



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 11/22/17

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.

10/27/17lh; 11/17/17lh

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: 11/22/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700364

CASE NAME: MTR OF LUIS AREVALO DE HARO, ET AL

HEARING:

OSC re: DISMISSAL OF GUARDIANSHIP PETITION filed by ISVETH ARCE
URTIZ

COUNSEL:

ISVETH ARCE URTIZ

(GP)...PRO/PER

LUIS AREVALO DE HARO

(MIN)...

ALEJANDRO CAMACHO JR

(MIN)..

X-ref matter: SG SS04870 (In re Jorge, Luis Arevalo, and Alejandro Camacho)

GENERAL INFORMATION

Continued from 08/23/17. No appearance by petitioner. OSC re dismissal set. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON **OSC Re Dismissal** of Petition for Appointment of Guardian, person only, by Isveth Urtiz (non-relative); minors Luis (6), Alejandro (14)

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

1. Minors Luis and Alejandro signed Consent and Waivers filed 07/18/17.
2. Need Notice of Hearing and Proof of Personal Service on Alejandro Camacho, Sr (father) and Ernestina Magana (mother). Alternatively, as parents are incarcerated, notice may be served in accordance with Local Rule 20-1317.
3. Need Notice of Hearing and proof of mailed service as to Arturo Camacho and Teresa Camacho (paternal grandparents), unknown maternal grandparents, and sibling Jorge Arevalo, or file Due Diligence Declaration(s).
4. Need DCFS report as petitioner is a non-relative.
5. Petition indicates prior guardianship of minors terminated on 03/13/09. See x-ref matter. Does Court wish to consolidate matter to lower case number?
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 an receive any public benefits, social security & SSI benefits the minor child(ren) may be entitled to receive. Recommend order

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.

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. ~Proposed form Order: 07/18/17

RECOMMENDATION

Court's discretion re OSC.

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

(lh)

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

DATE: 11/22/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700555

CASE NAME: MTR OF REISHAWN DAVIS

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SHANTE BIAS
REISHAWN DAVIS

(GP)...PRO/PER
(MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Shante Bias (cousin), minor Reishawn (8)

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

1. Akhea Davis (mother) is deceased.
2. Petitioner indicates minor was adopted by mother; petitioner is the adoptive cousin of minor. Question if this was a single-parent adoption? Does Court wish to require a copy of adoption decree?
3. Petition does not list any known relatives in Child Information Attachment [Petition, 10/18/17, LFpg6]. Court may wish to inquire.
4. Need Due Diligence Declaration as to maternal grandparents.
5. Upon Court referral, need CI Report.
6. ~Proposed form Order: 10/18/17

RECOMMENDATION

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

(lh)

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

DATE: 11/22/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1100204

CASE NAME: IN MATTER RE CELESTE KAY ROGIN ETAL

HEARING:
Accounting Review

COUNSEL:

ALBERT ROGIN III	(GE)...PRO/PER
CELESTE KAY ROGIN	(MIN)...
REESE ROGIN	(MIN)...

Waiver of Court Fees and Costs filed by ALBERT ROGIN III is GRANTED

Waiver of Court Fees and Costs filed by CELESTE KAY ROGIN is GRANTED

GENERAL INFORMATION:

Continued from **12/30/15** Guardian authorized to use same format previously used.

Continued from **02/25/16** and **04/25/16** for guardians to file waivers.

Continued from **6/16/16** No appearance. Court Suspends Guardianship of the Estate and orders guardian to appear at next hearing. Notice mailed.

Continued from **08/31/16**. Guardian's powers reinstated. Guardian to prepare order for release of funds from blocked account for Celeste as she has reached 18; filed.

Continued from **11/09/16** matter is continued for a waiver of account to be filed.

Continued from 02/15/17 for proper accounting to be filed.

Continued from 05/17/17. Guardian to file waiver of account.

Continued from 08/23/17. No appearance by petitioner nor has an accounting been filed. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Accounting Review

Former minor: Celeste Rogin age 18 (DOB 08/29/98), and minor: Reese Rogin age 14 (DOB 07/17/02).

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

1. Albert A. Rogin III (father) appointed guardian, estate only, in minute order of 08/10/11 (order filed 08/10/11); letters issued 08/10/11, with blocked accounts in lieu of bond.
2. On 12/24/13 Court approved a waiver of account for period ending 11/28/13.
3. Receipt from former minor Celeste Rogin for funds received, 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.

4. Ex-parte petition for final discharge and order returned due to premature filing and may not be granted prior to 08/29/17 (1 year after minor reaches majority).
5. Need a **final accounting** for Celeste and account current or waiver of account for Reese. **Note: Ex parte petition to dispense with accounting rejected on 11/14/17.**

RECOMMENDATION:

Inquire status.

