



Guardianship Calendar

First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 05/30/17

All corrections/supplements addressing the notes should be filed by 05/23/17. Later-filed documents might not be reviewed prior to the hearing and could result in a continuance of your case. Updates to these notes *typically* will be posted three court days prior to the hearing.

Destruction of Filed Documents:

Shredding/destruction of all court documents filed and imaged before January 2011 will begin soon. All filed/imaged documents are shredded one year after filing pursuant to court policy. Any filed original documents not retrieved timely will be permanently lost. (Wills and codicils lodged into the will vault will not be affected.)

Contacting the Probate Examiners:

Probate Examiners' email address: ProbateNotes@sb-court.org

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. Please do not email to notify that documents have been filed, to request a confirmation whether documents have been received, or to request the clearing of notes. No legal or procedural advice may be given by examiners in response to your email.

Contacting the Research Attorneys:

E-mail service is not available for cases referred to Legal Research. Legal Research Attorneys do not respond to E-mails.

05/11/17lh

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: 05/30/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600471

CASE NAME: OLIVIA HEBDON

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JOSHUA SMITH

(PET)...PRO/PER

OLIVIA HEBDON

(MIN)...

REANNA SMITH

(PET)...PRO/PER

GENERAL INFORMATION

Continued from 11/08/16. Court clears probate note 3 (notice to paternal grandfather) and 4 (notice to maternal grandfather); petitioners indicate that they have not yet filed for adoption for this minor. Court dispenses with notice to the paternal grandfather. Petitioner to prepare and file UCCJEA. Referred to court investigator for investigation and report.

Continued from 02/28/17 for CI report. Court clears note #4 and dismisses guardianship of estate only. Guardianship of the person only is to continue.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardianship of the person and estate, by Reanna Smith (maternal aunt) and Joshua Smith (uncle), minor Olivia age 4 (DOB 06/08/12).

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

1. Consents by both proposed guardians, and Nomination, Consent and Waiver by father, mother, and both grandmothers, filed 11/08/16.
2. Notice to paternal grandfather waived. Apparent deficiency in notice to maternal grandfather waived.
3. CI's RFA filed 02/17/17. CI is requesting to continue matter to 05/23/17. **CI report filed 05/12/17.**
4. ~Proposed Order filed 09/20/16

RECOMMENDATION

Court's discretion.

(cs/lh/cs/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/30/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700003

CASE NAME: MTR OF HAILYN BRYLEE LAVORCI

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CAROLAN HELZER (GP)...PRO/PER
GAIL HELZER (GP)...PRO/PER
HAILYN BRYLEE LAVORCI (MIN)...

XREF: GARPS1700122

GENERAL INFORMATION

Ex Parte orders denied on 01/11/17 without prejudice.

Ex Parte orders granted on 02/14/17. Carolan and Gail Helzer appointed temporary co-guardians of the person.

THIS CASE IS SET FOR HEARING ON Petition for Guardianship of the person by Gail Helzer (Great Grandfather), and Carolan Helzer (Great Grandmother), minor Hailyn age 3.

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

1. Corey J. Lavorci (Father) and Harley B. Robson (Mother) signed Nomination, Consent and Waiver, filed 01/18/17.
2. **Notice of Hearing and Proof of Service by Mail filed 02/08/17** as to Patricia Fortier and Jim Lavorci; however, their relationship to minor is unknown, and only 6 days' notice was given. Need verified supplement as to their relationship to minor. If they are relatives within 2nd degree, need at least 15 days' notice.
3. See Confidential Questionnaires by Gail Helzer and Carolan Helzer (Great Grandparents) filed 01/04/17 (LF pgs. 3 & 4).
4. Upon referral by Court, need court investigator's report.
5. ~Proposed Form Order/Letters: 01/04/17.

