



## Guardianship Calendar

## First Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 10/25/17**

All corrections/supplements addressing the notes should be filed by 10/18/17. Later-filed documents might not be reviewed prior to the hearing and could result in a continuance of your case. Updates to these notes *typically* will be posted three court days prior to the hearing.

### **Destruction of Filed Documents:**

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

### **Contacting the Probate Examiners:**

Probate Examiners' email address: [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org)

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

### **Contacting the Research Attorneys:**

Email service is not available for cases referred to Legal Research. Legal Research Attorneys do not respond to emails.

10/03/17lh

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**GUARDIANSHIPS**

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DATE: 10/25/17      TIME: 11:00      DEPT: S35G  
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CASE#: GAR PS1600351

CASE NAME: MTR OF PAOLA YARELI GARCIA BARAJAS

**SEE ALSO 2**

HEARING:

Hearing Re: AMENDED PETITION FOR SPECIAL IMMIGRANT JUVENILE FINDINGS

COUNSEL:

CRISTAL BERNICE ZAGAL LAGUERRE (GP )...CATALINA L GRACIA

PAOLA YARELI GARCIA BARAJAS (MIN)...

GENERAL INFORMATION:

**Continued from 06/14/17.** Matter continued at request of DCFS. Court dispenses with notice to mother and father of Paula Barajas.

**Continued from 07/19/17 for receipt of DCFS report.**

THIS CASE IS SET FOR HEARING ON Amended Request for findings re: special immigrant juvenile status, **minor, Paola is 20 (DOB 12/22/96)**

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

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

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 12/22/96, in Mexico and lived there with minor's paternal grandmother.
  - b. Minor was abandoned and neglected by her parents leaving her to live with paternal grandmother and did not provide any food or money to help take care of her. Due to her grandmother's failing health, she can no longer support Paola. Minor believes reunification with parents is not viable because they abandoned her.
  - c. Minor traveled to the United States but was apprehended by Immigration officials and later was released. Now minor is currently in deportation proceedings in immigration court and is at risk of being deported back to Mexico.
  - d. Minor's declaration request to be placed in the sole custody of proposed guardian.
6. Minor is age 20 (DOB 12/22/96). If guardianship is not granted then minor is not eligible for a finding of SIJS status.
7. Report by DCFS filed 06/06/17 regarding request for continuance to 07/19/17; **Report by DCFS filed 07/14/17 requesting continuance to 08/23/17. Need DCFS report.**
8. Proposed Special Immigrant Juvenile Findings filed 07/20/16

RECOMMENDATION:

Need to clear note 7. Court to reach only if accompanying guardianship is first granted, then Court's discretion re factual findings that would support this petition.

(lh/cs/lh)

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

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DATE: 10/25/17 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1600351

CASE NAME: MTR OF PAOLA YARELI GARCIA BARAJAS

**SEE ALSO 1**

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CRISTAL BERNICE ZAGAL LAGUERRE (GP )...CATALINA L GRACIA  
PAOLA YARELI GARCIA BARAJAS (MIN)...

GENERAL INFORMATION:

Continued from **09/07/16**

Continued from **11/09/16** at request of counsel to clear probate notes.

Continued from **02/22/17** minor consents to petition. Referred to DCFS.

Continued from **06/14/17**. DCFS requests the Court continue hearing for the report to be prepared for Court.

**Continued from 07/19/17. Matter is continued for DCFS to provide report to the Court.**

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Cristal Laguerre (non-relative), minor Paola 20 (DOB 12/22/96).

