVIS	(PET)...PRO/PER
LAMONIQUE MEARS	(PET)...PRO/PER
WENEKA EARLINE DAVIS	(PET)...PRO/PER

GENERAL INFORMATION

Continued from **10/04/17, 10/16/17** and **01/29/18**. Temporary guardians appeared.
Continued from 05/10/18. Matter continued, trial dates set.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by Weneka Davis, mother, minor Darniel 1.

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

1. Jontue Davis, maternal aunt, and Lamonique Mears, non-relative, appointed temporary co-guardians of the person only on 05/01/17. Guardians have appeared.
2. Mother Weneka Davis seeks termination of guardianship alleging she was incarcerated from 04/15/17 to 08/01/17 and guardianship is no longer necessary.
3. Father Darniel Lacey has appeared.
4. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declarations on
 - a. Maternal grandmother Joyce Wilson
 - b. unknown maternal grandfather;
 - c. unknown paternal grandparents.
5. ~Proposed form Order: 08/24/17

RECOMMENDATION:

Need to clear note 4.

(lh/cs/ww/lc/ww)

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

DATE: 05/21/18 TIME: 1:30 DEPT: S36G

CASE#: GAR PS1700387

CASE NAME: MTR OF JAYDEN MOCK AND WYATT WESTON
SEE ALSO 12
Court Trial set for PETITION FOR GUARDIANSHIP of JOHN WESTON

COUNSEL:

ANTAWNA WESTON	(MOT)...PRO/PER
JAYDEN MOCK	(MIN)...
JOHN WESTON	(GP)...KINER LEGAL GROUP
KAY WESTON	(GP)...KINER LEGAL GROUP
WYATT WESTON	(MIN)...

No Notes-Court Trial- JTD.

(ww)

Future hearing dates:
05/23/18 Court trial

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

DATE: 05/21/18 TIME: 1:30 DEPT: S36G

CASE#: GAR PS1700387

CASE NAME: MTR OF JAYDEN MOCK AND WYATT WESTON
SEE ALSO 11

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ANTAWNA WESTON	(MOT)...PRO/PER
JAYDEN MOCK	(MIN)...
JOHN WESTON	(GP)...KINER LEGAL GROUP
KAY WESTON	(GP)...KINER LEGAL GROUP
WYATT WESTON	(MIN)...

GENERAL INFORMATION

Ex parte orders granted on 08/01/17. Court appointed John Weston and Kay West as temporary guardians of the person.

Continued from 09/06/17. Mother, father, maternal grandmother present. Court deems Ahtayna Palmer and Rena Palmer served due to their appearance this date. Mother is given a copy of petition in open Court. Minor to be served. Referred to Court Investigator for investigation and report.

Continued from 01/10/18. Mother and father to file written objections by 03/04/18. Notice to be given by Mr. Kiner.

Continued from **04/04/18.** Trial requested. All witness lists and/or exhibit lists are to be submitted and exchanged at the trial readiness. Neither party shall discuss facts with minors. Notes not re-reviewed as nothing new filed.

Continued from 04/26/18. Matter is contested; court trial requested.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by John and Kay Weston, minors Jayden (14) and Wyatt (8)

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

1. Notice is complete.
2. CI report filed 03/26/18.
3. Child Information attachment as to minor Jayden is incomplete as to name and address of person with legal custody, and the name and address of person whom child resides with [Petition, LFpg.11]. However, it is clear parents have legal custody and children reside with petitioners.

4. Court to see attachment 8 to petition regarding allegations against parents.
[Petition, 07/25/17, LF pgs. 6-9].
5. **Objections filed by Antawna Weston, mother, on 01/10/18.**
6. ~Proposed form Order: 07/25/17

RECOMMENDATION

Matter is contested. Court's discretion.

(lh/ww)

Future hearing dates:
05/23/18 Court trial

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 05/21/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700568

CASE NAME: BREANA LYNN NOVAK

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

LORI LEE NOVAK	(PET)...PRO/PER
CHARLES JOSEPH NOVAK	(PET)...PRO/PER
BREANA LYNN NOVAK	(MIN)...