RECOMMENDATION

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

(mr/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/30/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700122
CASE NAME: MTR OF JAXEN RAY DAY

HEARING:
Hearing Re: PETITION FOR APPOINTMENT OF GUARDIAN

COUNSEL:

CAROLAN HELZER	(GP)...PRO/PER
GAIL HELZER	(GP)...PRO/PER
JAXEN RAY DAY	(MIN)...

XREF: GARPS1700003

GENERAL INFORMATION

Ex parte orders denied on 03/20/17. Court orders cases GARPS170003 and GARPS1700122 to be coordinated. Court orders hearing currently set for 04/24/17 to be heard on 05/30/17 with GARPS1700003. Court appoints Gail and Carolan Helzer as temporary co-guardians of the person.

THIS CASE IS SET FOR HEARING ON Petition for Guardianship of the person by Gail Helzer (Great Grandfather), and Carolan Helzer (Great Grandmother), minor: Jaxen Ray Day (2)

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

1. Nomination, Consent and Waiver filed by Harley Robson (mother).
2. Notice of Hearing and Proof of Service by mail filed 05/02/17 as to Ryan Robson (mgf), Melanie Helzer (mgm), Brian and Vicky Fortner (paternal grandparents); however, hearing date is incorrect. Need corrected Notice of Hearing and proof of service. Also, paternal grandparents must be mailed separate notice per CCP 7.51(a)(3).
3. Upon court referral, need CI report.
4. **Objections with proof of service filed by Jackie Day, father.**
5. ~Proposed form Order: 03/13/17

RECOMMENDATION

Need to clear note 2. Matter is contested. Court to set matter for contested hearing.
(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/30/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700151

CASE NAME: MTR OF ADAN SOLORIO

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ADAN SOLORIO (MIN)...
SOCORRO CHAVIRA-SOLORIO (GP)...VALERIE ROSS

GENERAL INFORMATION

Ex parte orders granted on 04/06/17. Socorro Chavira-Solorio appointed temporary guardian of the person.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Socorro Chavira –Solorio (maternal grandmother), minor Adan (7)

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

1. Need Notice of Hearing and Proof of Personal Service as to Rashan Matsui (mother) and Hector Rubio (father).
2. Need Notice of Hearing and proof of mailed service as to Steve Matsui (maternal grandfather) and unknown paternal grandparents, or file Due Diligence Declaration(s).
3. Child Information Attachment, items #1(f) & #1(g) [petition, LF, pg7], is incomplete as to name and address of person with legal custody and name and address of person with physical custody of child. Need verified supplement.
4. Upon Court referral, need CI report.
5. No proposed form Order.

RECOMMENDATION

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

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/30/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700182

CASE NAME: Raul Castro & Martha Marroquin

SEE ALSO 6, 7, 8

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MARTHA ELIZABETH RODRIGUEZ MAR (MIN)...

RAUL ALESSANDRO PEREZ CASTRO (MIN)...

WALTER ALEXANDER MARROQUIN (PET)...RANDY ALEXANDER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Walter Marroquin ("uncle"), minors Martha (12) and Raul (8)

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

1. **Minors do not appear to share a common parent. Need to file separate petitions for each minor per Local Rule 20-1301.**
2. Fathers of minors are deceased.
3. Need Notice of Hearing and Proof of Personal Service as to Mirna Marroquin (mother of Martha), Victoria Diaz (mother of Raul), and minor Martha.
4. Need Notice of Hearing and Proof of Personal Service as to mother.
5. Need Notice of Hearing and proof of mailed service as to: Reyna Diaz (maternal grandmother of Raul), Odilio Perez (paternal grandfather of Raul), Edelvira Marroquin (paternal grandmother of Raul/maternal grandmother of Martha), and Gregorio Rodriguez (paternal grandfather of Martha), or file Due Diligence Declarations.
6. Child Information Attachments to petition are incomplete at section 1 as to name and address of the person with legal custody of the minors. Need verified supplement.
7. UCCJEA Declaration filed 04/12/17 indicates both minors resided in El Salvador until 02/2017. It appears Court does not have current jurisdiction under Ca. Fam. Code §3424 for 6 months. However, court has temporary jurisdiction under Pr. C. § 2202 and 2352(a).JTD

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8. Questionnaire filed 04/12/17 is missing signature on page 1 of form, and date at signature on page 7. Need completed form.
9. Need verified supplement clarifying petitioner's relationship as "uncle" to each minor as minors appear to share one common grandmother, Edelvira Marroquin. See note 10.
10. If petitioner is a non-relative to either minor, need DCFS report.
11. Upon referral by court, need CI report.
12. No proposed form Order.