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

1. Court excused notice to mother and father.
2. Report by DCFS filed 06/06/17 regarding continuance request to 07/19/17. Report by DCFS filed 07/14/17 requesting continuance to 08/23/17. **Need DCFS report.**
3. ~Proposed Form Order/Letters: 07/20/16

RECOMMENDATION:

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

(lh/sa/cs/lh)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 10/25/17 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1700061

CASE NAME: MTR OF ARLEEN GOVEA ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ALEJANDRA E GOVEA	(GP )...PRO/PER
ARLEEN GOVEA	(MIN)...
CHRISTIAN GOVEA	(MIN)...
SAVANNAH GOVEA	(MIN)...
BENJAMIN GOVEA	(MIN)...
JEREMIAH GOVEA	(MIN)...
ROSEANN GOVEA	(MOT)...PRO/PER

GENERAL INFORMATION:

**Continued from 03/08/17.** Father initially stated he consented then he indicated he may object; court sets deadline for father's objections, 4pm, 04/19/17. If objections are not filed by that date, they will be deemed waived. Referred to Court Investigator.

**Continued from 06/21/17 by Court for Court Investigator to interview mother and prepare a supplemental report to the Court. Court admonishes mother regarding written objections. Mother understands order regarding objections.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Alejandra Govea (paternal aunt), minors: Arleen, 16; Christian, 13; Savannah, 9; Benjamin, 5; and Jerimiah, 5

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

1. Minors, Arleen and Christian, signed consent to the appointment of guardian.
2. Need Notice of Hearing and Proof of Personal Service [form GC-020 & GC-020(P)] on Arleen and Christian (minors).
3. Proof of personal service filed 02/08/17 as to Gilbert Govea (father); however, missing mandatory Notice of Hearing form GC-020. Need completed proof of service forms.
4. CI Report filed 06/14/17. **Need supplemental CI report.**
5. Court to review Guardian Screening form, [LF p. 2 and 4].

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. **Written objections by Roseann Govea with proof of service filed 07/19/17. Does Court wish to excuse notice as to mother?**
9. ~Proposed form Order/Letters: 02/08/16

RECOMMENDATION:

Matter is contested.

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

(cs/lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 10/25/17 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1700181

CASE NAME: DELILAH I REMINGTON

HEARING:

Hearing Re: AMENDED PETITION FOR GUARDIANSHIP

COUNSEL:

JOYCE C AGUAYO	(GP )...PRO/PER
ARMONDO J AGUAYO	(GP )...PRO/PER
DELILAH I REMINGTON	(MIN)...
RAUL PICENO	(FAT)...METTIAS & KINER LEGAL GROUP

**XREF: SGSS05504 FAMSS1705962 (paternity)**

GENERAL INFORMATION:

**Continued from 05/17/17.** Court dispenses with notice to father, mother, and paternal grandparents. Court clears probate notes 2, 3, and 4 on the record. Court notes it will not consolidate with case number SGSS05504.

**Ex Parte Orders granted on 09/05/17.** Court appoints Joyce Aguayo and Armando Aguayo as Temporary Guardian of the person. Court orders additional objections by father to be in writing by 4PM on 10/04/17. Hearing on general petition reset to 10/25/17.

THIS CASE SET FOR HEARING ON **AMENDED [filed 08/25/17]** Petition for Appointment of Guardian, of the person only, by Joyce and Armando Aguayo (maternal grandparents), minor: Delilah, 8

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

1. Amanda Remington (mother) signed Nomination, Consent and Waiver.
2. Petitioners currently have guardianship of minor's sibling under case SGSS05504.
3. Petitioners intend on adopting minor.
4. Petitioners allege parental custody would be detrimental to minor.
5. **Need CI Report.**
6. **Amended petition by Joyce and Armando Aguayo filed 08/25/17** is not dated at signatures. **Need** verified supplement with dated signatures.
7. **Objection by Raul Piceno filed 08/02/17. Further Objections filed 09/05/17 by Raul Piceno with Proof of Service.**
8. ~Proposed form Order submitted: 04/12/17

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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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

**RECOMMENDATION:**

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

(cs/lh)



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

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DATE: 10/25/17 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1700292

CASE NAME: ZAYDEN CARMELO CARABALLO

HEARING:

Hearing Re: STATUS OF BLOCKED ACCOUNT

COUNSEL:

VERONICA PEREA CARABALLO (PET)...PRO/PER  
ZAYDEN CARMELO CARABALLO (MIN)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status of Blocked Account

