



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 11/28/17

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.

nb1106/1122

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **GUARDIANSHIPS**

DATE: 11/28/17 TIME: 10:00 DEPT: S35G

CASE#: GAR RS1000124

CASE NAME: TIARA MONIQUE JONES

HEARING:

Accounting Review

COUNSEL:

JAN MCDANIEL	(GPE)...PRO/PER
ROBERT MCDANIEL	(GPE)...PRO/PER
TIARA MONIQUE JONES	(MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

- 1 Order Approving Third Account entered 03/26/16; fourth account now due starting 10/01/15.
- 2 No accounting. Need same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/28/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600020

CASE NAME: SOMTOCHUKWU CHUKWUMA ONYEACHONAM ET AL

HEARING:

Petition for REIMBURSEMENT OF CO-GUARDIANS OF FUNDS ADVANCED ON
BEHALF OF MINORS

COUNSEL:

CHINELO IJEOMA ONYEACHONAM (MIN)...HORSPPOOL & HORSPPOOL
CHUKWUDI MASTERS ONYEACHONAM (GP)...JENNIFER M DANIEL
EZIJE E ONYEACHONAM (GP)...JENNIFER M DANIEL
SOMTOCHUKWU CHUKWUMA ONYEACHON (MIN)...

GENERAL INFORMATION:

Pursuant to the Order entered 04/12/17, the Court reserved on the issue of
reimbursement to the Co-Guardians.

THIS CASE IS SET FOR HEARING ON Petition of Co-Guardians of the Estate for
Reimbursement to Co-Guardians of Funds Advanced on Behalf of Minors and
Deceased Mother of Minors by Chukwudi Onyeachonam and Ezije Onyeachonam
[“Petitioners”].

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

1. Petitioners were appointed on 04/19/16; Attorney Horspool is GAL for Chinelo;
and Walter Moor is GAL for Somtochukwu.
2. Petitioners request reimbursement of \$44,228.34 on behalf of the deceased
mother of the minors, for the period March 2015 to March 2017, said amount
payable one-half by funds attributable to Chinelo from the Pacific Premier
blocked account and one-half by funds attributable to Somtochukwu from the
Pacific Premier blocked account. Itemized [see receipts filed in support on
09/07/17]. JTD.
3. Attorney requests fees of \$2,880.00. Billed at \$300/hour for 9.6 hours' attorney
time. Itemized [LF, pgs. 9-10]. JTD.
4. Attorney requests reimbursement of costs advanced of \$930.00. Itemized.
5. Petitioners request directions to pay said compensation to Attorney Daniel; said
amount payable one-half by funds attributable to Chinelo from the Pacific

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Premier blocked account and one-half by funds attributable to Somtochukwu from the Pacific Premier blocked account. JTD.

6. Notice filed on 09/11/17 does not include minors 12 years or older. Need proper service.
7. ~Proposed Order 09/07/17.

RECOMMENDATION:

Need to clear note 6 then Court's discretion.

(nb)

Future Hearing:

06/07/18 Accounting Review.

Superior Court of Calif, County of San Bernardino

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

DATE: 11/28/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700271

CASE NAME: NEVAEH MYRACLE-MARIE PERALTA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

DALENE M TOMPKINS (GP)...PRO/PER

NEVAEH MYRACKE-MARI PERALTA (MIN)...\

X-REF: FAMSS1702493

GENERAL INFORMATION

Ex Parte Orders granted 07/25/17.

Continued from 07/18/17. Court dispenses with notice as to maternal grandfather and paternal grandfather. Court clears note 3. Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Dalene Tompkins (mgm), minor Nevaeh (4)

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

1. Consent and Waiver signed by Krysten Peralta (mother) and Keishawn Forges (father).
2. UCCJEA Declaration filed 05/25/17 indicates dv matter dismissed on 04/12/17. See x-ref matter.
3. See Confidential Screening form filed 05/25/17 [LF pg4].
4. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b).
5. Petitioner seeks power to apply for an receive any public benefits, social security & SSI benefits the minor child(ren) may be entitled to receive. Recommend order reflect that if accumulated principal exceeds \$15,000 on account, Petitioner to file for estate powers as PC 2628(a)(1) will require an accounting.
6. **Need CI report.**
7. ~Proposed form Order: 05/25/17

RECOMMENDATION

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

(lh/nb)

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

DATE: 11/28/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700272

CASE NAME: SERINITY LEANN HARTHCOCK

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MELISSA MEANS	(PET)...PRO/PER
SERINITY LEANN HARTCHCOCK	(MIN)...
SOPHIA I BARELA	(PET)...PRO/PER

GENERAL INFORMATION

Ex parte orders denied on 06/05/17.