RECOMMENDATION

Need to file separate petitions for each minor.

Need to clear notes.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/30/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700182

CASE NAME: raul castro & martha marroquin

SEE ALSO 5, 7, 8

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

MARTHA ELIZABETH RODRIGUEZ MAR (MIN)...
RAUL ALESSANDRO PEREZ CASTRO (MIN)...
WALTER ALEXANDER MARROQUIN (PET)...RANDY ALEXANDER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status, **minor Raul Castro (DOB: 12/27/08)**

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

1. Petitioner, **Walter Marroquin**, a purported uncle of minor Raul Castro, 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

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- (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 the following in support of the requested findings in his Points and Authorities filed 04/12/17, stating, inter alia, the following:
 - a. Minor is from El Salvador and lived with his mother until he was abandoned by his mother at 3 years old at which time he was placed in the care of his father.
 - b. Minor's father provided for financially for the minor while the paternal grandmother was the caregiver.
 - c. Minor's father was purportedly assassinated on 08/05/15.
 - d. Minor is eligible for long-term foster care due to abandonment as both parents have relinquished control of her and have failed to provide reasonable care and protection.
 - e. Minor does not believe he can return to his mother because she is unwilling to take care of minor.
 6. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
 7. **Need notice of hearing and proof of service.**

RECOMMENDATION

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

(lh)

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

DATE: 05/30/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700182

CASE NAME: raul castro & martha marroquin

SEE ALSO 5, 6, 8

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

MARTHA ELIZABETH RODRIGUEZ MAR (MIN)...

RAUL ALESSANDRO PEREZ CASTRO (MIN)...

WALTER ALEXANDER MARROQUIN (PET)...RANDY ALEXANDER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status, minor Martha Marroquin (**DOB: 12/27/08**)

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

1. Petitioner, **Walter Marroquin**, a purported uncle of minor Martha Marroquin, 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

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- (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 the following in support of the requested findings in his Points and Authorities filed 04/12/17, stating, inter alia, the following:
 - a. Minor is a national of El Salvador. Her mother was diagnosed with HIV, does not work, and is unable and unwilling to provide basic needs for minor. Mother left minor under the care of her grandmother.
 - b. Minor's father died when minor was 6 months old.
 - c. Minor is eligible for long-term foster care due to abandonment as both parents have relinquished control of her and have failed to provide reasonable care and protection.
 - d. Minor does not believe she can return to minor's parents because she does not have anyone to provide for her or protect her in El Salvador.
 6. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
 7. **Need notice of hearing and proof of service.**

RECOMMENDATION

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

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/30/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700182

CASE NAME: raul castro & martha marroquin

SEE ALSO 5, 6, 7

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile
Findings

COUNSEL:

MARTHA ELIZABETH RODRIGUEZ MAR (MIN)...

RAUL ALESSANDRO PEREZ CASTRO (MIN)...

WALTER ALEXANDER MARROQUIN (PET)...RANDY ALEXANDER

No notes – JTD

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

DATE: 05/30/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700183

CASE NAME: ANIYA SARAI MOSLEY

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ANIYA SARAI MOSLEY (MIN)...
CALAN JOYCE ADAMS (PET)...PRO/PER

GENERAL INFORMATION

Ex parte orders entered on 04/19/17. Calan Joyce Adams appointed temporary guardian of the person.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Calan Adams (maternal grandmother), minor Aniya (14)

