



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 07/27/17

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.

07/12/lh;07/21lh

Superior Court of Calif, County of San Bernardino

Page: 1

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

DATE: 07/27/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600310

CASE NAME: HERNANDEZ & LOPEZ

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

BARBARA F LOPEZ	(MIN)...
CARLOS A HERNANDEZ	(MIN)...
LILIANAMARIE HERNANDEZ	(MIN)...
MARIA R VAZQUEZ	(GP)...PRO/PER

Continued from 08/22/16. Minor's mother states she has no objections to the guardianship, consents, and was served a copy of the petition. Court cleared notice to mother. Proposed guardian and mother inform the court there are no siblings over 12 years of age. Mother reports she does not know the name of father #2.

Continued from **11/03/16**. Alejandra Lopez (mother) was present in pro per and has no objection to petition. Court dispenses with notice to father and paternal grandparents of minor Barbara Lopez.

Continued from **01/19/17**. Court clear probate note 3 and note 4 re notice to father Roberto Hernandez. Court dispenses with notice as to paternal grandparents of Carlos and Liliana Hernandez and to maternal grandparents. Referred to DCFS.

Continued per minute order of 04/27/17. Court orders Petitioner to cooperate with the DCFS investigation. Court sets OSC re: dismissal of the petition and Court notes that if the Petitioner does not cooperate with the investigation and clear the probate notes, the Court will dismiss the petition filed by Maria R. Vazquez.

Continued from 06/15/17. Matter continued for DCFS to complete investigation and prepare report to the Court. Court orders petitioner to speak with Carol Albrecht to provide documentation as to petitioner's legal and correct date of birth. Court orders petitioner to be personally present at next hearing date on 07/27/17.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Maria Vasquez, paternal grandmother (of Carlos and Liliana), minors Carlos (12), Lilliana (9), Barbara (7).

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 Carlos (minor) as he has turned age 12.
2. Mother was served per minute order on 8/22/16.
3. Need DCFS report. **DCFS Report of no report filed 04/18/17, 06/06/17 and 07/14/17 requesting continuance to 08/24/17. JTD**
4. ~Proposed Form Order/Letters: 06/28/16

RECOMMENDATION:

Need to clear note 3, and satisfy OSC. Need DCFS Report. Court may wish to continue no sooner than 08/24/17.

(lh/lc/cs/lh)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 07/27/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600593

CASE NAME: CODY MCMACKIN AND NATHAN MCMACKIN

SEE ALSO 3, 4, 4A

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CODY LEE MCMACKIN	(MIN)... KEVIN FRIEDLAND (GAL)
KENNETH MCMACKIN SR	(PET)...PRO/PER
NATHAN WESTLEY MCMACKIN	(MIN)...
SHANNA BELTRAN	(MOT)...PRO/PER
VIOLET MCMACKIN	(PET)...PRO/PER

XREF: FAMSS1610040

GENERAL INFORMATION

Ex parte orders granted 11/28/16. Kenneth and Violet McMackin appointed temporary guardians.

Continued from 01/10/17. Referred to Court Investigator for report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Kenneth McMackin, **Sr.** (Petitioner/Paternal Grandfather) and Violet McMackin (Co-Petitioner/Paternal Grandmother), minors: Cody (15) and Nathan (12).

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

1. Proof of Personal Service to Shanna Cox-Beltran (Mother) of Petition, Temporary Letter, and Declaration filed on 12/30/16; Mother also served on 11/28/16 for Ex parte hearing on same date (see minutes of 11/28/16).
2. Father's (Kenneth McMackin, **Jr.**) consent and waiver filed 11/21/16.
3. Maternal Grandparents are deceased.
5. Court to review both Questionnaire forms filed at LF pgs. 3, 4, 5, 6, and 8.
6. Court to review both Screening forms filed at LF pg. 3.
7. Petitioners filed Declaration re Shanna Cox-Beltran (Mother) on 12/30/16.
8. **Need CI report.**
9. **Objection filed by Shanna Cox-Beltran's (Mother) with proof of service filed 12/12/16.**

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.