GENERAL INFORMATION:

Lori and Charles Novak appointed as temporary guardians of the person only for minor on 11/01/17.

Continued from 12/05/17 The Court accepts declaration of due diligence as to mother. The Court determines that father was present at last hearing, was served and consents to guardianship, Matter referred to Court Investigator for a limited report.

03/26/18 hearing vacated and matter reset to date of 05/21/18 by Court per request of Court Investigator.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Charles and Breana Novak (paternal grandparents) of minor Breana now 16.

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

1. Father and Minor consents to the appointment of petitioners.
2. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on unknown maternal grandparents.
3. CI special report filed 05/01/18.
4. ~Proposed Form Order: 10/25/17.

RECOMMENDATION:

Need to clear note 2 then Court's discretion.

(nb/ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/21/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700598

CASE NAME: CECILIA JESSIE VAVONESE

SEE ALSO 3

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

GREG MARSHALL GLEICKE (PET)...BRIAN G THORNE
BRENDA LOUISE GLEICKE (PET)...BRIAN G THORNE
CECILIA JESSIE VAVONESE (MIN)...

GENERAL INFORMATION:

Greg and Brenda Gleicke are appointed temporary guardians of the person only of minor on 11/15/17.

04/23/18 hearing vacated and matter reset to date of 05/21/18 by Court per request of Court Investigator.

THIS CASE SET FOR HEARING ON [**Amended 02/06/18**] Petition for Appointment of Guardian, of the person only, by Brenda and Greg Gleicke (maternal grandmother and step-maternal grandfather) for minor: Cecilia, 10

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

1. Mother and paternal grandfather is deceased
2. Declaration of Diligent Search (outdated form) filed 03/09/18 as to Hank Wolf (maternal grandfather). Does Court wish to require revised local form Request to Excuse Notice with Due Diligence Declaration? **JTD**
3. Mother left a will naming the petitioners as the guardians. Will is attached to the Notice of Lodging of Last Will filed 02/06/18.[LF pgs. 6-22]
4. Petition indicates that there is a paternity matter. Case number is unknown. Court to inquire.
5. Declaration under UCCJEA section 4 conflicts with petition as there is an indicated unknown paternity matter. **JTD**
6. Guardianship Questionnaires by both petitioners are incomplete to minor's medical/mental/special needs. **Need** completed forms or verified supplement.
7. CI special report filed 05/14/18.
8. ~Proposed form Order: 02/06/18

RECOMMENDATION:

Need to clear note 5, then Court's discretion.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/21/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700598

CASE NAME: CECILIA JESSIE VAVONESE

SEE ALSO 2

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

GREG MARSHALL GLEICKE (PET)...BRIAN G THORNE

BRENDA LOUISE GLEICKE (PET)...BRIAN G THORNE

CECILIA JESSIE VAVONESE (MIN)...

See notes on matter 2 as Amended Petition was filed on 02/06/18.

(ww)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800138

CASE NAME: MTR OF BRADY TIMOTHY SAVIA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

TIMMY TUAN VU	(GP)...JULIE M. LOPICCOLO
JOSIE CHAO	(GP)...JULIE M. LOPICCOLO
BRADY TIMOTHY SAVIA	(MIN)...

GENERAL INFORMATION:

Timmy Vu and Josie Chao appointed as temporary co-guardians of the person only for minor on 04/10/18, no bond.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Timmy Vu and Josie Chao (non-relatives) for minor: Brady (1 ½ years old)

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

8. Petitioner request to dispense with notice to Iris Savia (mother) as she abandoned minor at the hospital after birth and petitioner's indicate that she terminated her parental rights per paternity order, however, copy of order is not attached to petition as indicated. [LF pgs. 4 &13] Does Court wish for a copy of the order to be filed?

JTD

9. Petitioner request to dispense with notice to unknown maternal grandparents as their names and whereabouts are unknown [LF pg. 4] **JTD**

10. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on Be Troung and Hai Le (paternal grandparents) and siblings: Bianka, Brianna and Benjamin Troung if 12 or older.

11. Court to see Guardianship Questionnaire by Timmy Vu.

12. **Need:** DCFS report as Petitioners are non-relatives per Pr.C. §1513(g).

