



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 09/05/17

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.

08/10/17lh; 08/30/17lh

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **GUARDIANSHIPS**

DATE: 09/05/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600152

CASE NAME: MTR OF DANIEL CHAMMAS

HEARING:

FIRST Account and Report of JOSEPH CHAMMAS, REBECCA CHAMMAS and
Petition for allowance of fees filed.

COUNSEL:

DANIEL CHAMMAS	(MIN)...
JOSEPH CHAMMAS	(GE)...MELINDA S. BELL
REBECCA CHAMMAS	(GE)...MELINDA S. BELL

XREF: CIVDS1505101

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON First Account and Report of Guardian of the Estate; Petition for Allowance of Fees; Petition for Instructions and Change of Venue by Guardians of the Estate, Rebecca and Joseph Chammas ["Petitioners"-parents].

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

1. Accounting period: 04/28/16 to 04/30/17
2. Assets on hand: \$385, 395.17 (\$290,395.17 cash and \$95,000 vehicle).
However, account only gives status as to remaining annuities and blocked accounts. Does Court wish to require amended accounting that includes monies held in blocked accounts; future annuities; and affected schedules?
JTD.
3. Current \$500,000 bond. Insufficient. Suggest bond increase by \$294,000 for a total new bond of \$794,000 (includes recovery).
4. Attorney requests fees of \$26,998.50 for attorney services for 79 hours at \$350/225 per hour. See itemization on LFpgs 109-148.
5. Petitioner Rebecca Chammas requests \$26,000 for guardian fees at \$10/hour for 2,600 hours of past services. Itemized LFpgs 150-167. JTD.
6. Petitioner requests court authorize monthly compensation totaling \$1,733.33 per month for 18 months, commencing 06/01/17, at \$10/hour at 40 hours per week

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.

for caregiver services and estate management. Petitioner is unable to work due to minor's constant care. JTD.

7. Petitioner marshalled additional money due from negotiation of a medical lien. Counsel assisted with marshalling assets and depositing into blocked account and purchasing a modified vehicle.
8. Minor receives one-on-one therapy in home gym and therapy room. Doctor prescribed air conditioning and pool heater out of medical necessity to maintain minor's body temperature. Prescription attached LF pgs 87-88.
9. Petitioner requests authority to spend up to \$250 per month for housekeeping services to disinfect and deep clean home in order to prevent respiratory infections which minor is prone to. JTD
10. Petitioner seeks reimbursement of \$25,000 loaned to estate when balance was running low, and reimbursement of \$12,714.72 for negative equity paid off for a modified Chrysler Town and Country van.
11. During the accounting period, petitioner paid for caregiver services totaling \$180,110.79. Need verified declaration by each caregiver for acknowledgment of receipt of fees per Local Rule 20-1311(c).
12. Petitioners and ward reside in Bakersfield and request court transfer action to County of Kern. If approved, Court to set control date.
13. Need Post Move Change of Address and proof of service.

RECOMMENDATION

Need to clear note 11; \$794,000 bond; then Court's discretion re: amended accounting; fees and transfer. If approved and matter is not transferred, set next Accounting Review for **06/26/18**. Any account to be filed 30 days before hearing. Note requirements of Local Rules.

(lh/nb)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/05/17 TIME: 11:00 DEPT: S35G

CASE#: GAR SS1500442

CASE NAME: MTR OF DANIELLE TIMORA JAMYCE MURRAY

SEE ALSO 3

HEARING:

Accounting Review re Dorian O Murray

COUNSEL:

DANIELLE TIMORA JAMYC MURRAY	(MIN)...
DORIAN O MURRAY	(PET)... FOX AND FOX
TASHAWNE ROBERTSON	(GE)...JAMES E FODEN

GENERAL INFORMATION

Per minute order of 07/21/16, Court ordered Dorian Murray (father) to prepare accounting of funds collected for rent of the apartment building.

THIS CASE IS SET FOR HEARING ON Accounting Review re Dorian O Murray

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

1. Matter set on 05/02/17. Court did not accept the Summary of Account and ordered Counsel for Dorian Murray to file an appropriate accounting to be filed by 4:00PM on 08/04/17. Court noted if Order is not complied with, Court may consider sanctions/surcharge for failure to comply with Court's order.
2. Declaration of Dorian Murray re Accounting filed 08/07/17. However, this purported accounting does not appear to be a true and complete accounting of the trust. There is insufficient information and known defects that should preclude the Court from approving this accounting period. Further, information does not reflect any receipts or disbursements related to the Spruce Street property after January, 2016.
3. Objection to Declaration of Accounting by Tashawne Robertson filed on 08/14/17.