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

1. Matter set on 07/19/17 wherein Court approved petition for guardianship of the estate and ordered funds placed in blocked account in lieu of bond. Court dispensed with accounting as funds will be placed in blocked account.
2. Notice of Taking of Possession of Asset by Primerica Life Insurance filed 08/23/17.
3. Need proof of blocked account.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 10/25/17 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1700501

CASE NAME: SKHY MONIQUE & AAMIR LAMAR WHITE THOMPSON

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

RAYCHELLE M WHITE (GP )...PRO/PER  
SKHY MONIQUE WHITE THOMPSON (MIN)...  
AAMIR LAMAR WHITE THOMPSON (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Raychelle White (maternal cousin), minors Skhy and Aamir Thompson (02/14/13)

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

1. Consent and Waiver signed by Shamirre Hampton (mother).
2. Need Notice of Hearing and Proof of Personal Service as to Brandon Thompson (father).
3. Need Notice of Hearing and proof of mailed service as to Delores Sanders (mgm) and unknown paternal grandparents, or file Due Diligence Declarations.
4. Upon Court referral, need CI report.
5. 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.
6. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b).
7. ~Proposed form Order: 09/22/17

RECOMMENDATION

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

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 10/25/17 TIME: 11:00 DEPT: S35G  
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CASE#: GAR SS1500542

CASE NAME: REMY STEVE ALFARO

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MILCA H HERNANDEZ (PG)...PRO/PER  
REMY STEVE ALFARO (MIN)...PRO/PER  
SANDRA PATRICIA RODRIGUEZ HERNANDEZ (OBJ)...PRO/PER

GENERAL INFORMATION:

Ex parte orders denied 12/22/15: no emergency. Court requires notice and full investigation. This situation has been the status quo for more than one year.

Continued from **01/25/16** to file notice and objections.

On **3/16/16** Sandra Rodriguez present in Pro Per. Court set OSC re Dismissal. Parties advised that an FTA or notes not cleared will result in a dismissal. Notice mailed.

Continued from **5/11/16** for petitioner to file proof of personal service as to mother and father of the minor. Court notes that if Sandra Rodriguez Hernandez still objects to this petition, she is to be present at next hearing date. Notice mailed.

Continued from **05/25/16**; Continued from **07/14/16**; Continued from **09/26/16** at request of Petitioner. Referred to DCFS.

Continued from **11/23/16** Court indicates that it will dismiss petition filed by Milca Hernandez if the petitioner does not clear probate notes re notice/service, by next hearing date of March 22, 2017.

**Continued from 03/22/17** at request of petitioner to clear remaining notes. Court dispenses with notice to paternal grandfather and maternal grandmother. OSC re dismissal vacated.

**Continued from 06/28/17. Court notes that it has stricken the objections of Sandra Patricia Rodriguez Hernandez as she is not present when matter is called. Court deems Sandra Patricia Rodriguez Hernandez served as she had filed objections. Court continues matter for receipt of completed DCFS report. Petitioner to comply with DCFS investigation.**

THIS CASE IS SET FOR HEARING ON Petition for Guardian, of the person only, by Milca Hernandez, (non-relative), minor: Remy (3)

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

1. Need notice of hearing and proof of personal service [forms GC-020 and GC-020(P)] on Joquin Alfaro (father) and Angelica Monzon (mother). Proof of mailed service filed on 04/27/16; however, Per PrC§1511, requires personal service.
2. Notice by DCFS of no report filed 11/17/16 and 03/16/17. **DCFS dismissal report filed 06/22/17. JTD**
3. ~Proposed form order: 12/15/15

RECOMMENDATION:

Need to clear note 1. Court's discretion.

(sa/lc/sa/lc/cs/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**GUARDIANSHIPS**

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DATE: 10/25/17      TIME: 11:00      DEPT: S36G  
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CASE#: GAR PS1700246

CASE NAME: PHARELL JONES ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

LATONIA S JONES	(GP )...PRO/PER
PHARELL JONES	(MIN)...
ROMEO BEASLEY-JONES	(MIN)...
MYLOVE BEASLEY-JONES	(MIN)...

