



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 06/18/18

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.

(05/31/18 & 06/13/18 ww)(06/04/18 & 06/12/18 cs)

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: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700166

CASE NAME: KENNEDY MONROE EVANS

SEE ALSO 2

HEARING:

Hearing Re: STATUS OF FIRST RE-PAYMENT OF \$500.00

COUNSEL:

DANIELLE NACHELL MASSEY (PET)...PRO/PER

KENNEDY MONROE EVANS (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Status of First re Payment of \$500.00

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

1. Matter set on 04/16/18, wherein Court ordered that the re-payment schedule as follows: \$500.00 to be paid every other month.
2. The first re-payment of \$500.00 to be deposited by 06/11/18. Danielle Massey to provide proof of deposit of the \$500.—to the court for the hearing of 06/18/18. Court orders Danielle Massey to be personally present in Court on 06/18/18.

RECOMMENDATION:

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: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700166

CASE NAME: KENNEDY MONROE EVANS

SEE ALSO 1

HEARING:

Order to Show Cause RE: Surcharge for Danielle Massey (Failure to file docs)

COUNSEL:

DANIELLE NACHELL MASSEY (PET)...PRO/PER

KENNEDY MONROE EVANS (MIN)...

GENERAL INFORMATION:

Continued from **02/26/18** Dannielle Massey to file and serve declaration under penalty of perjury re the funds of \$10,000.00 that was not deposited into the blocked account by 03/25/18. Court sets for hearing the issue of the \$10,000.00 for April 16, 2018. Court orders Danielle Massey to be personally present in court at 11:00am in Department S35 to address the issue of the \$10,000.00 that was not deposited into the blocked account. Danielle Massey states she understands above order

Continued from 04/16/18

THIS CASE SET FOR HEARING ON Order to Show Cause RE: Surcharge for Danielle Massey(Failure to file docs)

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

1. Matter set on 12/11/17, wherein Danielle Massey (mother) failed to show proof of blocked account.
2. Receipt and Acknowledgment of Order for the Deposit of money in Blocked Account in the sum of \$20,955.30 filed 12/11/17.

RECOMMENDATION:

Court's Discretion

(cs)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700361

CASE NAME: DESTINEY MARIE REEDER

SEE ALSO 4

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

KRYSTAL WALKER (PET)...PRO/PER
DESTINEY MARIE REEDER (MIN)...

GENERAL INFORMATION:

Temporary Orders granted 07/24/17. Krystal Walker is appointed temporary guardian of the person of Destiney Reeder. Court dispense with notice on general and temporary petitions as to parents, minor and paternal grandparents. Objections must be in writing and served and filed by 08/14/17.

Continued from **08/28/17** referred to DCFS for investigation and report after it has been determined by the Court Investigator that petitioner is non-relative to minor.

Continued from **02/05/18**. Court notes that no objections have been filed; as they have not been filed by deadline, Court deems objections of mother and father to be waived. Court finds notice complete as to maternal grandparents and dispenses with notice to siblings of the minor aged 12 years of age or older. Matter continued for receipt of DCFS report.

Continued from 04/09/18. Matter is contested- petitioner does not agree with report from DCFS. Trial estimate is two half days exchange deadline is set for 4pm June 18, 2018- proof of service (pos-030) must be filed as to the trial documents exchanged- proof of service to be filed by 4pm June 18, 2018. Court orders that personal appearance of counsel/self represented litigants required for the readiness hearing in department S35. Court notes that if there is failure 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.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Krystal Walker, (non-relative), minor: Destiney, 15 (DOB 11/13/02)

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

1. Per minute order of 07/24/17, Court dispensed with notice as to parents, minor and paternal grandparents.
2. Per minute order of 02/05/18, Court dispensed with notice to siblings of the minor.

3. Court to see CI special report filed 03/26/18.
4. ~Proposed form Order submitted: 07/17/17

RECOMMENDATION:
Court's discretion.

(cs/ww)

Future Hearing: 7/13/18 Court Trial

Superior Court of Calif, County of San Bernardino

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

DATE: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700361

CASE NAME: DESTINEY MARIE REEDER

SEE ALSO 3

HEARING:

Readiness Calendar

COUNSEL:

KRYSTAL WALKER (PET)...PRO/PER
DESTINEY MARIE REEDER (MIN)...

No Notes-Readiness- JTD.

(ww)

Future Hearing: 7/13/18 Court Trial

Superior Court of Calif, County of San Bernardino

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

DATE: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700621

CASE NAME: Chiedu Toby Okwuokei

SEE ALSO 6

HEARING: Re: OSC RE DISMISSAL OF PETITION FOR GUARDIANSHIP

COUNSEL:

UCHE OKWUOKEI (GP)...PRO/PER
CHIEDU TOBY OKWUOKEI (MIN)...

GENERAL INFORMATION:

Ex Parte orders entered 12/04/17.

Matter set at 01/02/18 hearing due to non-appearance. Court notes that if petitioner does not appear at next hearing nor have all notes cleared, Court will dismiss petition at next hearing date. Notice by Judicial Assistant.

Continued from 03/06/18 Petitioner indicates that the minor will turn age 18 on 06/17/18. Court indicates that the Dismissal of the Petition will be without prejudice on June 06/18/18.

THIS CASE IS SET FOR HEARING **OSC re Dismissal** ON Petition for Appointment of Guardian, person only, by brother, Uche Okwuokei ["Petitioner"], minor Toby, age 17 (age of majority on 06/17/18).

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

1. Petition indicates petitioner wishes to handle all financial matters. However, estate powers are not requested. Need further clarification via verified supplement.
2. Mother signed consent and waiver.
3. Need Notice of Hearing and proof of personal service on minor 12 or older and father, Jude Okwuokei.
4. Paternal and maternal grandparents are purportedly deceased.
5. Petition indicates petitioner intends to adopt minor
6. Petitioner alleges father agrees with guardianship. However, no consent is filed.
7. ~Proposed Form Order/Letters 11/28/17.