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

1. Mystee Mosley (mother) is deceased.
2. Need Notice of Hearing and Proof of Personal Service as to Darnell Webb (father) and minor Aniya.
3. Need Notice of Hearing and proof of mailed service as to unknown paternal grandparents, or file Due Diligence Declaration(s).
4. Upon court referral, need CI report.
5. ~Proposed form Order: 04/12/17

RECOMMENDATION

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

(lh)

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

DATE: 05/30/17 TIME: 11:00 DEPT: S35G

CASE#: GAR VS1300033

CASE NAME: MATTER OF JESSE S GONZALEZ

HEARING:

Petition for APPOINTMENT OF GUARDIAN OF MINOR (PERSON)

COUNSEL:

ANGELA M TINOCO	(PET)...PRO/PER
GERMAN AMADOR	(GP)...PRO/PER
JESSE SIMON GONZALEZ	(MIN)...
MELISSA CRYSTAL TINOCO	(PET)...PRO/PER
NICOLASA GONZALEZ	(GP)...PRO/PER

GENERAL INFORMATION

Court appointed Melissa Tincoco (sister) guardian of minor, Jesse Gonzalez, person only, 08/21/16.

Court appointed Angela M. Tinoco successor guardian of minor on 04/16/15. Letters issued 04/16/15.

Ex parte hearing taken off calendar 01/09/17 due to non-appearance.

Continued from 02/14/17. Court dispenses with notice to Rosario Hernandez (maternal grandmother) and minor as both are present in court. Court dispenses with notice to paternal grandparents and maternal grandfather.

THIS CASE IS SET FOR HEARING ON Petition for Guardianship of the person by German Amador (Uncle) and Nicolasa Gonzalez (Aunt), minor Jesse age 15.

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

- 1. There does not appear to be a current vacancy for a successor guardian. Need to file petition for removal per Pr. C §2651, or Angela M. Tinoco, successor guardian, needs to sign resignation per Pr. C. §2660. Court to determine the issue of vacancy before proceeding with current petition.**
2. Genaro Gonzalez (Father) and Jesse Gonzalez (minor) signed Consents and Waivers.
3. Tina Maria Tinoco (Mother) is deceased.
4. Minor currently resides with petitioners, German Amador and Nicolasa Gonzalez.

5. **Need Notice of Hearing and Proof of Personal Service as to Angela M. Tinoco (successor guardian).**
6. **Need Notice of Hearing and Proof of Service by Mail as to Lina Tinoco (sibling), if 12 years+.**
7. **Need CI report.**
8. ~Proposed Form Order/Letters: 12/30/16.

RECOMMENDATION

Need vacancy prior to appointment.

Need to clear notes 5-7, then Court's discretion.

(mr/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/30/17 TIME: 1:30 DEPT: S35G

CASE#: GAR PS1700110

CASE NAME: MTR OF PAUL STEVEN FOWLER ET AL

HEARING:

Hearing Re: Court Trial (1st Day)

COUNSEL:

BRANDON LEE FOWLER	(MIN)...
CARLA MOUNT	(PET)...PRO/PER
PAUL MOUNT	(PET)...PRO/PER
PAUL STEVEN FOWLER	(MIN)...

No notes - Court Trial

Future Hearing:

06/01/17 *Court Trial*

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN **GUARDIANSHIPS**

DATE: 05/30/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1600544

CASE NAME: EZEKIEL SAGASTA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

EZEKIEL SAGASTA

(MIN)...

MONICA L GALE

(PET)...PRO/PER

RAYMOND SAGASTA

(OBJ)...PRO/PER

X-Ref matter: FAMSS1303403

GENERAL INFORMATION

Continued from **12/20/16**.

Ex parte orders denied on 01/04/17. If child is at risk of harm, petitioner to notify DCFS.

Continued from 03/28/17. There is a related family law case with orders.