GENERAL INFORMATION:

**Continued from 06/21/17. Court excused notice as to the maternal and paternal grandparents. Court appoints Attorney Mitchel Roth as the guardian ad litem for the three minor children. Referred to Court Investigator for investigation and report.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Latonia Jones (maternal aunt), minors: Pharell, age 9; Romeo & MyLove, age 7

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

1. Mother and father signed consent and waivers filed 05/09/17.
2. Need CI report.
3. Need GAL report.
4. Amended UCCJEA Declaration filed 06/19/17 indicates residence prior to September, 2016 is unknown.
5. Petitioner intends to adopt minors.
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. ~Proposed form Order submitted: 05/09/17

RECOMMENDATION:

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

(cs/lh)

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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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/25/17 TIME: 11:00 DEPT: S36G  
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CASE#: GAR SS1300160

CASE NAME: HUNTER KOLE RHEINSCHILD

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CYNTHIA RHEINSCHILD (GUA)...CHRISTOPHER JAMES MURTAGH  
GREGORY W RHEINSCHILD (GUA)...CHRISTOPHER JAMES MURTAGH  
HUNTER KOLE RHEINSCHILD (MIN)...

#### GENERAL INFORMATION

**Continued from 05/09/17.** Court deems this petition for guardianship of the estate only. Guardianship of the person was granted 01/21/14.

**Continued from 08/08/17** for proper notice to be given.

**Continued from 09/19/17. Court was not present.**

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, **Person and Estate**, by Cynthia Rheinschild and Gregory W. Rheinschild (paternal grandparents), minor Hunter (11)

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

1. Petitioner requests bond waived as it was not previously required in appointment of the person only. Minor to inherit \$50,000 from his deceased aunt's estate. Upon minor's receipt of distribution, Court may wish to require \$50,000 bond, or require funds to be placed in blocked account in lieu of bond. JTD
2. Notice of Hearing and Proof of Service *by Mail* filed 04/11/17, 05/22/17 and 08/16/17 as to Danna Rheinschild (mother); however, **need proper personal service.**
3. **Proof of Service of Notice of Hearing and Petition filed 09/11/17 as to Gregory Rheinschild (father); however, need attached Notice of Hearing.**
4. Request to Excuse Notice as to unknown maternal grandfather filed 05/09/17. JTD
5. Upon Court referral, need CI report.
6. ~Proposed form Order: 04/03/17

#### RECOMMENDATION

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

(lh)

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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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 10/25/17 TIME: 11:00 DEPT: S36G  
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CASE#: GAR SS1400245

CASE NAME: DARYN LEO MOROYOQUI

HEARING:

Hearing Re: Family Court Orders

COUNSEL:

DEBRA J MOROYOQUI	(GP )...PRO/PER
DARYN LEO MOROYOQUI	(MIN)...
RUBY CHRISTINE MONTIJO	(PET)...PRO/PER

No notes. JTD

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**GUARDIANSHIPS**

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DATE: 10/25/17 TIME: 11:00 DEPT: S37G  
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CASE#: GAR PS1700158

**SEE ALSO #6**

CASE NAME: LILLIAN NGUYEN

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MABLE KUENNIGER

(PET)...PRO/PER

LILLIAN NGUYEN

(MIN)...PRO/PER

**XREF: GARSS800050 (In re: Savanna Espinosa)**

GENERAL INFORMATION:

Temporary Orders granted on 04/10/17. Mable Kuenniger is appointed Temporary Guardian of the person of Lilian Nguyen.

**Continued from 05/10/17.** Father deemed by appearance. Petitioner to have mother sign a waiver of notice and consent to guardianship. Father to provide petitioner with address information for his parents so petitioner can serve paternal grandparents. Notice needs to be given to Savannah, and a Declaration of Due Diligence to be filed as to maternal grandfather. Referred to Court Investigator for report.