RECOMMENDATION:

Need to clear notes 1&3 then Court's discretion.
(nb/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: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700621

CASE NAME: Chiedu Toby Okwuokei

SEE ALSO 5

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

UCHE OKWUOKEI (GP)...PRO/PER

CHIEDU TOBY OKWUOKEI (MIN)...

Waiver of Court Fees and Costs filed by CHIEDU TOBY OKWUOKEI is GRANTED

See prior matter #5.
(nb/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: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700643

CASE NAME: MTR OF RACHEL ZULEYMA GOODREAU, ET AL

SEE ALSO 8

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

NOELY G LARA-ELIAS	(GP)...PRO/PER
LUIS A GONZALEZ CASTRUITA	(GP)...PRO/PER
RACHEL A ZULEYMA GOODREAU	(MIN)...
ELMY BRIANNA FLORES-LARA	(MIN)...
DAYANA FLORES-LARA	(GP)...PRO/PER

GENERAL INFORMATION

Dayana Flores-Lara appointed temporary guardian of the person of minors on 01/03/18.

Court orders Dayana Flores-Lara to be present in Court at 11:00AM on 01/29/18.

Continued from **01/29/18**. Court found notice complete as to Ruben Lara Uribe, Guadalupe Elias Chairez, and Dayana Flores-Lara as they are all present in Court this date as to both petitioners. Matter continued to date of competing petition. Noely Lara-Elias to clear remaining probate notes.

Continued from 02/07/18. Court reviews information on related cases

FAMSS1505157 and CSKS1305043. No further information on those cases needed at this time. As Hugo Flores and Rachel Goodreau are present in court, court finds notice complete as to them. Court dispenses with notice to paternal grandparents of both minors. Court directs Noely Lara-Elias and Luis Gonzalez Castruita to file by 4pm today notice of change of address as they inform the court that they now reside in Colorado. Matter is set contested; exchange deadline for trial documents is set for 4pm July 16, 2018. Court refers this case on both petitions for guardianship (competing petitions) to the Court Investigator for investigation and report. Court notes that court call is permitted for the hearing of June 18, 2018. Trial estimate is two half days for the trial starting 8/16/18

THIS CASE IS SET FOR HEARING ON

Petition #1 [filed 12/11/17] for Appointment of Guardian of the person only by **Noely Lara-Elias and Luis Gonzalez Castruita**, sister and her spouse, for minors: Rachel (12) Elmy (6)

Petition #2 [filed 12/27/17] for Appointment of Guardian, person only, by **Dayana Flores** (sister), minors: Rachel (12) and Elmy (6)

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

Petition #1 by Noely Lara-Elias (sister) and Luis Castruita (Noely's spouse)

1. Veronica Lara-Elais (mother) is deceased.
2. Declaration under UCCJEA indicates related case FAMSS1505157. **Need** Notice of Related Cases.
3. Court to see document filed by Hugo Flores on 12/28/17. **Need** Notice of Related Case for CSKS1305043.
4. CI report filed 06/11/18.
5. ~Proposed Form Order:12/11/17

Petition #2 by Dayana Flores (sister)

6. Veronica Lara-Elias (mother) is deceased.
7. Hugo Lara (father) signed Consent and Waiver filed 12/27/17.
8. Minors reside with petitioner Dayana Flores (sister).
9. CI report filed 06/11/18.
10. ~Proposed Order: 12/27/17

RECOMMENDATION

Matter is contested. Need to clear notes 2 & 3 then Court's discretion.

(lh/ww)

Future Hearings:

- 7/16/18 Readiness Calendar
- 8/16/18 Court Trial (Day 1)
- 8/17/18 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: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700643

CASE NAME: MTR OF RACHEL ZULEYMA GOODREAU, ET AL

SEE ALSO 7

HEARING:

Petition for petition for appointment of guardian by Dayana Flores-Lara

COUNSEL:

NOELY G LARA-ELIAS	(GP)...PRO/PER
LUIS A GONZALEZ CASTRUITA	(GP)...PRO/PER
RACHEL A ZULEYMA GOODREAU	(MIN)...
ELMY BRIANNA FLORES-LARA	(MIN)...
DAYANA FLORES-LARA	(GP)...PRO/PER

See notes on matter 7.

(ww)

Future Hearings:

7/16/18 Readiness Calendar

8/16/18 Court Trial (Day 1)

8/17/18 Court Trial (Day 2)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800001

CASE NAME: KALEAH DENISE MAYFIELD

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

VANESSA JONES (GP)...PRO/PER
KALEAH DENISE MAYFIELD (MIN)...

GENERAL INFORMATION

Continued from 02/05/18 Court finds notice complete as to mother and MGM as they are present in court today. Written objection deadline set for 03/19/18 by 4pm. Supplement to be filed by petitioner to address note re incomplete guardianship questionnaire. Referred to CI.

02/05

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian of the person only by Vanessa Jones (paternal grandmother) for minor: Kaleah (4)

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

1. Mother, Dominique Anderson served 02/05/18.
2. Paternal grandfather and maternal grandfather are deceased.
3. Proof of Personal Service filed 04/04/18 on Keijuan Mayfield (father); however form indicates Notice of Hearing was served. **Need** proper notice of hearing and proof of personal service to include copy of petition for guardianship.
4. Guardianship Questionnaire is incomplete on page 3. **Need** completed form.
5. Court to see Guardian Screening filed 04/04/18.
6. **CI report filed 06/08/18.**
7. ~Proposed Form Order: 01/02/18

RECOMMENDATION

Need CI Report and to clear notes 3 & 4 then Court's discretion.

(ww/cs)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800200

CASE NAME: NATHAN BLESS FIGUEROA HERRERA

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

LIDIA FIGUEROA MESSNER (GP)...PRO/PER
JEFFREY SCOTT MESSNER (GP)...PRO/PER
NATHAN BLESS FIGUEROA HERRERA (MIN)...