FAMSS1303403. Matter continued for petitioner to clear notes.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Monica L. Gale (maternal grandmother), minor Ezekiel (5)

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

1. Nicole Roller (mother) is incarcerated. Proof of Service by Certified Mail as to mother filed 11/29/16; however, need return of signed receipt (green card).
2. Nicole Roller (mother) signed Nomination, but not Consent/Waiver.
3. Due Diligence Declaration as to Raymond Sagasta, Sr. (paternal grandfather) filed 01/04/17 (attached to Nomination). JTD
4. Upon court referral, need CI report.
5. **Objection by Raymond Sagasta (father) filed 03/07/17.**
6. **Letter in the form of a Declaration in support of petition by mother, Nicole Roller, filed 04/25/17.**
7. ~Proposed form Order: 10/28/16

RECOMMENDATION

Need to clear note 1. Court's discretion re note 3. Matter is contested.

(lh)

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 05/30/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1600565

CASE NAME: TIARA LIEHR ET AL
HEARING:
Hearing Re: OSC Re: Dismissal

COUNSEL:

ENELEATA H MANULELEUA (PET)...PRO/PER
LEVI LIEHR (MIN)...
TIARA LIEHR (MIN)...

GENERAL INFORMATION

Continued from 12/06/17. Maternal grandfather has been served but is not a proposed co-guardian. Matter continued to clear notes; referred to Court Investigator for investigation and report.

Continued from 03/21/17. No appearance. Court set for OSC re dismissal.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Eneleata Manueleua (maternal grandmother), minors: Tiara (16) and Levi (11).

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

1. Mother and father are deceased.
2. Need Notice of Hearing and Proof of Personal Service as to Tiara (minor). Tiara signed Petition consenting to appointment, but did not date signature.
3. Need Consent of Proposed Guardian [form GC-211].
4. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b).
5. Petitioner seeks power to apply for an receive any public benefits, social security & SSI benefits the minor child(ren) may be entitled to receive. Recommend order reflect that if accumulated principal exceeds \$15,000 on account, Petitioner to file for estate powers as PC 2628(a)(1) will require an accounting.
6. **CI report filed 03/03/17.**
7. ~Proposed form Order/Letters: 11/7/16

RECOMMENDATION

Need to clear notes 2-3. Court's discretion re OSC.
(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 05/30/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1600557

CASE NAME: IBETH G SANCHEZ ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

DEYANIRA MARIZOL MARTINEZ (PET)...PRO/PER

IBETH G SANCHEZ (MIN)...

NAYELI SANCHEZ SORIANO (MIN)...

GENERAL INFORMATION

Ex parte orders entered on 11/08/16. Deyanira Martinez appointed temporary guardian of the person. Order signed this date.

Continued from 12/13/16. Paternal grandmother is deceased. Court refers matter to DCFS for investigation and report re non-relative.

Continued from 03/21/17. Jessica Sanchez is deemed served by her appearance. Matter continued for DCFS report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Deyanira Martinez (non-relative), minors: Ibeth (17), Nayeli (13)

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

1. Nominations, Consents and Waivers signed by mother, father, minors, maternal grandparents, and paternal grandfather.
2. Report of no report filed by DCFS 03/16/17 requesting continuance to 04/25/17. Need DCFS Report.
3. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b).
4. Petitioner seeks power to apply for an receive any public benefits, social security & SSI benefits the minor child(ren) may be entitled to receive. Recommend order reflect that if accumulated principal exceeds \$15,000 on account, Petitioner to file for estate powers as PC 2628(a)(1) will require an accounting.
5. ~Proposed form Order/Letters: 11/03/16

RECOMMENDATION

Need DCFS report, then Court's discretion.

(mr/lh)

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

DATE: 05/30/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1600570

CASE NAME: JOSEPH RODRIGUEZ ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ANTHONY RODRIGUEZ	(MIN)...
DIANA GONZALEZ	(PET)...PRO/PER
JOSEPH RODRIGUEZ	(MIN)...
JULIE RODRIGUEZ	(MIN)...