13. ~Proposed Form Order: 03/28/18

RECOMMENDATION:

Need DCFS report and to clear note 3 then Court's discretion.

(ww)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800157

CASE NAME: PEDRO MARCOS RAYMUNDO

SEE ALSO 6

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

PEDRO MARCOS RAYMUNDO	(PET)...ELAINE TORRES
DAVID & MARGARET HOME INC.	(GP)...PRO/PER
PEDRO MARCOS RAYMUNDO	(MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by David & Margaret Home Inc. (Michael Miller, CPO) (non-relative) for minor: Pedro (13)

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

1. Paternal grandmother is deceased.
2. Pedro, minor signed Consent and Waiver.
3. Proposed Guardian's home is a licensed foster family home.
4. Petition indicates that minor was placed in the care of the proposed guardians via the Office of Refugee Resettlement. [LF pg. 10]
5. Minor is currently residing with Leonorilda and Salavador Eligio, foster family.
6. Jacinto Marcos Bernal (birth father) signed Consent and Waiver, filed on 05/11/18; however, Catarina Marcos Raymundo's (birth mother) signature appears to be a fingerprint? Court to see the Waiver of Notice as to SIJS petition filed 05/11/18 as it appears to have the same mark as a signature for Catarina. **JTD**
7. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on sibling Maria Marcos Raymundo.
8. Leonorilda and Salavador Eligio (foster parents), and siblings: Pedro Elias, Ana, Catarina, Cecilia, Jacinto Jeremias, Ana Elisa signed Consent and Waiver, filed on 05/11/18.
9. Petitioner request to dispense with notice to Pedro Raymundo (paternal grandfather) and unknown maternal grandparents as their names and/or whereabouts are unknown [LF pg. 5] **JTD**
10. As this is a Foster Agency petition does Court wish to require the Confidential Guardian Screening [form GC-212] and Guardianship Questionnaire? **JTD**
11. **Need:** DCFS report as Petitioner is non-relative per Pr.C. §1513(g).

12. ~Proposed Order: 05/11/18

RECOMMENDATION:

Need DCFS report and to clear note 7 then Court's discretion re: remaining notes.

(ww)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800157

CASE NAME: PEDRO MARCOS RAYMUNDO

SEE ALSO 5

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile
Findings

COUNSEL:

PEDRO MARCOS RAYMUNDO	(PET)...ELAINE TORRES
DAVID & MARGARET HOME INC.	(GP)...PRO/PER
PEDRO MARCOS RAYMUNDO	(MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status (minor is 13)

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

4. Petitioner, **Pedro** a 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..."

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. Pedro, minor, offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on **06/04/2004** in **Guatemala** and lived there with minor's parents until **January 2018**.
 - b. Minor was neglected by minor's parents (see documents for specifics).
 - c. Minor arrived in the United States as an unoccupied minor and has not talked to his parents since.
 - d. Minor does not believe he/she can return to minor's parents because **he barely had enough to eat and did not go to school, the doctor or dentist**.
12. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
13. Jacinto Marcos Bernal (birth father) waived notice on 05/11/18.
13. Catarina Raymundo Brito appears to have waived notice on 05/11/18; however, her signature appears to be a fingerprint? Court to see the Consent and Waiver of Notice as to Petition for Guardianship filed 05/11/18 as it appears to have the same mark as a signature for Catarina. **JTD**
14. ~Proposed Order: 04/11/18

RECOMMENDATION

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

(ww)

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 05/21/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800159

CASE NAME: Mtr of Andy Sanchez Pineda

SEE ALSO 8

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MODESTA DE JESUS SANCHEZ PINEDA (GP)...ROCIO LA ROSA
ANDY SANCHEZ PINEDA (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Modesta de Jesus Sanchez Pineda (Paternal aunt) for minor: Andy (9)

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

1. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Vidal de Jesus Sanchez Ramirez (father) and Yanira Xiomara Pineda Cante (mother).
2. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on Eladio Sanchez Revolorio and Leonarda de Jesus Ramirez Ramirez (paternal grandparents); and Ruben Pineda and Francisca Cante (maternal grandparents).
3. **Need:** Upon referral to CI by the Court, requires CI report. *
4. ~Proposed Form Order: 04/09/18