GENERAL INFORMATION:

Temporary Orders granted on 05/23/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Lidia and Jeffrey Messner (sister and spouse), minor: Nathan 7

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

1. Mother and maternal grandparents are all deceased.
2. Request to Excuse Notice with Due Diligence Declaration filed 05/05/07/18 as to father, Roberto Figueroa. **JTD**
3. Petitioners request to excuse from giving notice to unknown paternal grandparents [LF,p.]. **Need** Request to Excuse Notice with Due Diligence Declaration per Local rule 20-1304.
4. **Need** Notice of Hearing and Proof of Service by mail as to sibling, Veronica Figueroa, or file Due Diligence Declarations.
5. **Need** Duties of Guardian [form GC-248].
6. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b)
7. Petitioner seeks power to apply for and 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.
8. **Need:** Upon referral to CI by the Court, requires CI report.
9. ~Proposed form Order submitted: xx/xx/18

RECOMMENDATION:

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

(cs)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800201
CASE NAME: SONNIE SOBALVARRO

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

OMAR VASQUEZ (GP)...PRO/PER
JANET VASQUEZ (GP)...PRO/PER
SONNIE SOLBAVARRO (MIN)...

GENERAL INFORMATION:

Temporary Orders as to Omar and Janet Vasquez denied on 05/16/18.
Temporary Orders as to Michelle Scheffler denied on 05/31/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Janet and Omar Vasquez (aunt and uncle) for minor: Sonnie (5)

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

10. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Anthony Solbulvarro (father) and Gabriella Fowler (mother).
11. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on unknown paternal grandfather, "Martha" (paternal grandmother), Michelle Scheffler (maternal grandmother) and Gary Fowler (maternal grandfather).
12. **Need** Amended petition as page 2 is missing and need Amended Child Information Attachment [form GC-210(CA)] as pages 2 & 4 are missing.
13. Guardianship Questionnaire [local form SB18074] form for Omar has page 2 of the form for Janet and the Questionnaire for Janet has page 2 of the form for Omar.
 - a. Does Court wish for documents to have correct page 2 relocated and documents re-scanned? **JTD**
14. Court to see Guardian Screening forms by Omar and Janet.
15. Referral for CII [form SB-13548] is missing Janet's maiden name. **Need** completed form.
16. **Need:** Upon referral to CI by the Court, requires CI report.
17. **Note: Competing petition filed by Michelle Scheffler (maternal grandmother) and is set on 06/28/18.**
18. ~Proposed Form Order: 05/09/18

RECOMMENDATION:

Court may wish to trail to **06/28/18** to be heard with competing petition. Need to clear notes 1, 2, 4, 5 & 8 then Court's discretion.

(ww)

Future hearing dates:

Petition for Appointment of Guardian **by Michelle Scheffler (maternal grandmother)**.

Superior Court of Calif, County of San Bernardino

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

DATE: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800211

CASE NAME: AUGUSTO GAMALIEL ALONZO RAMIREZ

SEE ALSO 13

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

AUGUSTO GAMALIEL ALONZO RAMIRE(PET)...IMMIGRANT DEFENDERS LAW
DAVID & MARGARET YOUTH AND FAMILY SERVICES (PET)...PRO/PER
AUGUSTO GAMALIEL ALONZO RAMIREZ (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition by minor, Augusto Ramirez for Appointment of Guardian, person only, David & Margaret Youth and Family Services (Michael Miller, CPO), minor: Augusto, 14

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

1. Proposed guardian is the local social service provider charged with proposed ward's care through the office of the Refugee Resettlement's Unaccompanied Minors program.
2. Minor, Augusto is petitioning for David & Margaret Youth and Family Services (Michael Miller, CPO), be his guardian.
3. Minor signed Consent to Appointment and Waiver of Notice.
4. Minor has resided at David & Margaret Youth and Family Services since 03/07/18. Prior to that minor resided in Buckeye, AZ and Guatemala. A question of jurisdiction of the court is raised unless the court finds this state has temporary emergency jurisdiction as defined under Family Code §3424. **JTD**
5. Child Information Attachment, section 5 [LFp18] is incomplete re whether child's parents are in agreement that David & Margaret Youth and Family Services (Michael Miller, CPO), be the child's guardian . **Need** complete Child Information Attachment.
6. **Need** Notice of Hearing to foster parents, per PC 1511(b)(2), and verified supplement setting forth their names.
7. **Need** Notice of Hearing and Proof of Personal Service on parents.
 - a. Petitioner requests Court dispense with notice as to Everaldo Alonzo and Jose Ramirez (parents). **JTD**

8. **Need** Notice of Hearing and Proof of Service by Mail on unknown paternal grandparents, maternal grandparents, and siblings age 12 or older, or file Due Diligence Declarations.
 - a. Petitioner requests Court dispense with notice as to Dalila and Jacobo Ramirez (siblings), Maria Del Carmen and Virginio Ramirez (paternal grandparents), Anucunda and Silberio (maternal grandparents). **JTD**
9. Petitioner seeks power to apply for and 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.
10. **Need:** DCFS report as Petitioner is non-relative per Pr.C. §1513(g).
11. Petition for Special Immigrant Juvenile Findings filed 05/14/18. See notes on next matter.
12. ~Proposed form Order submitted: 05/14/18

RECOMMENDATION:

Need to clear notes 5-8, then Court's discretion.

(cs)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800211

CASE NAME: AUGUSTO GAMALIEL ALONZO RAMIREZ

SEE ALSO 12

HEARING: Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

AUGUSTO GAMALIEL ALONZO RAMIRE(PET)...IMMIGRANT DEFENDERS LAW
DAVID & MARGARET YOUTH AND FAMILY SERVICES (PET)...PRO/PER
AUGUSTO GAMALIEL ALONZO RAMIREZ (MIN)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status (minor is 14 and will attain 18 on 01/02/22)

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

1. Petitioner, Augusto Ramirez, a minor (14), 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/minor offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on 01/02/04 in Guatemala and lived there with minor's parents until age 13.
 - b. Minor was neglected by parents as they failed to provide him with adequate emotional and financial support throughout his life.
 - c. Minor started working in the fields planting crops using dangerous tools when he was around ten years old.
 - d. At the age of approximately twelve years old minor was forced to stop attending school because his parents could not afford to pay for his school expenses. Thereafter minor was forced to work more to help pay for his family's living expenses.
 - e. It is not in Augusto's best interest to return to Guatemala because he has no one to provide him with adequate care and support there.
 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 personal service on mother and father, who reside in Guatemala, either by a) international registered mail, return receipt; b) service by agent (typically an attorney in Guatemala); c) service by Letters Rogatory; or (d) service via the Guatemala Ministry of Foreign Affairs. CCP section 413.10(c); Pr. C. §1511; In re Alyssa F. (2003) 112 Cal. App. 4th 846, 885, fn. 10; Convention on the "Service Abroad of Judicial and Extrajudicial Documents" in Civil or Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. No. 6638 (Hague Service Convention).**

RECOMMENDATION:

Need notice. Court to first consider accompanying guardianship petition. If granted, court's discretion re factual findings that would support this petition.