GENERAL INFORMATION:

Ex parte orders granted 11/16/16. Diana Gonzalez (maternal grandmother) appointed temporary guardian of minor Joseph Rodriguez, only, with public benefits transferred to her. Petitioner reports DCFS is involved. Joseph resides with her, and younger minors reside with mother.

Continued from 12/13/16. Mother appeared by court call and provided her current address in Massachusetts. Mother requests continuance for written objections to be filed. Minor indicates he wishes to stay with grandmother at this time. Court clears note 6 as to Indian heritage. Referred to Court Investigator for referral and report.

Continued from 03/28/17. Petitioner unable to be present in court this morning.

THIS CASE IS SET FOR HEARING ON: Petition for Appointment of Guardian, person only, by Diana Gonzalez (maternal grandmother), minors: Joseph (13), Julie, (11) Anthony (9)

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

1. Monique Ayala (mother) appeared by court call on 12/13/16. Does court wish to deem mother served?
2. Need Notice of Hearing and Proof of Personal Service on father (unknown). As father is purportedly incarcerated, notice may be served by certified mail and returned signed receipt, per Local Rule 20-1317.
3. Need Notice of Hearing and proof of mailed service as to paternal grandfather (unknown) and maternal grandfather (unknown), or file Due Diligence Declarations.
4. Need Child Information Attachments GC-210(CA) for minors: Julie and Anthony.

5. UCCJEA Declaration filed 11/09/16 is incomplete as to minors' residential history for last 5 years, and at section 6 as to any non-parties who may have physical claims/custody. Need verified supplement.
6. UCCJEA Declaration indicates related family proceeding, case number unknown. Court to inquire.
7. See Guardian Screening Form filed 11/09/16.
8. See Questionnaire filed 11/09/16 [LF, pgs4, 8].
9. Declaration in support of petition by Diana Gonzalez filed 12/22/16.
10. **CI report filed 03/13/17.**
11. ~Proposed form Order: 11/09/16

RECOMMENDATION:

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

(mr/lh)

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

DATE: 05/30/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1600608

CASE NAME: URIAH LEO CASTREJON

SEE ALSO 4

HEARING:

Hearing Re: PETITION FOR APPOINTMENT OF GUARDIAN

COUNSEL:

BEVERLY ANN BARAJAS	(PET)...PRO/PER
CANDY RENE CUELLAR	(OBJ)...PRO/PER
SALLY CASTREJON	(PET)...PRO/PER
URIAH LEO CASTREJON	(MIN)...

GENERAL INFORMATION

Ex parte orders entered 12/13/16. Beverly Barajas appointed temporary guardian of the person. Court ordered not to take minor to any local jails or state prisons until further order. Court continued permanent petition for guardianship to 03/28/17 to provide notice.

Continued from 03/28/17. Petitioner reports parents are in custody. Matter continued from notice of petition to be given. Paternal grandmother may file written objections.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Beverly Barajas ("aunt"), minor Uriah (4)

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

1. Notice was served.
2. **Objection in the form of a Declaration by Tommie Castrejon (father) filed 02/09/17. Need to include proof of service to Beverly Barajas/petitioner.**
 - a. Note: Declaration indicates petitioner is a non-relative. Court to inquire.
3. **Objection in the form of a Letter by Candy Cuellar (mother) filed 01/26/17 and 04/11/17. Need proof of service.**
4. Need DCFS report, *if* petitioner is a non-relative.
5. ~Proposed form Order: 12/06/16

RECOMMENDATION

Matter is contested.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/30/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1600608

CASE NAME: URIAH LEO CASTREJON

SEE ALSO 3

HEARING:

Petition for REQUEST FOR GRANDPARENT VISITATION SCHEDULE UNDER
GUARDIANSHIP

COUNSEL:

BEVERLY ANN BARAJAS	(PET)...PRO/PER
CANDY RENE CUELLAR	(OBJ)...PRO/PER
SALLY CASTREJON	(PET)...PRO/PER
URIAH LEO CASTREJON	(MIN)...