RECOMMENDATION

Need proper, amended accounting per Pr. C. 1060 et.seq to include proper Summary of Accounting, and supporting scheduled. Any account to be filed 30 days before hearing. Note Local Rules.

(lh/nb)

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.

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/05/17 TIME: 11:00 DEPT: S35G

CASE#: GAR SS1500442

CASE NAME: MTR OF DANIELLE TIMORA JAMYCE MURRAY
SEE ALSO 2

HEARING:

FIRST Account and Report of TASHAWNE ROBERTSON and Petition for allowance of fees filed.

COUNSEL:

DANIELLE TIMORA JAMYC MURRAY (MIN)...
DORIAN O MURRAY (PET)... FOX AND FOX
TASHAWNE ROBERTSON (GE)...JAMES E FODEN

Request for Waiver of Court Fees and Costs filed by DORIAN O MURRAY is GRANTED

Fee waiver amount due \$162.00

\$150.00 for ex-parte application for order etc. on 02/09/16

\$12.00 for copies on 05/11/16

Request for Waiver of Court Fees and Costs filed by TASHAWNE ROBERTSON is GRANTED

Fee waiver amount due \$900.00

\$435.00 for objection of accounting summary on 09/29/16

\$465.00 for first account current on 12/01/16

GENERAL INFORMATION

Continued from 01/17/17. Court orders James Foden and Tashawne Robertson to be personally present in court on May 2, 2017 at 11:00 AM in Department S35.

Continued from 05/02/17. Supplement filed 04/06/17 to be reviewed before that date.

THIS CASE SET FOR HEARING ON: First Account Current and Report of Tawshawne Robertson and Petition For Its Settlement and for Reimbursement of Advances.

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

1. Tashawne Robertson, mother, appointed guardian of the estate on 12/02/15.
Proof of Blocked Account filed in lieu of bond.
2. Final Inventory and Appraisal filed on 03/09/16 indicating real property valued at \$181,000.

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.

3. Accounting Period: 12/02/16 through 09/26/17
4. POH Start: \$181,000.00 POH End: \$186,740.15 Increase: \$5,740.15
5. Appears from bank statement that blocked account is incorrectly titled as a CUTMA account rather than a guardianship account. Also, account was not initially blocked, and Petitioner withdrew \$500 for utilities. Petitioner alleges the bank has corrected its error, and the correct title will show on next statement.
6. Petitioner defers a request for fees.
7. Petitioner requests reimbursement of costs advanced in the amount of \$8,996.04 composed of \$7,753.04 in maintenance on the rental property, and \$1,243.00 in legal costs. Estate contains only \$5,740.15 in cash, and a 50% interest in real property.
8. Counsel defers a request for attorney fees.
9. Petitioner alleges the property is \$26,000.00 in arrears in property tax, and a \$10,000 good faith payment is required to prevent a tax sale in 2017. Petitioner alleges that the property cannot be refinanced due to a lis pendens filed by Dorian Murray.
10. Petitioner alleges that the real property is in need of further repairs but there is no money available for repairs.
11. Petitioner alleges that the tenants have stopped paying rent and there is no money available for eviction proceedings.
12. Petitioner alleges that it is not safe to inspect the property because of Dorian Murray's recent arrest at the property for assault with a deadly weapon.
13. Petitioner alleges she needs instructions, but does not request specific instructions in the petition. – JTD.
14. Objection filed 01/13/17 by Dorian Murray.
15. Reply to Objections of Dorian Murray filed 07/06/17 by Tashawne Robertson.
16. Reply to objection to Declaration filed 04/27/17 by Dorian Murray.

RECOMMENDATION

Matter is contested.

(jm/lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/05/17 TIME: 11:00 DEPT: S35G

CASE#: GAR SS1500502

CASE NAME: MTR OF SHAMIRAH MORRIS

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

ANA LEE (GP)...PRO/PER
SHAMIRAH MORRIS (MIN)...