(CS)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800212
CASE NAME: ELIJAH VIRATA

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

LA RONDA VIRATA-CROSS (PET)...PRO/PER
ELIJAH VIRATA (MIN)...

GENERAL INFORMATION:

LaRonda Virata-Cross appointed as temporary guardian of the person only for minor on 05/14/18, no bond.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by LaRonda Virata-Cross, (maternal grandmother) minor: Elijah (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 LaMarda Virata (mother) and unknown father.
 - a. Father is reportedly unknown; **need** copy of birth certificate per Local Rule 20-1302.
2. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on unknown paternal grandparents
3. Section 8 as to reasons why guardianship is necessary is blank; however, the reasons why it is in the best interest for the child is completed in section 4 of the attached GC-210(CA). [LF pg. 8] **JTD**
4. Section 10 as to persons that notice should be dispensed is marked; however, attachment 10 was not provided. Court may wish to inquire if petitioner is trying to dispense with notice. **JTD**
5. Petitioner indicates willingness to adopt the minor.
6. Court to see Guardian Screening form and Guardianship Questionnaire.
7. **Need:** Upon referral to CI by the Court, requires CI report.
8. ~Proposed Form Order: 05/14/18

RECOMMENDATION:

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

(ww)

Superior Court of Calif, County of San Bernardino
Page: 14A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/18/18 TIME: 11:05 DEPT: S35G

CASE#: GAR SS1400053

CASE NAME: MTR OF DERICK SANCHEZ & NICHOLE ANDERSON

HEARING:

Motion Re: To Set Aside The March 14,2018 Order Terminating
Visitation etc Filed by Petitioner ERIKA SANCHEZ

COUNSEL:

KACEY BICONDOVA	(GP)...PRO/PER
JOHN BICONDOVA	(GP)...PRO/PER
DERICK SANCHEZ	(MIN)...
NICHOLE ANDERSON	(MIN)...
ERIKA SANCHEZ	(MOT)...TERA D LEE
NICKOLAS CLYDE ANDERSON	(PRO/PER)

Currently under review by Legal Research.
(LR)

(cs)

Future Hearing: 08/14/18 Petitioner for Termination of Guardianship
08/14/18 Trial Setting Conference

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

TRIAL

DATE: 06/18/18 TIME: 1:30 DEPT: S35G

CASE#: GAR PS1700453

CASE NAME: MTR OF HANNAH DRAPER

HEARING:

Court Trial set for PETITION FOR GUARDIANSHIP of SANDRA RUTTAN

COUNSEL:

SANDRA RUTTAN

(GP)...PRO/PER

HANNAH DRAPER

(MIN)...

CASIE DRAPER

(OBJ)...AARON M. HUDSON

No Notes-Court Trial- JTD.

(ww)

Future Hearing: 6/19/18 Court Trial

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

GUARDIANSHIPS

DATE: 06/18/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700474

CASE NAME: HUNTER BRAYLON BUTCHER

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

DAWN ARPS

(GP)...LISETH M ROBLEDO

ALLYN ARPS

(GP)...LISETH M ROBLEDO

HUNTER BRAYLON BUTCHER

(MIN)...PRO/PER

GENERAL INFORMATION:

Dawn and Allyn Arps appointed temporary guardians of the person of minor on 09/13/17. Referred to Family Court Services. Parties are ordered to report forthwith to FCS and cooperate fully during all stages of the mediation/evaluation process. Custodial parent shall make child available at all times requested by counselor.

Continued from **10/16/17**. Court makes orders pursuant to FCS report. Referred to CI.

Continued from **02/05/18**. Court orders written objections to be filed by 03/05/18. If objections are not filed, Court will deem them waived. Court admonishes temporary guardians as to the visitation order with father.

Continued from 04/02/18. Parties do not stipulate to matter being heard by Judge Pro Tem.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Dawn and Allyn Arps, (maternal grandparents), minor: Hunter, 1

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

1. Father and mother served
2. Court to review Guardian Screening forms by petitioners, [LF pgs. 3 – 4].
3. Court to review Guardianship Questionnaire by Allyn Arps, [LF pgs. 9 – 23]
4. UCCJEA indicates related matters family custody/restraining orders.
5. CI report filed 01/30/18.
6. FCS Report filed 10/12/17.
7. Court to see Declaration of Daniel Butcher (father) filed 03/09/18. **Need** proof of service of declaration.
8. No proposed order. Submit order after hearing.

RECOMMENDATION:

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: 06/18/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700484

CASE NAME: SAMMY ISIAH OCHOTORENA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CLAUDIA VALENCIA	(GP)...PRO/PER
FRANK VALENCIA	(GP)...PRO/PER
SAMMY ISIAH OCHOTORENA	(MIN)...PRO/PER

GENERAL INFORMATION

Continued from **10/17/17** and **12/05/17** on court's motion to clear notes.

Continued from 02/06/18. Proof of service of notice as to mother Claudia Ochotorena filed in court. Court accepts due diligence as to maternal grandparents. Petitioners to file due diligence as to PGF Louie Chavez. Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Claudia Valencia (pgm) and Frank Valencia (step-pgf), minor Sammy Isaiah (1)

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

1. Sammy Chavez (father) signed Nomination, Consent and Waiver.
2. **Need** Due Diligence Declaration as to Louie Chavez (paternal grandfather) per minutes on 02/06/18.
3. Petitioners intend to adopt minor.
4. CI report filed 06/11/18.
5. ~Proposed form Order: 09/15/17

RECOMMENDATION

Need to clear note 2 then Court's discretion.