10. ~Proposed form Order/Letters: 11/21/16.

RECOMMENDATION:

Need CI report. Matter is contested.

(mr/lh)

Future Hearing:

08/07/17 **Court Trial**

08/08/17 Court Trial

08/09/17 **Court Trial**

08/10/17 Court Trial

08/11/17 **Court Trial**

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 07/27/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600593

CASE NAME: CODY MCMACKIN AND NATHAN MCMACKIN

SEE ALSO 2, 4, 4A

HEARING:
Petition for VISITATION *

COUNSEL:

CODY LEE MCMACKIN	(MIN)... KEVIN FRIEDLAND (GAL)
KENNETH MCMACKIN SR	(PET)...PRO/PER
NATHAN WESTLEY MCMACKIN	(MIN)...
SHANNA BELTRAN	(MOT)...PRO/PER
VIOLET MCMACKIN	(PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by CODY LEE MCMACKIN is GRANTED

Request for Waiver of Court Fees and Costs filed by NATHAN WESTLEY MCMACKIN is GRANTED

XREF: FAMSS1610040

Visitation—no notes—JTD
(lh)

Future Hearing:
08/07/17 **Court Trial**
08/08/17 Court Trial
08/09/17 **Court Trial**
08/10/17 Court Trial
08/11/17 **Court Trial**

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 07/27/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600593

CASE NAME: CODY MCMACKIN AND NATHAN MCMACKIN

SEE ALSO 2, 3, 4A

HEARING:
Readiness Calendar

COUNSEL:

CODY LEE MCMACKIN	(MIN)...	KEVIN FRIEDLAND (GAL)
KENNETH MCMACKIN SR	(PET)...	PRO/PER
NATHAN WESTLEY MCMACKIN	(MIN)...	
SHANNA BELTRAN	(MOT)...	PRO/PER
VIOLET MCMACKIN	(PET)...	PRO/PER

Request for Waiver of Court Fees and Costs filed by CODY LEE MCMACKIN is GRANTED

Request for Waiver of Court Fees and Costs filed by NATHAN WESTLEY MCMACKIN is GRANTED

XREF: FAMSS1610040

Readiness—no notes—JTD
(lh)

Future Hearing:
08/07/17 **Court Trial**
08/08/17 Court Trial
08/09/17 **Court Trial**
08/10/17 Court Trial
08/11/17 **Court Trial**

Superior Court of Calif, County of San Bernardino

Page: 4A ADD ON

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

DATE: 07/27/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600593

CASE NAME: CODY MCMACKIN AND NATHAN MCMACKIN

SEE ALSO 2, 3, 4

HEARING:

Hearing Re: RECEIPT OF REPORT FROM GUARDIAN AD LITEM

COUNSEL:

CODY LEE MCMACKIN	(MIN)...KEVIN FRIEDLAND (GAL)
KENNETH MCMACKIN SR	(PET)...PRO/PER
NATHAN WESTLEY MCMACKIN	(MIN)...
SHANNA BELTRAN	(MOT)...PRO/PER
VIOLET MCMACKIN	(PET)...PRO/PER

XREF: FAMSS1610040

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Receipt of Report from Guardian Ad Litem

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

1. Matter set on 06/30/17 for receipt of report from Guardian ad Litem (GAL) for date of the readiness hearing. Court appointed Kevin Friedland as GAL.
2. Need GAL report.

RECOMMENDATION

Need report.