XREF: ADOVS1600051

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status by Ana Lee (guardian/maternal grandmother), minor Shamirah Morris, minor, age 14

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

1. **Ana Lee** (petitioner/guardian) requests that the court issue an order finding that minor **Shamirah Morris** 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 **10/24/02** in **Panama** and lived there with minor’s mother until mother passed away in 2005. Minor continued to reside with father in Panama until his incarceration in 2006 and has resided with Ana Lee (guardian/maternal grandmother) since 2007.
 - b. Minor was neglected by minor’s parents as minor’s mother passed away and father relinquished minor to guardian’s care in 2007. Ana Lee was appointed guardian on 05/23/16.
 - c. Reunification is not viable because father has forsaken his obligation as a father; Ana Lee (petitioner/guardian) has developed a strong maternal bond to minor for the past 8 years. Minor’s primary language is English and does not identify with Panama culture; therefore, removal would be detrimental.
6. **Need notice of hearing and proof of service.**

RECOMMENDATION

Need notice, then Court’s discretion re factual findings that would support this petition.
(lh)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/05/17 TIME: 1:30 DEPT: S35G

CASE#: GAR PS1600582

CASE NAME: MTR OF MAKAYLAH MARIE DUBERG

SEE ALSO 6

HEARING:

Court Trial set for PETITION FOR GUARDIANSHIP of ERIKA RENE ROMERO

COUNSEL:

BETTY TOCCO	(PET)...PRO/PER
ERIKA RENE ROMERO	(GP)...EWANISZYK LAW FIRM
JOSEPH TOCCO	(PET)...PRO/PER
MAKAYLA MARIE DUBERG	(MIN)...
SUZANNE TOCCO	(PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by MAKAYLA MARIE DUBERG is GRANTED

Court Trial --no notes--JTD

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/05/17 TIME: 1:30 DEPT: S35G

CASE#: GAR PS1600582

CASE NAME: MTR OF MAKAYLAH MARIE DUBERG

SEE ALSO 5

HEARING:

Petition for VISITATION GUARDIANSHIP

COUNSEL:

BETTY TOCCO	(PET)...PRO/PER
ERIKA RENE ROMERO	(GP)...EWANISZYK LAW FIRM
JOSEPH TOCCO	(PET)...PRO/PER
MAKAYLA MARIE DUBERG	(MIN)...
SUZANNE TOCCO	(PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by MAKAYLA MARIE DUBERG is GRANTED

Visitation—no notes—JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **GUARDIANSHIPS**

DATE: 09/05/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1600586

CASE NAME: MATTHEW EMMANUEL LOPEZ

HEARING:

Petition for APPOINTMENT OF GUARDIAN OF THE PERSON

COUNSEL:

ARTURO M ALEMANY

(GP)...PRO/PER

DONALD D CASEY II

(PET)...PRO/PER

JUDY A CASEY

(PET)...PRO/PER

MATTHEW EMMANUEL LOPEZ

(MIN)...

X-ref: CIVDS1701503

GENERAL INFORMATION

Continued from 01/05/17. Matthew Lopez is in court, no further notice to him is necessary. Court exercises emergency jurisdiction under UCCJEA. Court finds good cause to grant temporary guardianship to Donald II and Judy Casey.

Continued from 03/16/17. Clerk's office to pull CIVDS1701503 and send to courtroom for hearing on 03/23/17.

Continued from 03/23/17. The court authorizes temporary guardians to allow minor, Matthew Emanuel Lopez, to stay with grandfather, Arturo Alemany, if he chooses to do so.

Continued from 04/25/17. Objections to judge pro-tem raised. Matter continued to be heard by Judge Ludvigsen.

Continued from 07/11/17. Court notes Vanessa Mora is the only sibling 12 years or older. Amber Robb is to file a declaration regarding service of notice and petition on parties. Matter is continued by Court to clear probate notes.

THIS CASE IS SET FOR HEARING ON

- **Petition #1** for Appointment of Guardian, person only, by Judy and Donald Casey (maternal great aunt and uncle), minor: Matthew (15)
- **Petition #2** for Appointment of Guardian, person only, by Arturo Alemany (maternal grandfather), minor Matthew (15)

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.