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

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

DATE: 11/22/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1300524

CASE NAME: ASTRID YARITH BASKERVILLE

SEE ALSO 5

HEARING:

Petition for ATTORNEY FEES

COUNSEL:

BERTHA A BASKERVILLE	(GE/GPE)...PRO/PER
ASTRID YARITH BASKERVILLE	(MIN)...PRO/PER
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL

Waiver of Court Fees and Costs filed by BERTHA A BASKERVILLE is GRANTED

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees by Jennifer M Daniel

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

1. Petitioner Jennifer M. Daniel was appointed counsel for minor on 03/20/14.
2. Petition requests discounted fees of **\$7,500** for a total of 56.1 hours at \$325/\$125/hour for attorney and paralegal services rendered from 06/04/14 to 10/19/17. Itemized. [Petition, 10/19/17, LFpgs7-13].
3. Petitioner alleges she has not petitioned for fees since time of appointment because minor's estate was not marshaled correctly by guardian until Counsel assisted her, in addition to extensive lapses of communication with guardian. JTD
4. ~Proposed Order: 10/19/17

RECOMMENDATION

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: 11/22/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1300524

CASE NAME: ASTRID YARITH BASKERVILLE

SEE ALSO 4

HEARING:

FIRST Account and Report of JENNIFER M DANIEL and Petition for allowance of fees filed.

COUNSEL:

BERTHA A BASKERVILLE	(GE/GPE)...PRO/PER
ASTRID YARITH BASKERVILLE	(MIN)...PRO/PER
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL

Waiver of Court Fees and Costs filed by BERTHA A BASKERVILLE is GRANTED

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON First Account Current and Report of Conservator, Petition for its Settlement by Jennifer M Daniel for Astrid Y. Baskerville

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

1. Account period: 01/16/14 to 07/31/17
2. Assets on hand: \$59,916.35, cash held in blocked account.
3. Petition does not address compensation of guardian. Question if guardian waives compensation?
4. No proposed order submitted. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set future hearing for Accounting/Status Review on **10/03/18** [if one year], or **10/30/19** [if two years]. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh)

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

DATE: 11/22/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1500385

CASE NAME: MTR OF XAIVER GABRIEL OCHOA

HEARING:

OSC re: Dismissal of PTN to Terminate Guardianship filed by JUAN OCHOA JR

COUNSEL:

KRIS MUELLER	(PET)...PRO/PER
SUSAN MUELLER	(PET)...PRO/PER
XAIVER GABRIEL OCHOA	(MIN)...
JUAN OCHOA JR	(FAT)...PRO/PER

GENERAL INFORMATION:

Continued from 04/26/17.

Continued from 08/09/17 due to nonappearance. OSC re Dismissal set for 11/22/17. Notice given by Judicial Assistant.

THIS CASE SET FOR HEARING ON **OSC Re Dismissal of Termination of Guardianship**, by Juan Ochoa, Jr. (father), minor: Xaiver, 9

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

1. Kris and Susan Mueller, (non-relative), appointed Co-Guardians of the person, of minors Xaiver Ochoa, age 9 (DOB 11/20/07) per Order/Letters filed 07/12/16.
2. Juan Ochoa, (father) is petitioning for termination of guardianship as he has a steady job and can provide a loving, safe and stable home for his son.
3. Need Notice of Hearing and Proof of Service by Mail (form GC-020) as to Diamond Ochoa and Ashley Miranda (siblings) if age 12+, or file Due Diligence Declaration(s).
4. Need Termination of Guardianship Parent Questionnaire (local form 13-19740-360).
5. Need Referral CII form (SB-13548).
6. ~Proposed form Order 03/22/17

RECOMMENDATION:

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

(cs/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 11/22/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700280

CASE NAME: MTR OF LEVIATHAN ANDREW ALAGO

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ANDREW W. RUBIO

(GP)...PRO/PER

DAWN B. RUBIO

(GP)...PRO/PER

LEVIATHAN ANDREW ALAGO

(MIN)...

GENERAL INFORMATION:

Andrew and Dawn Rubio appointed Temporary Guardians, person only on 06/05/17.

Continued from 07/05/17. Court is given green service postcard as to father. Court finds notice requirements have been met. Matter referred to Court Investigator for investigation and report. All existing orders remain in effect.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Andrew and Dawn Rubio (maternal grandparents), minor: Leviathan, 4

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

1. Kimberly Ann Rubio (mother) signed Nomination, Consent and Waiver filed 05/26/17.
2. Terrance Alago (father) was served.
3. Related matters under cases FAMRS1401334; KS1405817; and CIVRS1402799.
4. Petition indicates DCFS involvement [Petition, LF, pg37].
5. Court to review Guardianship Questionnaire forms, LF p. 4.
6. **CI Report filed 11/15/17.**
7. Proposed form Order to be submitted at hearing.