(lh)

Future Hearing:

08/07/17 **Court Trial**

08/08/17 Court Trial

08/09/17 **Court Trial**

08/10/17 Court Trial

08/11/17 **Court Trial**

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

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 07/27/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700281

CASE NAME: MAXIMILIANO SANTUCCI

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MAXIMILIANO SANTUCCI	(MIN)...
NORA SANTUCCI	(GP)...THOMAS E. SHINTON
RICHARD SANTUCCI	(GP)...THOMAS E. SHINTON

GENERAL INFORMATION

Ex parte orders granted 06/02/17. Richard and Nora Santucci were appointed temporary co-guardians of the person. Court sets deadline for mother to file written objections to be filed in writing and served by 4pm on 06/30/17. Court admonishes mother that if they are not filed and served by that date, Court will deem mother's objections waived.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Richard and Nora Santucci (paternal grandparents), minor Maximiliano (4)

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

1. Leonardo Santucci (father) signed Nomination, Consent and Waiver filed 05/26/17.
2. Notice is complete.
3. See supporting declarations attached to petition regarding allegations against mother [petition, 05/26/17, LF, pg11-15].
4. Petition indicates father is residing with petitioners. Also, see Confidential Screening form by Richard Santucci filed 05/26/17, LF pg4.
5. Upon Court referral, need CI report.
6. **Objections by Jennifer Galvez, mother, filed 06/30/17. Need proper service to be completed by a non-party.**
7. ~Proposed form Order: 06/02/17

RECOMMENDATION

Court to set for contested hearing.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 07/27/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700310

CASE NAME: MTR OF ANYELO ANTONIO CULAJAY ALVARADO

SEE ALSO 8

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ANYELO ANTONIO ALVARADO	(MIN)...
ANYELO ANTONIO ALVARADO	(PET)...MITCHELL, SILBERBERG &
MANUEL DE JESUS ALVARADO CELIZ	(GP)...PRO/PER
SINDIA AYDEE CRUZ ALVARADO	(GP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Anyelo Alvarado (minor) to appoint Manuel Celiz (maternal uncle) and Sindia Alvarado (Uncle's spouse); minor Anyelo: age 18

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

1. Petitioner requests Court dispense with notice to Lorenzo Ordonez (father) and unknown paternal grandparents. [See petition, attachment10, LFpg5]. JTD
2. Monica Celiz (mother) resides in Guatemala. **Need notice of hearing and proof of service** 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).
3. Need Notice of Hearing and proof of mailed service as to Blanca Gonzalez (maternal grandmother).
4. See Confidential Screening Form by Manuel Celiz filed 06/15/17.
5. Petitioner has filed an SIJS petition concurrently. See next page.
6. Upon court referral, need CI Report.
7. ~Proposed form Order: 06/15/17

RECOMMENDATION

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

(lh)

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

DATE: 07/27/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700310

CASE NAME: MTR OF ANYELO ANTONIO CULAJAY ALVARADO

SEE ALSO 7

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

ANYELO ANTONIO ALVARADO	(MIN)...
ANYELO ANTONIO ALVARADO	(PET)...MITCHELL, SILBERBERG &
MANUEL DE JESUS ALVARADO CELIZ	(GP)...PRO/PER
SINDIA AYDEE CRUZ ALVARADO	(GP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status by Anyelo Alvarado, former minor (18)

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

1. Petitioner, **Anyelo Alvarado**, a former minor age 18, requests that the court issue an order finding that minor is eligible for special immigrant juvenile status under the Special Immigrant Juvenile Status Statute (SIJS), 8 U.S.C., § 1101(a)(27)(J), which provides in relevant part as follows:
 - a. "The term 'special immigrant' means ... an immigrant who is present in the U.S.-
 - i. who has been declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law;
 - ii. for whom it has been determined in administrative or judicial proceedings that it would not be in the alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; and
 - iii. in whose case the Secretary of Homeland Security consents to the grant of special immigrant juvenile status..."