(lh/nb/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: 06/18/18 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1500084

CASE NAME: MTR OF JEREMIAH MARQUIS PHILLIPS

HEARING:

Petition for Appointment of Guardian of Person

COUNSEL:

TYRICEA S PHILLIPS	(GP)...PRO/PER
DURIEN C PHILLIPS	(GP)...PRO/PER
JEREMIAH MARQUIS PHILLIPS	(MIN)...
KEVIN ANTOINE EXUM JR	(MIN)...
SARIYAH EXUM	(MIN)...
JEDIDAH RIVERS	(MOT)...PRO/PER

GENERAL INFORMATION:

Ex-parte orders denied 7/29/16 no emergency.

Continued from **08/31/16** at request of Petitioner to clear notes

Continued from **11/08/16** to clear probate notes

Continued from **02/07/17**. Petitioner is not a private fiduciary. Matter is continued for petitioner to file an amended petition to include Durien Phillips as co-guardian.

Continued from **05/16/17**. Court appoints attorney Mark Flory as the Guardian ad Litem for the mother (Jedidah Rivers) as it appears she may be developmentally disabled.

Continued from **08/15/17**. Oral report by Mark Flory (GAL). Mark Flory represents mother, Jedidah Rivers, does not object to guardianship. Court excuses notice to paternal grandfather. Referred to DCFS report as petitioner is a non-relative.

Continued from **10/17/17** at request of counsel for Attorney Flory to speak with mom.

Continued from **12/05/17** for probate notes to be cleared. Notice to be given by Attorney A. Beechko.

Continued from 02/06/18. Letter of consent by mother is filed in court. Father is unknown. Court dispenses with notice as to father and paternal grandparents.

Tyricea and Durien Phillips appointed as temporary co-guardians of the person only for minors this date. Matter is referred to DCFS for investigation and report.

THIS CASE IS SET FOR HEARING ON **AMENDED Petition** [filed 02/23/17] for Guardianship, person only, by Tyricea S. Phillips and Durien Phillips (non-relatives), minors: Kevin (2), Sariyah (4).

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

1. Maternal grandmother is deceased.
2. Jedidah Rivers (Mother), Kevin Exum (father) and Rhonda Exum (paternal grandmother) signed Waivers and Consents.
3. Petitioners, Tyricea Phillips and Durien Phillips, were appointed co-guardians of minors' half-sibling, Jeremiah (1), on 9/08/15.
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 and 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. Petitioners are non-relatives. Dismissal Report by DCFS filed. 01/31/18
 - a. **Need** DCFS report per minutes on 02/06/18.
7. **Need** report by GAL Mark Flory.
8. **Need** clarification by Court as to minutes on 02/06/18 as they indicate that father and paternal grandparents are unknown; however, father and paternal grandmother are known and signed the consent forms. **See note 2.**
9. ~Proposed form Order/Letters: 07/26/16.

RECOMMENDATION:

Need DCFS report and GAL report, then Court's discretion.

(sa/lh/mr/lh/nb/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: 06/18/18 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1500096

CASE NAME: LUIS RECENDIZ TINAJERO

SEE ALSO 5

HEARING:

Accounting Review by ***

COUNSEL:

CELIA TINAJERO (GP)...PRO/PER
LUIS RECENDIZ TINAJERO (MIN)...

GENERAL INFORMATION:

Continued from 03/15/17. No appearance.

Continued from **04/05/17**. Guardian Ad Litem, Walter Moore, represents there are issues regarding insurance company and requests continuance.

Continued from **07/19/17**.

Continued from **11/01/17**. Attorney Moore to assist guardians with filing documents.

Continued from **01/17/18**.

Continued from 04/23/18. To be heard with other pending hearing.

THIS CASE IS SET FOR HEARING ON Accounting Review, minor: Luis, age 14.

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

1. Celia Tinajero (mother), appointed guardian of the estate only, of minor Luis Tinajero age 15 (DOB 02/17/03) on 01/06/16 with funds to be held in a blocked account in lieu of bond.
2. **Need** proof of deposit into blocked account (form MC-356).
3. **Need** final inventory and appraisal (form GC-040).
4. **Need** Met Life statement re account as directed by court per minute order of 08/10/16.
5. **Need** First Account covering the period of 01/06/16 to current.

RECOMMENDATION:

Inquire status.

(cs/lh/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: 06/18/18 TIME: 1:30 DEPT: S36G

CASE#: GAR SS1500096

CASE NAME: LUIS RECENDIZ TINAJERO

SEE ALSO 4

HEARING:

Hearing Re: CITATION AS TO STEVEN KANDARIAN

COUNSEL:

CELIA TINAJERO (GP)...PRO/PER
LUIS RECENDIZ TINAJERO (MIN)...

GENERAL INFORMATION

Continued from 03/19/18. At request of Attorney Walter Moore as MetLife has been cooperating.

THIS CASE SET FOR HEARING ON Citation as to Steven Kandarian by GAL Walter Moore.

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

1. On 01/16/18 the Court granted an Ex parte petition for order to issue a citation on Steven Kandarian, President and Chief Executive Officer of MetLife Inc., or his Designee, to appear for examination and to produce documents.
2. Minor Luis has a beneficial interest in a structured settlement with MetLife and efforts to obtain information and forms to process the claim by GAL Walter Moore have been successful.
3. Citation that Steven A. Kandarian, President and Chief Executive Officer of MetLife Inc., or his Designee: 1) Appear for Examination under Oath Before this Court; and, 2) Produce documents filed 03/21/18.

RECOMMENDATION

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

GUARDIANSHIPS

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700357

CASE NAME: YAMEENAH Z DE LA CRUZ

HEARING:

Hearing Re: PROOF OF TEXAS GUARDIANSHIP

COUNSEL:

ELIZABETH PENA OPPEYK (GP)...PRO/PER
YAMEENAH Z DE LA CRUZ (MIN)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Proof of Texas Guardianship.