**Continued form 09/20/17. Court orders this case and GARSS800050 be heard together as related actions. Court Investigator reports petitioner has not cooperated in preparation of report. It is further reported Matthew (A substance abuser) is residing in the home. Temporary orders made on 04/10/17 are vacated. Letters of guardianship revoked. Court appoints Mitchell Roth as guardian ad litem as to Savanna Espinosa and Lillian Nguyen. Guardian Ad Litem to speak with DCFS social worked and make a report to DCFS if appropriate. Notice given by Judicial Assistant.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Mable Kuenniger (maternal grandmother), minor: Lilian, 3

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

1. Jennifer Ellis (mother) signed Nomination, Consent and Waiver filed 08/04/17.
2. Notice of Hearing and proof of service filed 09/07/17 as to Peter Nguyen (father) and Savannah Espinosa (sibling), and Mr. and Mrs. John Nguyen, However, Notice

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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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.



does not indicate documents filed in item #1. Also, need separate, individual service as to paternal grandparents. **Need proper notice and proof of service.**

3. Need Due Diligence Declaration as to maternal grandfather.
4. Need verified supplement. Child Information Attachment is incomplete as to section 2 re names and addresses of all relatives and section 8 re Indian child inquiry.
5. Need GAL report
6. CI Report filed 09/13/17
7. Court to review Guardianship Questionnaire, [LF p. 4 & 8].
8. ~Proposed form Order: 04/03/17

**RECOMMENDATION:**

Need to clear notes 2-5.

(cs/lh)

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

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DATE: 10/25/17 TIME: 11:00 DEPT: S37G  
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CASE#: GAR PS1700197

CASE NAME: AARON ANTHONY WILLIAMS-RUIZ JR

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

FRANCINE F MORALES (GP )...PRO/PER  
AARON ANTHONY WILLIAMS-RUIZ JR (MIN)...  
CLARITA MEDINA (OBJ)...  
AARON ANTHONY WILLIAMS-RUIZ SR

GENERAL INFORMATION:

Temporary Orders granted on 04/27/17. Visitation Orders made. Court finds this is an emergency situation and requests an expedited report from Court Investigator. Referred to DCFS for non-relative report (2<sup>nd</sup> cousin) guardianship report.

**Continued from 05/31/17.** Aaron Ruiz (father), Clarita Medina (pgm) present and deemed served by their appearance. Notice to be given to mother, pgf, and mgm. Father to file written objections prior to next hearing. If competing petition is being considered, competing petition to be filed prior to next hearing.

**Continued from 07/26/17** at request of DCFS.

**Continued from 08/30/17. Due diligence accepted as to paternal grandfather. Petitioner needs to make further to notice mother. Due Diligence Declaration not accepted as to mother. Hearing continued at request of DCFS. All household members to be livescanned.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Francine Morales (non-relative), minor: Aaron, 4

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

1. Need Notice of Hearing and Proof of Personal Service as to Cynthia Landeros, mother, or file Due Diligence Declaration with additional attempts to locate and serve.
2. DCFS report filed 08/23/17.
3. **Objections by Aaron Ruiz (father) and Clarita Medina (pgm) with proof of service filed 06/26/17.**

4. **Reply to Objections filed by Francine Morales on 08/18/17. Need proof of service.**
5. ~Proposed form Order submitted: 04/20/17

RECOMMENDATION:

Need to clear note 1. Matter is contested.

(cs/lh)

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

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DATE: 10/25/17 TIME: 11:00 DEPT: S37G  
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CASE#: GAR PS1700247

CASE NAME: JONATHAN MORENO

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SUSAN MORENO	(PET)...PRO/PER
JONATHAN MORENO	(MIN)...
HELEN MORENO	(MOT)...PRO/PER

**XREF: FAMSS1705195**

GENERAL INFORMATION:

Temporary Orders granted 05/18/17. Susan Moreno is appointed Temporary Guardian of the person of Jonathan Moreno. Court orders referred to DCFS pursuant to Probate Code 1513(b) for investigation in compliance with W & I Code 328 and 329.