No notes – Visitation - JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 05/30/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700088

CASE NAME: ANTONY GONZALEZ SERRATO

SEE ALSO 6

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ANTONY GONZALEZ SERRATO (MIN) ...
ANTONY GONZALEZ SERRATO (PET) ... CENTRAL AMERICAN RESOURCE
FREDY GONZALEZ (PG) ...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, filed by Antony Gonzalez (minor, DOB: 09/24/98), to appoint Fredy Gonzalez (cousin)

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

1. Petitioner/former minor Antony Serrato requests Order dispensing with notice as to Olga Serrato Maya (mother), alleging mother lives in a rural area of Mexico with limited access to fax. JTD
2. Petitioner/form minor requests order dispensing with notice as to father, Bonifacio Gonzalez Hernandez (father) as his whereabouts are unknown. Need Due Diligence Declaration as to efforts made to locate father.
3. Need Notice of Hearing and Proof of Service by Mail as to Perfecta Gomez (paternal grandmother), Amalia Hernandez (maternal grandmother), and siblings: Rafael Serrato and Cynthia Serrato.
4. Upon court referral, need CI report.
5. Petitioner filed a concurrent petition for SIJS. See notes on next page.
6. ~Proposed form order: 02/27/17

RECOMMENDATION

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

(lh)

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

DATE: 05/30/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700088

CASE NAME: ANTONY GONZALEZ SERRATO

SEE ALSO 5

HEARING:

Petition for SPECIAL IMMIGRANT JUVENILE FINDINGS

COUNSEL:

ANTONY GONZALEZ SERRATO (MIN)...
ANTONY GONZALEZ SERRATO (PET)...CENTRAL AMERICAN RESOURCE
FREDY GONZALEZ (PG)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status (**minor is xx and will attain 18 on xx**)

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

1. Petitioner, **Antony Serrato**, a former minor **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

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.

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 **09/24/1998** in **Mexico** and lived there with minor's parents until **07/28/2015**.
 - b. Minor was neglected by minor's parents. His mother was unable to provide basic necessities and was obligated start working at age 16 in an effort to support his family. Minor's father left when he was 3 years old.
 - c. Minor was forced to leave Mexico because he was shot by gang members. After being hospitalized, minor went into hiding. Minor was forced to move to the United States to escape certain death by gang members.
 - d. Minor does not believe he/she can return to minor's parents because of the fatal risk of continuing to live in Mexico, and there is no one to provide for his wellbeing.
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 and proof of service.**

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

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

DATE: 05/30/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700188
CASE NAME: MTR OF MIRACLE FAYE BLACK

HEARING:
Hearing re: Petition for Appointment of Guardian

COUNSEL:
BETTY JEAN OWENS (GP)...PRO/PER
MIRACLE FAYE BLACK (MIN)...

X-ref matter FAMVS1000799

GENERAL INFORMATION

Ex parte orders granted on 04/24/17. Court appointed Betty Owens temporary guardian of Miracle Black.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Betty Owens (maternal grandmother), minor Miracle (8)

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

1. Need Notice of Hearing and Proof of Personal Service as to Tanisha Faye (mother) and Cornell Black, Jr. (father). Note: Due Diligence Declarations filed for mother and father on 04/17/17. Does Court wish to waive notice?
2. Need Notice of Hearing and proof of mailed service as to Cornell Black, Sr. (paternal grandfather), Cora Jackson (sister), and unknown paternal grandmother. Note: Due Diligence Declarations filed 04/24/17 for all second degree relatives on 04/17/17. Does Court wish to waive notice?
3. Tyrone Owens (mgf) filed Consent and Waiver.
4. Petition indicates related child custody and visitation proceedings [LF, pg 7]. See x-ref matter FAMVS1000799.
5. See Confidential Screening Form filed 04/17/17.
6. Upon Court referral, need CI report.
7. ~Proposed form Order: 04/17/17