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

1. On 12/18/18, Court granted petition for guardian and petition to fix residence in the State of Texas.
2. **Need** Post-Move Notice of Change of Minor's Residence (mandatory) with proof of mailed service.
3. **Need** proof of guardianship.

RECOMMENDATION

Inquire status.

(cs)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700470

CASE NAME: GIANNA S ARAGON

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

VICTORIA C ADAMS	(PET)...PRO/PER
PHILLIP D ADAMS	(PET)...PRO/PER
GIANNA S ARAGON	(MIN)...PRO/PER
SERENA ARAGON	(MOT)...ROSE ROSADO GAL

GENERAL INFORMATION:

Temporary Orders granted on 09/12/17. Victoria and Phillip Adams are appointed temporary guardians of the person of Gianna S Aragon.

Continued from **10/16/17** Court determines that the petition was served on the maternal grandmother and accepts declaration of due diligence as to Joey Aragon. No further notices required.

Continued from 02/27/18 Mr. Roth reports he cannot accept the appointment as GAL for mother who is a minor as he has previously sat pro tem and made rulings in this matter. Court relieves Mitchell Roth as GAL and appoints Rose Rosado as GAL for Serena Aragon.

THIS CASE SET FOR HEARING ON **Amended [05/25/18]** Petition for Appointment of Guardian, of the person only, by Victoria and Phillip Adams (aunt and spouse), minor: Giana, 10 months

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

1. Amendment to petition filed adding Phillip Adams as co guardian; however, separate hearing was not set.
2. GAL, Rose Rosado appointed for minor parent, Serena Aragon.
3. Mother signed Nomination, Consent and Waiver.
4. Declaration filed 10/12/17 by petitioner and mother re unknown father. **JTD**
5. **Need** Notice of Hearing and proof of service of Amended Petition on "unknown" father. **Need** copy of birth certificate per Local Rule 20-1302.
6. **Need** Notice of Hearing and Proof of Service of Amended petition on paternal grandparents and maternal grandparent.
7. Petitioner(s) with intentions on adopting minor.
8. Upon referral to CI by the Court, requires CI report.

9. ~Proposed form Order submitted: 09/06/17

RECOMMENDATION:

Need to clear notes 5 & 6, 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: TARA REILLY

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700638

CASE NAME: MTR OF: LEGEND GRISSOM

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

NICOLAS WILLIAMS-LESLIE (GP)...KAMOLA L GRAY
LEGEND GRISSOM (MIN)...

XREF: FAMSS1503924 MICHAEL SWEANEY -N- KIMBERLY N GRISSOM

GENERAL INFORMATION:

Temporary guardianship of minor granted to Nicolas Williams-Leslie on 01/29/18.

Temporary Orders taken off calendar. Counsel requests this matter be taken off calendar as the petitioner, although not related to minor, was granted sole legal and physical custody of minor in family case (see X-REF above).

Continued from 01/29/18 Mr. Newnham reports Michael Sweaney was found to be the presumed father of minor by the juvenile court and he believes Michael Sweaney was appointed minor's guardian at that time. . Ms. Gray reports Nicolas Williams-Leslie was given sole legal and physical custody of minor in the family law proceedings. The Court orders copies of the juvenile court orders be lodged with the court. Michael Sweaney's whereabouts are unknown and minor is residing with Nicholas Williams-Leslie. Matter referred to DCFS for non-relative guardianship report

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Nicolas Williams-Leslie (non-relative), minor: Legend, 4

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

1. Per UCCJEA minor resides with petitioner in Riverside, CA since 04/16/15. It appears venue may be incorrect. **JTD**
2. Copy of Custody Order – Juvenile case number FAMSS1503924 filed 02/01/18.
3. Notice of Hearing and Proof of Service filed 03/01/18 on sibling Tyler Nett; however, address indicates mailed to in care of guardian. Per C.R.C. 7.51(d) notice to a minor must be sent directly to the minor. **Need** proper notice.
4. **Need** Notice of Hearing and Proof of Personal Service on Michael Sweaney (“presumed father”) Alternatively, as father lives outside of California, service may

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.

be completed by certified mailed and signed return receipt as proof of service per CCP §415.40.

- a. Proof of service by mail filed 03/01/18; however, **need** return receipt.
5. **Need** Notice of Hearing and Proof of Personal Service on and Kimberly Grissom (mother).
 - a. Proof of service by mail filed 03/01/18; however, need personal service on mother. **Need** proper service.
6. Petitioner request to dispense with notice as to paternal grandparents, Court to see Attachment 10, [Petition, LF p.4]. JTD
7. Court may wish to review Guardian Screening form, [LF p. 2, 4 & 5].
8. Court may wish to review Guardianship Questionnaire form, [LF p. 4 & 8].
9. UCCJEA indicates Juvenile Dependency matter in San Bernardino County case J-258061 and Family Law matter in Riverside County case number RID600445. Court to inquire.
10. **Need** DCFS report.
11. No proposed form Order. Submit after hearing.

RECOMMENDATION:

Need DCFS report and to clear notes 3-5 , 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: TARA REILLY

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700679

CASE NAME: MTR OF PEDRO RAMIREZ DE LEON

SEE ALSO 5

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

PEDRO RAMIREZ DE LEON (PET)...PUBLIC COUNSEL
SEBASTIAN RAMIREZ DE LEON (GP)...PRO/PER
PEDRO RAMIREZ DE LEON (MIN)...

GENERAL INFORMATION:

Continued from 02/05/18 Court accepts fingerprints as proof of service. The Court accepts due diligence declaration as to half-siblings. Matter referred to Court Investigator for a limited report. Referred to Court Investigator for investigation and report. Court investigator notified. Petitioner and brother advised they need not appear at next hearing.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by, Pedro De Leon (**Petitioner/minor**) appointing Sebastian De Leon (Sibling), [minor: Pedro, 18 (DOB 04/08/00)]

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

1. Father and paternal grandparents are all deceased.
2. Mother and maternal grandparents signed Consents via fingerprint.
3. Siblings (Ana & Manuela) signed Consent and Waivers.
- 4. CI report filed 06/13/18.**
5. ~Proposed Order. 02/05/18

RECOMMENDATION:

Court's discretion.