**Continued from 06/13/17.** Petitioner is advised she needs to notify tribe. Court is shown paperwork setting a petition for 06/19/17. Petition is not calendared. Mother deemed served by her appearance in Court. Court determines Michael is under age 12 and does not require notice. Mother to file written objections. Mother allowed telephone contact with minors 3 times per week. Minor to have no contact with Eduardo Marquez.

**Continued from 09/13/17. Petitioner to decide if she wants to proceed with guardianship. All existing orders to remain in effect.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Susan Moreno (maternal grandmother), minor: Jonathan 9

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

1. Petition indicates minor has Indian ancestry. Notification of rights under Indian Child Welfare Act (ICWA) must be served.
  - a. The ICWA-030 and a copy of the petition with attachments must be served on the parents, Indian Custodian (if applicable) and the Tribe and/or Bureau of Indian Affairs. **Return of receipt from US Dept of Interior filed 06/19/17. Need signed return receipt cards from Helen Moreno (mother).**
  - b. Notice must be given as to all subsequent hearings unless or until such time as it is determined that the act does not apply to the case.

- c. If no response is received from the tribe within a reasonable time (not less than 60 days) from the tribe the court may determine that the act does not apply.
  - d. If the tribe intervenes service of the ICWA-30 form is no longer required and subsequent notices will be in the standard form contained in the Probate Code for service of notice.
  - e. Notice in the manner described above must be served in addition to all notices required by the Probate Code.
  - f. **No proceeding shall be held until at least 10 days after receipt of notice by the parent, Indian custodian, the tribe or the Bureau of Indian Affairs per Pr.C.§1460.2(e).**
2. Need Parental Notification of Indian Status (form ICWA-020).
  3. If a Court Investigator and/or DCFS is appointed, then the investigator must consult with the Indian child's tribe per Pr.C.§1513(h).
  4. Father is allegedly unknown. See Birth Certificate attached Supplement filed 09/01/17. JTD
  5. Notice of Hearing and Proof of Service by Mail filed 09/01/17 as to Helen Moreno (mother), George Acuna (mgf), and siblings: Mikey Moreno and Clarissa Trerino. However, proof of service does not indicate a copy of petition was served with notice; **need personal service on mother.**
  6. Upon referral to CI by the Court, requires CI report.
  7. **DCFS emergency response filed 08/01/17.**
  8. **Objection by Helen Moreno (mother) with proof of service filed 08/04/17.**
  9. ~Proposed form Order submitted: 05/11/17

**RECOMMENDATION:**

Need to clear notes 1a-2, and 5, then Court's discretion.

(cs/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District  
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CASE#: GAR SS1200227

CASE NAME: SHILA MORNING SHADOW CHACON ET AL

**SEE ALSO 5**

HEARING:

Petition for OF GUARDIAN TO TERMINATE GUARDIANSHIP OF THE  
PROPERTY

COUNSEL:

ARMANDO THOMAS RAMOS	(GE )...HOLLAND & KNIGHT, LLP
VINCENT ESPINDOLA	(GE )...HOLLAND & KNIGHT, LLP
SHILA MORNIN SHADOW CHACON	(MIN)...
NATAHNY FEATHER CHACON	(MIN)...
WEE-SHA BIRD CHACON	(MIN)...
QUOYMEE BEANIE CRUZ CHACON	(MIN)...
TOM RAMOS	(PET)...HOLLAND & KNIGHT, LLP
W A HLAVATY	(GE )...RICHARD W S PERSHING

**XREF: PROPS0900728**

Currently under review by legal research.  
(LR)

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
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CASE#: GAR SS1200227

CASE NAME: SHILA MORNING SHADOW CHACON ET AL

**SEE ALSO 4**

HEARING:

FIRST Account and Report of W A HLA VATY and Petition for allowance of fees filed.