RECOMMENDATION:

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

(ww)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800159

CASE NAME: Mtr of Andy Sanchez Pineda

SEE ALSO 7

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

MODESTA DE JESUS SANCHEZ PINEDA (GP)...ROCIO LA ROSA
ANDY SANCHEZ PINEDA (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status, by Modesta de Jesus Sanchez Pineda (Paternal aunt) for minor: Andy (9)

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

7. Petitioner, **Modesta de Jesus Sanchez Pineda (Paternal aunt)**, 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..."
8. 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.
9. 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. **Andy** offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on **12/23/08** in **Guatemala** and lived there with minor's parents until **12/2017**.
 - b. Minor was abused and neglected by minor's parents (see documents for specifics).
 - c. Minor does not believe he/she can return to minor's parents because **he suffered abuse and neglect from both parents and gang menders have threatened his safety.**
 15. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
 16. **Need** Notice of Hearing and Proof of Mailed Service [forms GC-020] on Vidal de Jesus Sanchez Ramirez (father) and Yanira Xiomara Pineda Cante (mother).
 17. ~Proposed Form Order: 04/09/18

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.

(ww)

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

DATE: 05/21/18 TIME: 11:00 DEPT: S37G

CASE#: GAR RS1100079

CASE NAME: KATIE-SUE ELLEN NOTTURNO

HEARING:

Hearing Re: POSSIBLE APPOINTMENT OF PUBLIC GUARDIAN

COUNSEL:

VIRGINIA E GOMEZ (GPE)...PRO/PER
KATIE-SUE ELLEN NOTTURNO (MIN)...
WILLIAM A NOTTURNO (FAT)...PRO/PER

GENERAL INFORMATION

Trailed from 04/02/18. The Court having reviewed the request for action stating that the USPS is unable to serve citation for VIRGINIA GOMEZ to appear in Court, orders that the public guardian be present at next hearing for possible appointment and assistance with locating guardian.

THIS CASE SET FOR HEARING ON Possible Appointment of Public Guardian

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

1. Matter set on 04/02/18 after review of request for action.
2. USPS indicates that they are unable to serve the citation on guardian Virginia Gomez.
3. Public Guardian to be present at hearing for possible appointment and assistance with locating guardian.

RECOMMENDATION

Court's discretion.

(ww)

Future Hearing: 8/14/18 Hearing Re: Surcharge

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

DATE: 05/21/18 TIME: 11:00 DEPT: S37G

CASE#: GAR VS1200029

CASE NAME: MATTER OF ALEXIS FAITH MAGANA

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

DENE ANTOINETTE DAHL (PET)...PRO/PER
ALEXIS FAITH MAGANA (MIN)...
JENNIFER SHAWN SAINDON (PET/MOT)...PRO/PER

Waiver of Court Fees and Costs filed by DENE ANTOINETTE DAHL is GRANTED

GENERAL INFORMATION:

Continued from **03/06/17** at request of Court to review amended petition.

Continued from **06/12/17** Guardian/maternal grandmother deemed served by her appearance today. Maternal grandfather to be served. Referred to Court Investigator for investigation and report.

Continued from 10/16/18. Court re-refers this matter to the Court Investigators office for a follow up report. Court continues this matter to allow the mother additional time to reintegrate into the minors life.

THIS CASE IS SET FOR HEARING ON Amended Petition for Termination of Guardianship by mother, Jennifer Saindon, minor Alexis age 10.

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

1. Dene Dahl, maternal grandmother, was appointed guardian on 06/26/13.
2. Mother, Jennifer Saindon is seeking termination of guardianship because she is ready to be a fulltime mother.
3. Request to Excuse Notice with Due Diligence Declaration filed 02/27/17 as to siblings, father and paternal grandparents. **JTD**
4. CI report filed 09/25/17. Updated CI report filed 05/03/18.
5. ~Proposed form order 02/27/17

RECOMMENDATION:

Court's discretion.

(cs/ww)