(cs)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700679

CASE NAME: MTR OF PEDRO RAMIREZ DE LEON

SEE ALSO 4

HEARING: Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

PEDRO RAMIREZ DE LEON (PET)...PUBLIC COUNSEL
SEBASTIAN RAMIREZ DE LEON (GP)...PRO/PER
PEDRO RAMIREZ DE LEON (MIN)...

GENERAL INFORMATION

Continued from 02/05/18 Continued at request of Court to trail guardianship hearing.

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status (minor, Pedro De Leon is age 18

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

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

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. Minor/petitioner Pedro De Leon offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on 04/08/00, in Guatemala and lived there with minor's mother until July 2017.
 - b. Minors was abandoned and neglected by father as he did not provide for him because he was always drunk. Father is now deceased. Mother worked, but it was never enough to care and provide food.
 - c. Minor was forced to move to the United States to work and provide for himself, but minor was apprehended by Immigration officials.
 - d. Minor is afraid to return to Guatemala as his mother cannot provide for him. He is targeted by gang members, and fears violence at the hands of dangerous gangs that control much of his home country.
8. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
9. **Need** Notice of Hearing and Proof of service as to Magdalena De Paz (mother),

RECOMMENDATION

Need to clear note 9. Court to reach only if accompanying guardianship petition is first granted. Court's discretion re factual findings that would support this petition.

(cs)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800198

CASE NAME: SPENCER MINORS

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CURNISHIA WOODBURY (GP)...PRO/PER
SEMAJ SPENCER (MIN)...
SEMASHAY SPENCER (MIN)...

GENERAL INFORMATION:

Temporary Orders granted on 05/14/18

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Curnishia Woodbury, (sister), minor's: Semaj, 16 (DOB 09/15/01); Semashay, 15 (DOB 11/08/02); and Semajanae, 11 (DOB 06/28/06)

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

1. Mother and maternal grandparents are all deceased.
2. Minors, Semashay and Semaj signed Consent and Waivers.
3. Petitioner requests to dispense from giving notice to Semaj Spencer, Sr. (father of Semaj/Semashay) as his whereabouts are unknown, and father is not listed on birth certificate [LF,p.4]. Due Diligence Declaration filed 05/14/18. **Copy of minors' birth certificate filed 06/11/18. JTD**
4. Petitioner request to excuse from giving notice to Earl Cobb (father of Semajanae) as his whereabouts are unknown, and father is not listed on birth certificate [LF,p.4]. Due Diligence Declaration filed 05/14/18. **Copy of minor's birth certificate filed 06/11/18. JTD**
5. **Due Diligence Declaration filed 06/11/18 as to unknown paternal grandparents of all minors. JTD**
6. Petitioner seeks power to apply for and 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.
7. **Need:** Upon referral to CI by the Court, requires CI report.
8. ~Proposed form Order submitted: 05/07/18

RECOMMENDATION:
Court's discretion.
(cs)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800199

CASE NAME: MARIA ALEJANDRA RUBIO
HEARING: re: Petition for Appointment of Guardian

COUNSEL:

RAMONA REYES (PET)...PRO/PER
MARIA ALEJANDRA RUBIO (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Ramona Reyes (paternal grandmother), minor: Maria, 3

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

1. On Guardian Screening form, section 18, [LFp3], Petitioner indicates she is a responsible Corporate officer authorized to act; however, section is incomplete. Court to inquire.
2. Notice of hearing and Proof of service filed 05/22/18; however, proof does not indicate date of mailing or place mailed from.
3. **Need** Notice of Hearing and Proof of **Personal Service** [forms GC-020 & GC-020(P)] on Jose Rubio (father) and Michelle Portillo (mother).
 - a. Petitioner request to excuse from giving notice to parents as whereabouts are unknown [LF,p.6]. **Need** Request to Excuse Notice with Due Diligence Declaration per Local rule 20-1304.
4. **Need** Notice of Hearing and Proof of Service **by Mail** [form GC-020] on Jose Mendoza (paternal grandfather), Reina Portillo (maternal grandfather) and unknown maternal grandmother, or file Due Diligence Declarations.
5. Child Information, section 6 [LFp 10] re suitability for guardianship of this child is incomplete. **Need** verified supplement.
6. Guardianship Questionnaire is incomplete as to the following sections:: Your Health, Criminal Background, and Marriages. **Need** complete form.
7. **Need**: Upon referral to CI by the Court, requires CI report.
8. ~Proposed form Order submitted: 05/07/18

RECOMMENDATION:

Need to clear notes 3-6, then Court's discretion
(cs)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800207

CASE NAME: Esther Veronica Chavez

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

MARIA GALLEGOS (GP)...PRO/PER
ESTHER VERONICA CHAVEZ (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Maria Gallegos (maternal grandmother), minor: Esther, 1

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

1. **Need** Confidential Guardian Screening [form GC-212].
2. Petition indicates child was placed in the care of the petitioner by CPS [LFp.3].
3. **Mother, Diana Casarez, signed consent and wavers filed 06/07/18.**
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 and 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. **Need:** Upon referral to CI by the Court, requires CI report.
7. **Objections filed 06/04/18 by Alex Chavez, paternal grandfather.**
8. ~Proposed form Order submitted: 05/11/18

RECOMMENDATION:

Contested matter. Need to clear notes 1.