COUNSEL:

ARMANDO THOMAS RAMOS	(GE )...HOLLAND & KNIGHT, LLP
VINCENT ESPINDOLA	(GE )...HOLLAND & KNIGHT, LLP
SHILA MORNIN SHADOW CHACON	(MIN)...
NATAHNY FEATHER CHACON	(MIN)...
WEE-SHA BIRD CHACON	(MIN)...
QUOYMEE BEANIE CRUZ CHACON	(MIN)...
TOM RAMOS	(PET)...HOLLAND & KNIGHT, LLP
W A HLA VATY	(GE )...RICHARD W S PERSHING

GENERAL INFORMATION:

**Continued from 04/26/17** Notice needs to be given to Wee-Sha and the tribe. Mr. Hlavaty does not need to file an accounting for the gap in time between when he was appointed and the previous guardian was relieved. Petition to terminate guardianship will be filed.

**Continued from 07/05/17.** New Counsel retained to clear probate notes. Notice to be given by Mr. Pershing.

**Continued from 09/13/17. Counsel reports interested party in this matter, Victoria, has retained counsel. Mary Ellen Ross and Ms. Ross requests a continuance.**

THIS CASE SET FOR HEARING ON: First Account Current, Declaration of W. A. Hlavaty in Support of Petition for Settlement of Second Account Current.

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

1. Petitioner requests termination within guardianship, and transfer of the assets to Petitioner as Guardian of the Property appointed by the San Manuel Band of Mission Indians Tribal Court, case #GA-13-0001. **See other matter.**
2. Referred to Legal Research re: Memorandum of Points & Authorities addressing issues involving the San Manuel Band of Mission Indians Tribal Court.
3. Petitioner requests instructions on whether to notice the tribe. - JTD

4. W. A. Hlavaty (PPF) appointed successor guardian of the estate in minute order of 11/13/14; \$1,200,000 Bond. Minors are Natahny, age 17 (DOB 08/05/99), Wee-Sha, age 12 (DOB 02/06/05), and Quoymee, age 9 (DOB 12/03/07).
5. Accounting period: 12/18/14 through 01/31/17, appears should start 11/14/14 as the previous account ended 11/13/14. W. A. Hlavaty (PPF) appointed as successor/temporary guardian of the estate in minute order of 11/13/14 - JTD
6. POH Start: \$535,596.12 POH End: \$535,596.12 Change: 0.00
7. Only non-cash assets are held in the guardianship estate, consisting of a 1/2 interest in 9 vehicles and a 1/2 interest in a residence.
8. Inventory and Appraisal was filed 10/29/14, and carry values have been adjusted to remove the 1/6 interest of the ward who previously reached majority. Petitioner alleges market values were determined by Kelly Blue Book.
9. Petitioner does not request fees. Petitioner alleges cash income from the tribe to the minors is managed in the tribal guardianship of the property, which has authorized payment of his fees.
10. Proposed order received 03/08/17 is for termination of the within guardianship and transfer of the assets to the tribal court guardianship, with concurrent exoneration of bond.

#### RECOMMENDATION

Court's discretion as to termination of the guardianship; points & authorities have been filed. If termination is not approved, accounting is RFA and if approved the accounting review for final account should be set for **04/28/18**.

(jm/cs/lh)



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CASE#: GAR SS800050

**SEE ALSO #1**

CASE NAME: IN THE MATTER RE SAVANNA LANE ESPINOSA

HEARING:

Hearing Re: REVIEW OF GUARDIANSHIP

COUNSEL:

MABEL DIANE KUENNIGER (PET)...PRO/PER  
SAVANNA LANE ESPINOSA (MIN)...

**XREF: GARPS1700158 (In Re: Lillian Nguyen)**

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Review of Guardianship of Savanna Espinosa  
(age 13)

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

1. Matter set on 09/20/17 wherein Court ordered this case be heard with GARPS1700158 as related actions. Court appointed Mitchell Roth as guardian ad litem for both Savanna Espinosa and Lillian Nguyen, who was ordered to speak with DCFS and provide them a report if appropriate.
2. Need GAL Report.

RECOMMENDATION

Inquire status.

(lh)