RECOMMENDATION

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

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

DATE: 05/30/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700189

CASE NAME: MTR OF BRANTLEY TYLER DONALD

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

BRANTLEY TYLER DONALD (MIN)...
DAVID MICHELL (GP)...PAUL L BRISSON
LESLIE MICHELL (GP)...PAUL L BRISSON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by David and Leslie Michell (maternal grandparents), minor Brantley (3 mos, DOB 02/11/17)

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

1. Mother is deceased.
2. Notice of Hearing and Proof of Service by mail filed 05/01/17 as to Nathan Donald (father); however, need proper service. As father lives outside of California, service may be completed by certified mail and return of signed receipt per CCP §415.40.
3. Need Notice of Hearing and proof of mailed service as to unknown paternal grandparents, or file Due Diligence Declarations.
4. UCCJEA Declaration filed 04/17/17 indicates minor resided with his mother in Ohio until March, 2017 and has resided with petitioners in Chino, California since March, 2017. Court does not have current jurisdiction under Ca. Fam. Code §3424 for 6 months. However, court has temporary jurisdiction under Pr. C. § 2202 and 2352(a).JTD
5. Order on Court Fee Waiver granted 04/17/17. Court may wish to refer to Questionnaires filed 4/17/17 [LF, pg 4].
6. Upon Court referral, need CI report.
7. ~Proposed form Order: 04/17/17

RECOMMENDATION

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

(lh)

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

DATE: 05/30/17 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1100057

CASE NAME: MTR RE ANGEL HARP

HEARING:

Petition for APPOINTMENT OF SUCCESSOR GUARDIAN OF MINOR PERSON

COUNSEL:

ANDREA V RUIZ	(GP)...PRO/PER
ANGEL E HARP	(MIN)...
CARLOS E ROMERO JR	(GP)...PRO/PER
CARLOS HARP	(FAT)...PRO/PER
CELINNA M TYLER	(MIN)...
KRYSTAL SAUM	(PET)...PRO/PER
MARINNA R HARP	(MIN)...
RAYLENNNA O ROMERO	(MIN)...
SERENA ROMERO	(PRO/PER

GENERAL INFORMATION

On 06/06/11, Court appointed Carlos Romero (maternal grandfather) 'permanent' guardian of the person of Angel Harp, Marianna Harp, **Raylenna Romero** and Celinna Tyler. Letters were issued and **Orders are currently in full force and effect.**

On 02/07/17, Court granted Ex Parte orders appointing Krystal Saum as temporary guardian of minor Raylenna Romero.

Continued from 03/21/17. Proof of service as to father and maternal grandfather filed. Matter continued for mother, paternal grandparents and sibling Angel to be served, or Due Diligence Declaration filed. Court deems this petition to be a petition for termination of guardian and appointment of successor guardian.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Successor Guardian, person only, by Krystal Saum (non-relative), minor Raylenna Romero (7), **only**

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

1. There is no current vacancy as Carlos Romero (maternal grandfather) is the current guardian. There must be a vacancy in current guardianship, either by removal or resignation per Pr. C. § 2651; §2660. **Minute order entered 03/21/17 deems this petition to be a petition for termination of guardian and petition for successor**

- guardian. Need proposed order for termination of guardianship as to minor Raylenna.**
2. **Notice of Hearing and Proof of Personal Service filed 03/21/17 as to guardian Carlos Romero; however, need completed Proof of Personal Service including date and signature.**
 3. **Minute Order dated 03/21/17 indicates Proof of Service filed as to father, Rayshawn Tyler. However, proof of service not found in file. Need same.**
 4. Need Notice of Hearing and Proof of Personal Service as to Sarena Romero (mother).
 5. Need Notice of Hearing and Proof of Service by Mail as to Yolanda Romero (maternal grandmother), unknown paternal grandparents, and Angel (sibling), or file Due Diligence Declarations.
 6. Need DCFS report as petitioner is a non-relative.
 7. ~Proposed form Order/Letters: 01/31/17

RECOMMENDATION

Need vacancy prior to appointment.

Need to clear notes 2-6, then court's discretion.

(lh)