2. The specific findings required under the statutory scheme would be: (1) that petitioner is an immigrant placed under the custody of an individual appointed by a state court (probate guardianship); (2) that petitioner's reunification with one or both parents is not viable due to abandonment; and (3) it is not in the petitioner's best interest to be returned to his/her home country.
3. Once the above findings are made, petitioner may then begin the process with the Bureau of Citizenship and Immigration Services to obtain legal permanent residence status. In other words, the findings requested are a prerequisite to filing a petition for a "green card."
4. State Superior Courts have jurisdiction to make factual findings of eligibility under SIJS See *N.O. v. Super. Ct. of Calif.*, County of Alameda, No. A122430 at 2-3 (Cal. Ct. App. 9/25/08). Thus, under the federal legislation, any superior court judge would have jurisdiction to hear the SIJS petition
5. **Petitioner** offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on **01/29/99** in Guatemala and lived there with his mother and siblings until February 3, 2016.
 - b. Minor was abused and neglected by minor's parents. His father was physically and verbally abusive to minor until the age of, after which he left the family. Minor's mother was unemployed and unable to care for minor.
 - c. Minor moved to the United States in February, 2016 and was placed with his uncle and aunt, and has been living here since.
 - d. Minor does not believe he can return to minor's parents because he is estranged from his father, his mother cannot support him, and he fears for his safety due to local gangs.
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 ACCOMPANYING GUARDIANSHIP PETITION IS FIRST GRANTED, then Court's discretion re factual findings that would support this petition.

(lh)

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

DATE: 07/27/17 TIME: 11:00 DEPT: S35G

CASE#: GAR RS1100043

CASE NAME: ANDREW TAMAT

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

ANDREW TAMAT	(MIN)...
ISRAEL TAMAT	(PET)...PRO/PER
LINDA TAMAT	(GP)...PRO/PER
LINDA TAMAT	(MOT)...PRO/PER
OLINDA TAMAT	(PET)...PRO/PER

GENERAL INFORMATION:

Continued from **12/01/16** at request of Petitioner to clear probate notes.

Continued from 02/16/17 Court Dispenses with notice to father and paternal Grandparents. Petitioner to file proof of service as to mother and minor. Referred to CI.

Continued from 06/01/17 at request of Court.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship, by Israel Tamat and Olinda Tamat, co-guardians/maternal grandparents, minor: Andrew, 13.

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

1. Israel Tamat and Olinda Tamat, maternal grandparents, were appointed co-guardians of minor, Andrew Tamat, age 13 (DOB 03/06/04), on 12/02/11.
2. Guardians are petitioning for termination of guardianship to return minor to live with mother and brothers.
3. Need Notice of Hearing and Proof of Service by Mail as to Andrew (minor).
4. Court Investigator's Report filed 05/17/17.
5. ~Proposed form order: 10/24/16

RECOMMENDATION:

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

(lh/cs/lh)

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

DATE: 07/27/17 TIME: 1:30 DEPT: S35G

CASE#: GAR RS900041

CASE NAME: JARED & DEREK VALENZUELA

HEARING:

Hearing Re: COURT TRIAL (FOURTH DAY)

COUNSEL:

ANTONIETTA MANRIQUE	(PET)...NAKESHA
ANTONIETTA MANRIQUE	(PET)...SWANSON & RUEGG
BRANDI VALENZUELA	(PET)...PRO/PER
CRECENCIO VALENZUELA	(PET)...HANSON, GORIAN, BRADFORD &
DEREK VALENZUELA	(MIN)...
IRENE VALENZUELA	(PET)...HANSON, GORIAN, BRADFORD &
JARED VALENZUELA	(MIN)...
OSCAR MANRIQUE	(PET)...NAKESHA
VANESSA VALENZUELA	(MOT)...PRO/PER
VINCENT VALENZUELA	(PET)...CARLOS M CABRERA
VINCENT VALENZUELA	(PET)...CHUNG & IGNACIO, LLP

Court Trial – no notes—JTD

Future Hearing:

07/28/17 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

GUARDIANSHIPS

DATE: 07/27/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1600587

VACATED

CASE NAME: Eric Melendrez

HEARING:

Hearing Re: Proof of Blocked Account

COUNSEL:

BARBARA MELENDREZ (PET)...CARLOS MARTINEZ-COUOH

ERIC MELENDREZ (MIN)...

GENERAL INFORMATION:

Continued from 05/04/17 No appearance. Court orders counsel to be present at the next hearing.