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

Petition #1 by Judy and Donald Casey

1. Request to Excuse Notice and Due Diligence Declaration(s) filed 12/27/16 as to Robert Garcia and Blanca Garcia (paternal grandparents). JTD.
2. Proof of personal service filed on 01/27/16 as to mother, Lucy Lopez, III; however, proof of service section 4 (LF p. 3) indicates a copy of petition for temporary guardianship was served rather than petition for guardianship. JTD
3. Need Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] as to Christian Garcia (father). Alternatively as father lives outside of California, service may be completed by certified mail. Need signed return receipt as proof of service per CCP §415.40.
4. Need Notice of Hearing and Proof of Mail Service [form GC-020] as to sibling Vanessa Mora, or file due diligence declarations.
5. Petition indicates involvement with Department of Child Safety in Arizona, where minor resided up until 07/25/16 (LF, p.10).
6. See Confidential Screening form filed 11/17/16 by Donald Casey II (LF, p.3-4).
7. ~Proposed form Order/Letters: 11/17/16

Petition #2 by Arturo Alemany

8. Notice of Hearing and Proof of Service by certified mail filed 06/28/17 and 06/30/17 as to Amber Robb (assigned AZ social worker) for Lucy Lopez III-Mustafa (mother) and Vanessa Mora (sister). **However, need proper service on parties either by direct certified mail service, or obtain a Proof of Personal Service [form GC-020(P)] completed by Amber Robb verifying her alleged service of the notice and petition on parties.**
9. Notice of Hearing and Proof of Service by Certified Mail filed 06/28/17 and 06/30/17 as to Christian Garcia (father). **Need return of receipt signed by father.**
10. Need Notice of Hearing and Proof of Service by Mail to Lucy A Lopez II (maternal grandmother), or file due diligence declarations.
11. Upon court referral, need CI report.
12. ~Proposed form Order: 03/16/17

RECOMMENDATION:

Petition #1: Need to clear notes 3 and 4, then court's discretion.

Petition #2: Need to clear notes 8-10, then court's discretion.

(lh/cs/lh)

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

DATE: 09/05/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1600600

CASE NAME: JACE RYAN HOUSER

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

EDNA LOPEZ (PET)...PRO/PER
JACE RYAN HOUSER (MIN)...

GENERAL INFORMATION:

Ex parte Orders denied 11/30/16. No emergency. Court orders matter referred to DCFS pursuant to Probate Code §1513(B) for investigation in compliance with Welfare and Institutions Code 328 and 329. Court investigator notified.

Continued from 01/10/17. Mother objects; written objections to be filed by 01/31/17. Petitioner to give proper notice.

Continued from 04/25/17 to be heard by Judge Ludvigsen.

Continued from 07/11/17. Amri Houser (mother) withdraws her consent to guardianship and states objections. Court encourages Edna Lopez and Amri Houser to obtain legal advice. Matter continued by Court.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Edna Lopez (Non-relative) minor Jace (8) DOB: 10/28/08.

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

1. Petitioner requests Court to dispense notice on unknown Father and Paternal Grandparents both identified as unknown. JTD
2. Father is purportedly unknown. Need copy of Birth Certificate per Local Rule 20-1302.
3. Need Notice of Hearing and Proof of Service by Mail as to unknown Maternal Grandparents, or file due diligence declarations.
4. See Guardian Screening form filed 11/23/16 at LF pgs. 2 & 4.
5. See Questionnaire filed 11/23/16 at LF pg. 4.
6. DCFS Report filed on 12/29/16.
7. **Objection with proof of service filed by Amri E. Houser (mother) on 01/31/17.**
8. ~Proposed form Order/Letters: 11/23/16.

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.

RECOMMENDATION:

Matter is contested.

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

(lh/mr/lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/05/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700126

CASE NAME: MTR OF JAYCEON RASHAD LEWIS

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JAYCEON RASHAD LEWIS (MIN)...
LASHONDRA N LEWIS (GP)...PRO/PER

GENERAL INFORMATION:

Continued from 04/18/17. Court notes Shenika Lewis (mother) was only given 8 days' notice of hearing. Matter continued to clear probate notes.

Continued from 06/27/17. Petitioner notes that minor siblings are under age 12. Matter continued to clear probate notes.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Lashondra Lewis (maternal aunt), minor: Jayceon, 4 months

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

1. Proof of Personal Service of Notice as to Shenika Lewis (mother) filed 08/16/17 indicates service was made on 08/14/18. Need amended proof of service.
2. Request to Excuse Notice with Due Diligence Declaration filed 08/16/17 as to unknown father. However, signature is not dated. JTD
3. See Birth Certificate (Petition, 03/14/17, LF, p 12) JTD.
4. Petitioner intends to adopt minor.
5. See Guardianship Questionnaire, LF p. 8.
6. Declaration in support of petition filed 08/16/17 by Lashondra Lewis.
7. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b).
8. 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.
9. Upon referral to CI by the Court, requires CI report.
10. ~Proposed form Order: 03/14/17

RECOMMENDATION:

Need to clear note 1, then Court's discretion.