Continued from 07/18/17. Melissa Means indicates to the court that she objects to this petition. Court sets deadline for the filing of written objections: objections To the petition must be in writing and served and filed by 4 pm on 08/28/17. If the objections are Not served and filed by that date and time, then they will be waived permanently. In addition, written objections must be complete: if matter Proceeds to trial, the court will consider only evidence relevant to the objections that were filed with the court. Unless otherwise provided by law, the court will not consider any objections not set forth in your written objections, and will not consider any evidence thereon. Melissa Means indicates she understands that order . Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Sophia Barela (mgm), minor Serinity (5)

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

1. **Petition indicates minor currently resides with a Rosalie Tafoya (unknown relation/"legal" caregiver).** It is unclear if CPS removed minor, or if there are pending proceedings in juvenile or family court. Court may wish to inquire. [See Petition, 05/25/17, LF, pgs. 3, 6; also see UCCJEA Dec, LF, pg. 4].
2. Need Notice of Hearing and Proof of Personal Service as to Agustina Ramirez (mother), Brennan Harthcock (father), and Rosalie Tafoya (caregiver).
3. Need Notice of Hearing and proof of mailed service as to Glenn Ramirez (mgf), Tim Means (pgf), and Milissa Means (pgm).

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4. Child Information Attachment to petition is incomplete at item #8; Indian child inquiry was not made [Petition, LF, pg9]. Need same.
5. UCCJEA Declaration filed 05/25/17 is incomplete as to minor's current residence as it appears minor currently resides with Rosalie Tafoya per petition. Need verified supplement including minor's current residence, the person minor lives with, and period of residence.
6. See Confidential Screening form filed 05/25/17.
- 7. Need CI report. Request for Continuance to 01/30/18 filed. JTD.**
- 8. Objections filed 08/25/17 by Melissa D. Means.**
9. ~Proposed form Order: 05/25/17

RECOMMENDATION: Matter is contested.
Need to clear notes 2-5 & 7, then Court's discretion.
(lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 11/28/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700282

CASE NAME: ELIJAH ALEXANDER CARDWELL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CYNTHIA L CARDWELL-CLARK (PET)...PRO/PER

ELIJAH ALEXANDER CARDWELL (MIN)...

GENERAL INFORMATION

Continued from 07/18/17. Court dispenses with notice to parents and paternal grandparents of the minor. Court deems the UCCJEA declaration and the questionnaire filed May 30, 2017 to be dated the same date of the filing of May 30, 2017. Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Cynthia Cardwell-Clark (mgm), minor (5)

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

1. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b).
2. 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 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.
3. **Need CI report. Request for Continuance to 01/23/18 filed. JTD**
4. ~Proposed form Order: 05/30/17

RECOMMENDATION

Need to clear note 3 then Court's discretion.

(lh/nb)

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

DATE: 11/28/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700523

CASE NAME: AUGUST JOHN BAHRA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

AUGUST JOHN BAHRA (MIN)...
THERESA REDONDO-MOLERA (GP)...PRO/PER

GENERAL INFORMATION:

Ex parte orders denied 10/17/17.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by grandmother, Theresa Redondo Molera, minor now 1.

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

1. Mother (Emily Tacsik) and Father (Michael Bahra) signed a nomination, waiver and consents.
2. Need Notice of Hearing and proof of mailed service on siblings 12 years or older; maternal grandfather (David Duran); and paternal grandmother (Darlene Kendall) or file Due Diligence Declaration(s).
3. Indian Child Inquiry, Section 8 [LF, p. 9] has not been made. Need verified supplement.
4. Petitioner requests authority to apply for and receive such public benefits, Social Security and SSI benefits minors may be entitled to receive. JTD.
5. ~Proposed Form Order/Letters 10/05/17.

RECOMMENDATION:

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

(nb)

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

DATE: 11/28/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700530

CASE NAME: SHARI OELRICH

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

HOLLY BELL	(GP)...DENNIS M. SANDOVAL, A PROFESSI
JAMES BELL	(GP)...DENNIS M. SANDOVAL, A PROFESSI
SHARI OELRICH	(MIN)...PRO/PER

GENERAL INFORMATION:

Minor has been residing with petitioners and paternal grandfather for over 6 years

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by paternal aunt [Holly Bell] and spouse [James Bell], as petitioned by minor Shari Oelrich, now 13.

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

1. Petition indicates the current guardian is the maternal grandfather who has guardianship out of Hawaii, who is now wishing to resign. Suggest Court require copies of order/letters from Hawaii. JTD
2. Consent to Appointment of Guardian and Waiver of Notice signed by minor, Shari Oelrich and paternal grandfather/successor guardian, Michael Lahti.
3. Minor was purportedly adopted by maternal grandmother, Cherly Oelrich, now deceased; therefore, notice is not required as to birth parents.
4. Nomination by Michael Lahti (paternal grandfather), Successor Guardian, as to these petitioners to act as Successor Guardians; however, minor was purportedly adopted by maternal grandmother. Need further clarification via verified supplement.
5. Need Notice of Hearing and proof of mailed service on siblings 12 or older, and maternal grandmother or file Due Diligence Declaration(s).
 - a. Petitioners request an Order Dispensing with Notice as to half-sister, Delilah Benjamin (19), whose whereabouts are unknown. JTD
6. Need UCCJEA form as to the minor's residence(s) for the last 5 years.
7. Court to review Confidential Guardian Screening 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.**

8. ~Proposed Form Order/Letters 10/10/17.