Continued from 05/18/17. Counsel represents Receipt and Acknowledgments of Order for Deposit of Money into Blocked Account was previously filed 05/03/17. Court informs a new receipt and acknowledgment form is required for the remaining \$16,000.

THIS CASE IS SET FOR HEARING ON Proof of Blocked Account.

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

1. Barbara Melendrez (paternal grandmother) appointed guardian of the estate of Eric Melendrez, age 16 (DOB 07/02/00), per minute order of 04/03/17. Court ordered \$16,666.66 be deposited into a blocked account in lieu of bond.
2. **Proof of blocked account with US Bank \$20,027.39 filed 06/22/17.**

RECOMMENDATION:

None. **Set Accounting /Status Review for 06/11/18.**

Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(jm/lh)

Superior Court of Calif, County of San Bernardino

Page: 1A ADD ON

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

DATE: 07/27/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700024

CASE NAME: SHELBY NOELLE SCHAFFER

SEE ALSO 1B

HEARING:

Hearing Re: Proof of Blocked Account

COUNSEL:

MARINA SUZETTE MONTGOMERY (PET)...SCOTT
SHELBY NOELLE SCHAFFER (MIN)...

GENERAL INFORMATION

Continued from **04/05/17** to clear notes.

Continued from 05/04/17 bond has not been posted. If the bond is not posted by the next hearing, Marina Suzette Montgomery is ordered to personally be present.

Continued from 05/18/17. Counsel represents minor has reached age 18. Hearing continued for Marina Montgomery to appear at next hearing.

Continued from 06/22/17. In lieu of bond, funds shall go directly from insurance company to blocked account. Counsel to submit amended Order.

THIS CASE SET FOR HEARING ON: Inventory and Appraisal

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

1. Marina Montgomery (mother) was appointed Guardian of the Estate of Shelby Noelle Schaffer, age 17 (DOB 01/26/00) on 03/07/17, \$185,000 bond.
2. Need issued Letters.
3. Need proof of bond.
4. Need Inventory and Appraisal with supporting statements.

RECOMMENDATION:

Inquire status.

(lh/cs/lh)

Future Hearing:

07/06/17 Hearing re: Inventory and

Future Hearing:
04/03/18 *Accounting Review.*

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

Superior Court of Calif, County of San Bernardino

Page: 1B ADD ON

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

DATE: 07/27/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700024

CASE NAME: SHELBY NOELLE SCHAFFER

SEE ALSO 1A

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

MARINA SUZETTE MONTGOMERY (PET)...SCOTT
SHELBY NOELLE SCHAFFER (MIN)...

See notes on prior page 1A.

(lh)

Future Hearing:

04/03/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 07/27/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700026

CASE NAME: PRESTON MCKAY

SEE ALSO 3

HEARING:

Hearing Re: OSC Re: Dismissal (Failure to Appear on 5-18-17)

COUNSEL:

PRESTON MCKAY (MIN)...
RICKEY HENIGAN (GP)...PRO/PER
ROXANNA HOLMES-HENIGAN (GP)...PRO/PER

GENERAL INFORMATION:

Temporary Orders denied on 02/01/17

Continued from 03/16/17 Matter is continued to clear probate notes. It is noted for the record the petitioners are the great grandparents.

Continued from 05/18/17. No appearance. Court sets OSC Re: Dismissal on 07/27/17 at 11:00am. Notice given by Judicial Assistant.

THIS CASE SET FOR HEARING ON **OSC re: Dismissal of** Petition for Appointment of Guardian, of the person only, by Roxanna Holmes-Henigan and Rickey Henigan (great-grandparents), minor: Preston, 2 years

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 Preston McKay (father) and Daijjana Holmes (mother). Petitioners allege father is incarcerated. Court could allow certified mail return receipt with declaration of hardship of personal service per Local Rule 20-1317.
2. Proof of service by mail filed 04/21/17 as to parents is improper. Per Pr.C.§1511 requires personal service.
3. Due Diligence Declaration filed as to unknown paternal grandfather. JTD
4. Court to review Guardian Screening forms [LF p. 4].
5. Upon referral to CI by the Court, requires CI report.
6. ~Proposed form Order: 01/25/17