(cs/lh/cs/lh)

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

DATE: 09/05/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700376
CASE NAME: MTR OF GAGE ANDREW REEVES

HEARING:
Hearing re: Petition for Appointment of Guardian

COUNSEL:
GAGE ANDREW REEVES (MIN)...
PATRICIA MASLANKA (GP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Patricia Maslanka (mgm), minor Gage (2)

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

1. Need Notice of Hearing and Proof of Personal Service as to Joey Reeves (father). Alternatively as father lives outside of California, service may be completed by certified mail. Need signed return receipt as proof of service per CCP §415.40.
2. Need Notice of Hearing and Proof of Personal Service as to Sylvia Fuller (mother).
3. Need Notice of Hearing and Proof of Service by mail as to Terry Reeves (pgf) Jathleen Kirkbride (pgm), and Donald Fuller (mgf), or file Due Diligence Declaration(s).
4. UCCJEA Declaration indicates minor was born in Wooster, OH but is incomplete as to minor's residential history prior to 04/20/17. Need verified supplement clarifying minor's prior residence(s).
5. Need Duties and Liabilities form.
6. Court may wish to review allegations against father in section 8 of petition [see petition, 07/21/17, LFpg3].
7. Upon Court referral, need CI report.
8. ~Proposed form Order: 07/21/17

RECOMMENDATION

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

(lh)

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

DATE: 09/05/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700384

CASE NAME: MTR OF KYLEIGH SUE MUNROE

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JOANN MUNROE (GP)...MATTHEW E FORSEE
KYLEIGH SUE MUNROE (MIN)...
ROBERT MUNROE (GP)...MATTHEW E FORSEE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Robert and Joann Munroe (paternal grandparents), minor Kyleigh (10)

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

1. Robert J. Munroe, III signed Consent and Waiver filed 08/18/17.
2. Melissa Tulacro (mother) was personally served.
3. Proof of Service of Notice as to Fred Tulacro and Jacqueline Tulacro (maternal grandparents) filed 08/18/17 is incomplete at item 4 as to date and place of mailing. Need amended proof of service.
4. Petition alleges mother and father consent to guardianship; however, Consents have not been filed.
5. Upon Court referral, need CI report.
6. **Objection by Melissa Tulacro (mother) filed 08/30/17. Need proof of service.**
7. ~Proposed form Order: 07/25/17

RECOMMENDATION

Need to clear note 1 and 6, then Court's discretion.

(lh)

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

DATE: 09/05/17 TIME: 11:00 DEPT: S36G

CASE#: GAR RS900056

CASE NAME: ISABELLA BARBONI

SEE ALSO 7

HEARING:
Petition for APPOINTMENT OF GUARDIANSHIP

COUNSEL:

ISABELLA BARBONI	(MIN)...
ISABELLA DEL CARMEN BARRIENTO	(PET)...PRO/PER
MELISSA LYONS	(PET)...PRO/PER
REGINA BARBONI	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 06/20/17 to clear probate notes.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of **Successor** Guardian, person only, by Regina Barboni and Melissa Lyons (co-guardians), appointing Isabella Del Carmen Barriento (non-relative), of minor Isabella Barboni (now 15)

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

1. **There is currently no vacancy for a successor guardian.** However, co-guardians have concurrently filed a Petition for Termination on 05/08/17. Does Court wish to deem petition as a resignation per Pr. C. §2660? JTD
2. Due Diligence Declaration as to Crystal Pinkston (mother) and unknown maternal grandfather filed 07/26/17. JTD
3. Notice of Hearing and Proof of Mailed Service filed 05/23/17 as to Aaron Geer (father); however, **need proper service.** As father resides outside of California, service may be completed by certified mail and return of signed receipt (green card) as proof of service per CCP §415.40.
4. Child Information Attachment to petition is incomplete at item 1b and 1g as to current address of minor, and name and address of person minor lives with. **Need** verified supplement.
5. It appears minor may currently with proposed guardian in Riverside County (petition, LF pgs 2, 6) per proof of service filed 07/13/17. Suggest Court transfer matter to Riverside County, if petition approved. JTD