RECOMMENDATION:

Court's discretion.

(cs/lh)

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

DATE: 11/22/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700509

CASE NAME: BRYANN KENNEDY-CUMMINGS

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ASHLEY KENNEDY	(GP)...ROSSANA MITCHEL
ROSEZETTA CUMMINGS	(GP)...ROSSANA MITCHEL
BRYANN KENNEDY-CUMMINGS	(MIN)...

GENERAL INFORMATION

Ex parte orders granted 10/05/17. Ashley Kennedy and Rosezetta Cummings appointed temporary guardians.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Ashley Kennedy and Rosezetta Cummings, paternal grandparents, minor Bryann (1)

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

1. Need Notice of Hearing and Proof of Personal Service as to Jacob Kennedy-Cummings (father) and Nycole Nelson (mother).
2. Need Notice of Hearing and proof of mailed service as to unknown maternal grandparents, and siblings: Bronson, Tiffany, Jonathon, Jaxon, and Bella (if 12 years+).
3. Upon Court's discretion, need CI Report.
4. ~ Proposed form Order: 09/27/17

RECOMMENDATION

Need notice, then Court's discretion.

(lh)

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

DATE: 11/22/17 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1400358
CASE NAME: Jayden and Emma Villalobos

HEARING:
Hearing re: Petition for Termination of Guardianship

COUNSEL:

JEANETTE FAVELA	(PG)...PRO/PER
JAYDEN VILLALOBOS	(MIN)...PRO/PER
EMMA VILLALOBOS	(MIN)...PRO/PER
AUDREY FLORES	(PET/MOT)...PRO/PER

GENERAL INFORMATION:

Continued from 07/05/17 for notice to be given. Referred to Court Investigator for investigation and report.

THIS CASE SET FOR HEARING ON Termination of Guardianship, by Audrey Flores (mother), minors: Jayden, 10 and Emma 4

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

1. Jeanette Favela, paternal grandmother, appointed Guardian of the person, of both minors per on 02/24/15.
2. Mother is petitioning for termination of guardianship on the basis that she is now living in her step-mother's home and not going to move until she is stable. She is looking for employment.
3. Need Notice of Hearing and Proof of Service by Mail (form GC-020) to Jeannette Favela (guardian/pgm), Steve Villalobos (father), Steve Villalobos (pgf), and siblings, if age 12+, or file Due Diligence Declaration(s).
4. Need Due Diligence Declarations as to Armando Flores and Gina Carrion (maternal grandparents).
5. Termination of Guardianship Parent Questionnaire is incomplete at page 1, 3, 4, 5, 6, and 7. Need completed form.
6. **CI Report filed 11/07/17.**
7. **Objection filed by Jeanette Favela (guardian) with Proof of Service on 06/16/17.**
8. ~Proposed form Order: 06/02/17

RECOMMENDATION:

Need to clear notes 3-5. Matter is contested.

(cs/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 11/22/17 TIME: 11:00 DEPT: S37G

CASE#: GAR VS1100098

CASE NAME: MATTER OF FAITH A NIEVES

HEARING:

Hearing Re: STATUS OF STIPULATION/TERMINATION

COUNSEL:

CHARLOTTE LUTZ	(PET)...PRO/PER
CHARLOTTE NIEVES	(PET)...PRO/PER
FAITH ANN NIEVES	(MIN)...
FERDINAND D NIEVES	(PET)...PRO/PER
FERNANDO L NIEVES	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 10/26/17. Court reviews proposed stipulation with the parties. Parties informed proposed stipulation is unenforceable as once guardianship is terminated, guardians no longer have any parental rights. Guardians informed that if they decide to proceed with termination of guardianship, they make a new request for guardianship should the need arise in the future. Court advises parties to rewrite the stipulation to terminate guardianship. All existing orders remain in full force and effect. Court approves Faith's remaining with mother on extended visit/vacation pending next hearing.

THIS CASE SET FOR HEARING ON Hearing re: Stipulation and Order

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

1. Matter set on 08/24/17 after Court reviewed the stipulation between guardians Fernando and Charlotte Nieves (guardians) and Charlotte Lutz (mother) and requested that parties be present.
2. ~Proposed Stipulation and Order: 08/11/17

RECOMMENDATION:

Court's discretion.

(ww/lh)