RECOMMENDATION:

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

(cs/lh)

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

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 07/27/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700026

CASE NAME: PRESTON MCKAY

SEE ALSO 2

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

PRESTON MCKAY (MIN)...
RICKEY HENIGAN (GP)...PRO/PER
ROXANNA HOLMES-HENIGAN (GP)...PRO/PER

Request for Waiver of Court Fees and Costs filed by ROXANNA HOLMES-HENIGAN, RICKEY HENIGAN is GRANTED

See notes on previous page 2.
(lh)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 07/27/17 TIME: 11:00 DEPT: S36G

CASE#: GAR RS1100066

CASE NAME: LILIANA A RIVERA

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

IGNACIO RUAN	(PET)...PRO/PER
LILIANA A RIVERA	(MIN)...
ROSA RUAN	(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship filed by Rosa Ruan and Ignacio Ruan (guardians/maternal grandparents), minor: Liliana (15)

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

1. Rosa Ruan and Ignacio Ruan (maternal grandparents) were appointed co-guardians of the person on 07/12/11.
2. Rosa Ruan and Ignacio Ruan (guardians) seek termination of guardianship alleging guardianship is no longer necessary. Question if minor is returning to a parent, or if a petition for successor guardian will be filed? Court to inquire.
3. Rose Garza (mother) signed Consent and Waiver.
4. Need Notice of Hearing and proof of mailed service as to Yoshio Rivera (father), minor Liliana, and Victoria Rivera (pgm).
5. ~Proposed form Order:

RECOMMENDATION

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

(lh)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 07/27/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1100385

CASE NAME: IN MATTER RE JORDYN NICOLE GLAZIER

HEARING:

THIRD Account and Report of AUTUM CANSLER and Petition for allowance of fees filed.

COUNSEL:

AUTUM CANSLER	(GPE)...PRO/PER
AUTUMN CANSLER	(GP)...PRO/PER
DAVID RICHEY	(GP)...PRO/PER
JORDYN NICOLE GLAZIER	(MIN)...E JOAN NELMS
RHONDA RICHEY	(GP)...PRO/PER

Request for Waiver of Court Fees and Costs filed by AUTUM CANSLER is GRANTED

Request for Waiver of Court Fees and Costs filed by JORDYN NICOLE GLAZIER is GRANTED

Fee waiver amount due \$1910.00

\$395.00 for filing fees on 04/24/12

\$60.00 for petition for withdrawal of funds on 10/11/12

\$465.00 for accounting on 08/21/13

\$465.00 for accounting on 09/05/14

\$465.00 for third accounting on 06/22/16

\$60.00 for petition for withdrawal of funds from etc . on 07/29/16

GENERAL INFORMATION:

Continued from **08/17/16** for guardian to file an amended account.

Cont. from **10/27/16**, the guardian has an amended accounting and will file it forthwith.

Continued from **01/19/17** non-appearance, probate notes need to be cleared. Court orders Autum Cansler to personally be present at the next hearing.

Continued from 03/23/17. Court clears probate notes #7 re patient in a state hospital/received money from the VA, during the accounting period and #8 re no disbursements were made during accounting period.

Continued from 05/18/17. Attorney E Joan Helms appointed for Jordyn Glazier.

THIS CASE IS SET FOR HEARING ON 3rd Account Current

Minor: Jordyn Glazier age 15 (DOB 08/13/01).