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

6. Upon Court referral, need CI report.
7. ~Proposed form Order: 05/08/17

RECOMMENDATION

Need vacancy prior to appointment. Court's discretion re note 1.
Need to clear notes 3-4. If approved, Court may wish to set hearing re transfer.
(lh)

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

DATE: 09/05/17 TIME: 11:00 DEPT: S36G

CASE#: GAR RS900056

CASE NAME: ISABELLA BARBONI

SEE ALSO 6

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

ISABELLA BARBONI	(MIN)...
ISABELLA DEL CARMEN BARRIENTO	(PET)...PRO/PER
MELISSA LYONS	(PET)...PRO/PER
REGINA BARBONI	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 06/20/17 to clear probate notes.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by Regina Barboni and Melissa Lyons (co-guardians), minor: Isabella Barboni (15)

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

1. Court appointed Regina Barboni (paternal grandmother) and Melissa Lyons (aunt), co-guardians of the person of Isabella Barboni on 10/20/09.
2. Regina Barboni and Melissa Lyons, co-guardians, seek termination of guardianship for fear of their safety as minor is discontent and has stated on numerous occasions that she does not want to live with co-guardians.
3. Petition is incomplete as to addresses of guardian, minor, and relatives in item 9. Need verified supplement.
4. Need Due Diligence Declaration as to unknown maternal grandfather.
5. Note: co-guardians have concurrently filed a petition for successor guardian to appoint Isabella Del Carmen Barrientos, a non-relative. Does Court wish to deem this petition as a resignation? JTD
6. ~Proposed form Order: 05/08/17

RECOMMENDATION

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

(lh)

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

DATE: 09/05/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1100104

CASE NAME: MTR RE ANDRE A SHEPPARD ET AL

HEARING:

SECOND Account and Report of MARVA X and Petition for allowance of fees filed.

COUNSEL:

ANDRE A SHEPPARD	(MIN)...
MARVA E X	(GP)...PRO/PER
MARVA X.	(GPE)...PRO/PER
PHOENIX R COLLINS	(MIN)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Second Account Current by Marva X ["Petitioner"-grandmother]. Minor Phoenix (16).

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

1. First Account Current approved on 06/30/16 upon review of an undated letter from State Farm [see 05/04/16 filing, LF, p23] confirming funds were placed in a blocked account. Need Order after Hearing.
2. Petitioner has not used the mandatory Summary of Account (GC-400/405). Court to direct petitioner to use mandatory form(s) on future accountings.
3. Accounting period 10/01/12 to 03/31/17 [4.5 years].
4. Assets on Hand \$34,486.19 consisting of mutual funds as of 12/31/16 and Hyundai Vehicle.
5. No Summary of Account. It cannot be determined whether or not this accounting balances. Need to file proper accounting to comply with Pr.C. §1060 et seq. and using the proper forms. Need Summary of Account with proper, supporting schedules.
6. It appears the assets of this estate are under \$500,000, there are no income from real property and no interest in trade or business. If the assets are under \$500,000 petitioner may file a simplified accounting, but petitioner must use forms GC400(SUM), GC405(A) and GC405(C). Need to file an amended accounting using the proper forms.

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.

RECOMMENDATION:

Need proper, amended accounting to be set on first check calendar no sooner than **10/17/17**. This accounting does not appear to be a true and complete accounting of the guardianship estate. There is insufficient information and known defects that should preclude the Court from approving this accounting period.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 09/05/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700349

CASE NAME: MARILYNN M CHAVEZ

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MARILYNN M CHAVEZ (MIN)...

YVETTE VERA DELAO (PET)...PRO/PER

GENERAL INFORMATION

Ex parte orders granted on 07/18/17. Yvette Delao appointed temporary guardian of Marilynn M. Chavez.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Yvette Delao (great aunt), minor Marilynn (2)

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

1. Need Notice of Hearing and Proof of Personal Service as to Gabriel Chavez (father) and Arleen Dyson (mother).
2. Need Notice of Hearing and proof of mailed service as to Michelle Peralta (pgm), Justin Dyson (mgf), Sylvia Lopez (mgm), and unknown pgf, or file Due Diligence Declaration(s).
3. See Questionnaire filed 07/11/17 [LFpg4-5].
4. Upon Court referral, need CI report.
5. ~Proposed form Order: 07/11/17

RECOMMENDATION

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

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/05/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700377

VACATED

CASE NAME: PRECIOUS D STRODE ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JOYCE R GREEN	(GP)...PRO/PER
KOLONI L GREEN	(MIN)...
PRECIOUS D STRODE	(MIN)...