(cs)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800217

CASE NAME: EZRA JULIAN GARCIA

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

BERLIN RAQUEL ZUNIGA (GP)...PRO/PER
GINA ZUNIGA (GP)...PRO/PER
EZRA JULIAN GARCIA (MIN)...PRO/PER

GENERAL INFORMATION:

Temporary order granted on 05/23/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Gina Zuniga (paternal grandmother) and Raquel Zuniga (paternal aunt), minor: Ezra, 6

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

1. Petitioner indicates there is a Paternity matter in Riverside County, RID-1200436.
2. Mother personally served on 05/18/18.
3. UCCJEA Declaration provides conflicting information as it indicates minor resides with mother at an unknown location since 05/09/18; however petition indicates minor resides with petitioners. Court to clarify on record.
4. Father, Julian Ramos signed Nomination.
5. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Julian Ramos (father). Alternatively, as father lives outside of California, service may be completed by certified mail and signed return of receipt (green card) per CCP §415.40.
 - a. Proof of service by mail filed 05/23/18. **Need** return receipt.
6. Petitioners request to excuse from giving notice to Scott Ramos (paternal grandfather) and unknown maternal grandparents as whereabouts are unknown [LF,p.4]. **Need** Request to Excuse Notice with Due Diligence Declaration per Local rule 20-1304.
7. **Need:** Upon referral to CI by the Court, requires CI report.
8. ~Proposed form Order submitted: 05/16/18

RECOMMENDATION:

Need to clear notes 5-6, then Court's discretion.

(cs)

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

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1200039

CASE NAME: IN MATTER RE SAVANNAH NICOLE O'ROARK

SEE ALSO 10A

HEARING: re: Petition for Termination of Guardianship

COUNSEL:

LEEANN HERNANDEZ	(GP)...PRO/PER
NEREIDA MACEDO	(GP)...PRO/PER
SAVANNAH NICOLE O'ROARK	(MIN)...
CYNTHIA VILLAR	(PET)...PRO/PER
BARNARD VILLAR	(PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Termination of Guardianship, by Nereida Macedo (guardian), minor(s): Savannah, 9

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

1. Nereida Macedo and Lee-Ana Hernandez, appointed co-guardians of the person, of minor(s) on 05/04/12.
2. Resignation by Lee-Ana Hernandez, co-guardian filed 04/25/18.
3. Nereida is petitioning for termination of guardianship to remove herself as guardian on the basis that it would be in the best interest, to minor, so that minor can maintain contact with maternal aunts. Minor will be living with her maternal aunt and uncle Cynthia and Bernard Villar. An agreement regarding visitation has been agreed on by all parties, [see attachment 8, LF p.5].
4. **Need** Notice of Hearing and Proof of Service by Mail (form GC-020) to Mark O'Roark (father), Leticia Hernandez (mother), Rudy Hernandez (maternal grandfather), unknown paternal grandparents and siblings age 12+, or file Due Diligence Declaration(s).
5. **Petition for successor appointment and petition to remove filed by Cynthia and Bernard Villar. Court may wish to trail matter to 07/31/18.**
6. No proposed order. Submit after hearing.

RECOMMENDATION:

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

(CS)

Superior Court of Calif, County of San Bernardino
Page: 10A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1200039

CASE NAME: IN MATTER RE SAVANNAH NICOLE O'ROARK

SEE ALSO 10

HEARING:

Petition for TO FIX RESIDENCE OUTSIDE THE STATE OF CALIFORNIA

COUNSEL:

LEEANN HERNANDEZ	(GP)...PRO/PER
NEREIDA MACEDO	(GP)...PRO/PER
SAVANNAH NICOLE O'ROARK	(MIN)...
CYNTHIA VILLAR	(PET)...PRO/PER
BARNARD VILLAR	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 05/23/18 at request of Court to clear probate notes. Petition for successor guardianship to be filed. The case is referred to legal aid for legal assistance.

THIS CASE IS SET FOR HEARING ON Petition to Fix Residence Outside the State of California by Nereida Macedo, guardian

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

1. **Matter appears moot. Petition to Terminate Guardianship filed 05/14/18 by Nereida Macedo (guardian). See notes on matter 10. JTD**
2. Nereida Macedo was appointed co-guardian of minor, Savannah O'Roark, on 05/04/12.
3. Co-guardian, Lee'Ann Hernandez, filed a resignation as co-guardian on 04/25/18.
4. Nereida Macedo, guardian, seeks order to fix residence in Las Vegas, Nevada, for better job opportunities, and to further enhance the quality of minor's life.
5. Petitioner alleges the expected duration of the out-of-state move is more than 4 months and the guardianship of the person will be commenced in the place of the new residence. If approved, suggest Court order petitioner to serve and file Post-Move Notice of Change of Minor's Residence (mandatory) with proof of mailed service within 30 days of the date of any change.
6. Notice of Hearing filed 04/30/18 does not specify petition filed. **Need Notice of Hearing to reflect Petition to Fix Residence Outside of California along with**

proof of service by mail to Leticia Williamson (mother), Mark O'Roarl (father), Rudy Hernandez and Karen Roper (maternal grandparents), and any siblings over age 12.

- 7. Objections filed 05/14/18 by Cynthia Villar (aunt) and Barnard Villar (uncle).**

RECOMMENDATION

Need to clear note #6 then Court's discretion.

(lh/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1400188

CASE NAME: ADRIAN RODRIGUEZ

SEE ALSO 12

HEARING:

Hearing re Final Discharge

COUNSEL:

ALMA AGUIRRE (GE)...FULLERTON LEMANN SCHAEFER & DO
ADRIAN RODRIGUEZ (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Second and Final Account was approved on 07/24/17.
2. Receipt for Adrian Rodriguez filed.
3. **Need** Ex Parte Petition for Final Discharge and Order.
4. Petition for Termination of Guardianship filed appears moot as Final Discharge will terminate proceedings.

RECOMMENDATION:

Inquire status.

(cs)

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 06/18/18 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1400188

CASE NAME: ADRIAN RODRIGUEZ

SEE ALSO 11

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

ALMA AGUIRRE (GE)...FULLERTON LEMANN SCHAEFER & DO
ADRIAN RODRIGUEZ (MIN)...

Waiver of Court Fees and Costs filed by ALMA AGUIRRE is GRANTED

Waiver of Court Fees and Costs filed by ADRIAN RODRIGUEZ is GRANTED

Court to see notes on previous matter number 11.