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

1. Paternal aunt, Autum Cansler, was appointed guardian, person/estate on 06/06/12.
2. Need proper notice to minor Jordyn Glazier; Notice filed 05/03/17 does not indicate court's address at item 4b, and "guardianship" is not checked in caption. Does not appear sufficient. - JTD
3. Amendment to Third Account filed 10/27/16 reflects accounting period covering 07/01/14 through 03/31/16 with attached bank statements. Statements are sufficient.
4. Need verified supplement to clarify: Supplement filed 05/03/17 states that accounting period ends 03/30/16, whereas both the amendment and the proposed order indicate the accounting period ends 03/31/16.
5. Need verified supplement clarifying title to the account. Account statement indicates title is held in the name of "Autum Cansler c/o Autum R. Cansler" rather than "Autum Cansler as guardian of Jordyn Glazier." **Supplement filed 05/03/17 allege Guardian is in the process of correcting the information with the bank, but those documents will not be available by the time of the hearing. JTD**
6. Need verified supplement with Probate Code section 1064 allegation: (4) were any family members hired by the fiduciary. **Supplement filed 05/03/17 only addressed the following: (3) no payments were made to the fiduciary. (5) all cash invested in interest bearing accounts.**
7. Assets on hand \$27,227.67 in cash held in a blocked account.
8. No request for fees.
9. Proposed order settling Third Account submitted 05/03/17 is incorrect. Need balance at end of accounting period.

RECOMMENDATION:

Clear notes, then Court's discretion. If approved, set next accounting review for **03/29/18**. Accounting to be filed 30 days in advance.

(lh/jm/cs/lh)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 07/27/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700018

CASE NAME: MTR OF JADE ANGELIQUE WEST

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JADE ANGELIQUE WEST (MIN)...

JENNY GOODMAN (PET)...PRO/PER

JOHN GOODMAN (PET)...PRO/PER

GENERAL INFORMATION:

Continued from 03/02/17. Matter referred to DCFS for non-relative guardianship report.
Continued from 06/08/17. To clear probate notes, pay home assessment fee, and serve recently located father. Notice to be given by Jenny Goodman.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Jenny and John Goodman (non-relative), minor Jade 6

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

1. Lissett Magallon (mother) signed Consent and Waiver.
2. Need Notice of Hearing and Proof of Personal Service [form GC-020 & GC – 20(P)] on Mario West (father).
3. Need Notice of Hearing and proof of mailed service [form GC-020] on Flor Pena (mgm), George Magallon (mgf) and unknown paternal grandparents, or file Due Diligence Declaration(s).
4. Petitioners are non-relatives per Pr.C. § 1513(g). **Report of no report filed 06/05/17, and 07/14/17 requesting continuance to 08/24/17.**
5. ~Proposed form Order: 01/19/17

RECOMMENDATION:

Need to clear notes 2 & 3, DCFS report. Court may wish to continue to 08/24/17.

(cs/lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 07/27/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700070

CASE NAME: SOREN OLIVER

SEE ALSO 3

HEARING:

Hearing Re: OSC RE: SUSP OF LTS OF GUARDIANSHIP

COUNSEL:

ELIZABETH OLIVER
SOREN OLIVER

(GE)...OLIVER LAW CENTER, INC.
(MIN)...

See notes on next matter.
(lh)

Future Hearing:

05/31/18 Accounting Review.

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 07/27/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700070

CASE NAME: SOREN OLIVER

SEE ALSO 2

HEARING:

Hearing Re: Proof of Blocked Account

COUNSEL:

ELIZABETH OLIVER (GE)...OLIVER LAW CENTER, INC.
SOREN OLIVER (MIN)...

GENERAL INFORMATION:

Continued from 06/01/17. No appearance. Elizabeth Oliver and/or Counsel is ordered to be present at next hearing if proof of blocked account is not filed.

THIS CASE SET FOR HEARING ON Proof of Blocked Account.

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

1. Elizabeth Oliver (mother) appointed guardian of the estate only, of minor Soren age 15 (DOB 07/07/01). Order and letters filed 03/16/17; no bond, cash to be deposited in a blocked account. Estate consists of deceased grandmother's bank account in the amount of \$25,000.00.
2. Proof of blocked account with Well Fargo Bank deposit of \$25,020.13 filed 07/10/17.

RECOMMENDATION:

Court's discretion re OSC.

(jm/lh)

Future Hearing:

05/31/18 Accounting Review.