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/05/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700378

CASE NAME: MTR OF JASMINE PEPPER

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JASMINE PEPPER (MIN)...
MICHELLE SHEREE GERARD (GP)...PRO/PER

GENERAL INFORMATION

Ex parte hearing held on 07/31/17. Court notes notices has not been provided to minor's parents. Court continues matter for petitioner to provide notice.

Hearing re temporary petition held 08/14/17. Amanda Hunt, mother, telephoned Court stating she could not attend haring but intends to object. Request for temporary guardianship is denied. Court determines that minor is residing with mother at this time.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Michelle Gerard (maternal aunt), minor Jasmine (age 8)

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

1. Due Diligence Declaration attached to Proof of Service filed 08/14/17 as to Amanda Ann Gerard. JTD
2. Due Diligence Declaration filed 08/14/17 as to Henry Pepper (father). JTD
3. Need Notice of Hearing and proof of mailed service as to Bruce Gerard (maternal grandfather), and siblings: James Mao, Daniel Hart, and Annalysa Hart (if 12 years+).
4. Upon Court referral, need CI report.
5. ~Proposed form Order: 07/24/17

RECOMMENDATION

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

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/05/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700379

CASE NAME: MTR OF STEVEN JOSEPH HERNANDEZ ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JENNA ROSE HERNANDEZ	(MIN)...
REGINA ROMERO	(GP)...PRO/PER
STEVEN JOSEPH HERNANDEZ	(MIN)...

X-ref matter: CSSS907464 (FCS Custody)
GARSS1400056 (In re Steven Hernandez et. al.)
GARSS1500266 (In re Evelyn Ventura)

GENERAL INFORMATION

Ex parte orders denied on 07/31/17.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Regina Romero (mgm), minors Steven J.(8) and Jenna (6)

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

1. Need Notice of Hearing and Proof of Personal Service on Steven Hernandez, father. Alternatively, as father is incarcerated, notice may be served by certified mail with return of signed receipt, along with Declaration of hardship per Local Rule 20-1317.
2. Need Notice of Hearing and Proof of Personal Service as to Rosanna Ventura (mother).
3. Need Notice of Hearing and proof of mailed service as to Steve Hernandez (pgf), Roxanne Ventura (mgm), and Sabrina Dena (sibling, 16 years).
4. Petition indicates Steven Hernandez (father) was awarded sole legal and physical custody of minors in x ref matter.
5. Petitioner is seeking temporary guardianship of minors until father is released from prison in December, 2017. [Petition, 07/24/17, LFpg3].
6. See Confidential Screening form filed 07/24/17 [LF pgs4-7].
7. Declaration filed 07/24/17 indicates prior guardianship petitions dismissed in x-ref matters. Does Court wish to consolidate under lower case number?

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.

8. Upon Court referral, need CI report.
9. Petitioner seeks power to apply for and receive any public benefits, social security & SSI benefits the minor children 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. ~Proposed form Order: 07/24/17

RECOMMENDATION

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

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/05/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700385
CASE NAME: LEWIS ARNOLD HAMILTON, III

HEARING:
Hearing re: Petition for Appointment of Guardian

COUNSEL:
JACKLEEN GERBER (PET)... SUZANNE M. GRAVE
LEWIS ARNOLD HAMILTON III (MIN)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN, case reassigned to Judge TARA REILLY for all purposes.

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person and estate, by Jackleen Gerber (mgm), minor Lewis (1)

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

1. Requested bond \$16,000. Suggest minimum bond of \$20,000 based on annual income.
2. Father and maternal grandfather are deceased.
3. Need Notice of Hearing and Proof of Personal Service as to Jasmine Gerber (mother).
4. Need Notice of Hearing and Proof of Service by mail as to David Hamilton and Glenda Hamilton (paternal grandparents).
5. See Confidential Screening Form filed 07/25/17 [See LF pg4].
6. Petitioner seeks additional orders related to powers to control education of minor, powers over visitation, power to receive mail, power to establish residence and power to give consent to medical treatment.
7. Upon Court referral, need CI report.
8. ~Proposed form Order: 07/25/17

RECOMMENDATION

Need to clear probate notes 2-3, then Court's discretion. If approved, set future hearing for Accounting/Status Review on **11/03/18**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(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.