RECOMMENDATION:

Need to clear notes 4-6 then Court's discretion.

(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.**

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 11/28/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700533

CASE NAME: DE'VEON BLAYLOCK & DE'MARION BLAYLOCK

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

DE'ANDRE SCOTT	(PET)...PRO/PER
DE'MARION BLAYLOCK	(MIN)...
DE'VEON BLAYLOCK	(MIN)...
JENNIFER STRONG	(PET)...PRO/PER

GENERAL INFORMATION:

Temporary Letters issued 10/18/17.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Jennifer Strong [paternal grandmother] and paternal uncle, De'Andre Scott, minors now De'Veon [9] and De'Marion [7].

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

1. Need Notice of Hearing and proof of personal service on mother and father. Alternatively, as father is incarcerated, notice may be served in accord with Local Rule 20-1317.
 - a. Informal, notarized letters of nomination and consent by mother, Angela Rowe and father, De'Veon Blaylock, affixed to petition [LF, pgs. 7-8].
2. Need Notice of Hearing and proof of mailed service on maternal grandfather or file Due Diligence Declaration.
3. Petitioners request Pr. C. § 2351-2358 powers but do not specify orders sought, facts and reasons in Attachment 1e. Need same via verified supplement.
4. Need Confidential Guardian Screening Form by Jennifer Strong.
5. Petition [LF, p. 10] indicates minors have been involved in Juvenile Court proceedings in LA County. Court to inquire.
6. UCCJEA [LF, p. 3] references a LA Guardianship Case. Court to inquire.
7. ~Proposed Form Order/Letters 10/11/17

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RECOMMENDATION:

Need to clear notes 1-4 then Court's discretion.

(nb)

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

DATE: 11/28/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600472

CASE NAME: LYDIA TONIE JUAREZ

SEE ALSO 8B

HEARING:

Hearing Re: OSC RE DISMISSAL OF OBJECTIONS OF TONIE JUAREZ

COUNSEL:

CORRINE CURTIS	(PET)...PRO/PER
LYDIA TONIE JUAREZ	(MIN)...
TONIE JUAREZ	(MOT)...PRO/PER

GENERAL INFORMATION:

Temporary order granted on 09/27/16 over request for continuance by mother.

Continued from **11/08/16** Court clears probate notes 4/6 (minor was never married and court review and accepts UCCJEA as filed). Petitioner states paternal grandparents are deceased. Referred to CI

Continued from **025/28/17**. Court clears notes 3, 5 & 8. Matter is contested. Court admonishes parties. All temporary orders to remain in full force and effect.

Set at 11/14/17 hearing due to non-appearance by Tonie Juarez. Notice by Judicial Assistant.

THIS CASE SET FOR HEARING ON **OSC re Dismissal of Objections of Tonie Juarez** on Petition for Appointment of Guardian, of the person only, by Corinne Curtis (maternal cousin), minor Lydia 16 (DOB 10/10/2000).

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

1. Minor was served.
2. Maternal grandparents are deceased. Per minute order of 11/08/16 paternal grandparents are deceased.
3. ~~Request to Excuse Notice with Due Diligence Declaration filed as to Rene Conant (alleged father) on 02/14/17. Court to see attachment 5 LF p. 4. JTD~~
4. Supporting Declarations filed by petitioner and minor on 10/31/16.
5. ~~Tonie Juarez (mother) appeared at the 11/08/16 hearing. Does Court wish to waive notice to mother.~~
6. **Objections filed 10/17/16 by Tonie Juarez, mother. Does court wish to waive notice to mother?**
7. CI Report filed 02/21/17.

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. Court to review Guardian Questionnaire filed 09/20/16, LF p. 3, 4, 8.~~

9. Petition alleges that parental custody would be detrimental to the minor

10. ~Proposed Letters/Order: 09/20/16.

RECOMMENDATION:

Matter is contested. Court to set contested hearing.

(cs/lh/cs/nb)

Future Hearing:

01/03/18 Court Trial

01/04/18 Court Trial

01/05/18 Court Trial

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 11/28/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600472

CASE NAME: LYDIA TONIE JUAREZ

SEE ALSO 8A

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CORRINE CURTIS	(PET)...PRO/PER
LYDIA TONIE JUAREZ	(MIN)...
TONIE JUAREZ	(MOT)...PRO/PER

See prior matter #8A
(nb)

Future Hearing:
01/03/18 Court Trial
01/04/18 Court Trial
01/05/18 Court Trial

Superior Court of Calif, County of San Bernardino

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

DATE: 11/28/17 TIME: 1:30 DEPT: S35G

CASE#: GAR PS1600472

CASE NAME: LYDIA TONIE JUAREZ

VACATED

HEARING:

Hearing Re: Court Trial (2nd day)

COUNSEL:

CORRINE CURTIS	(PET)...PRO/PER
LYDIA TONIE JUAREZ	(MIN)...
TONIE JUAREZ	(MOT)...PRO/PER

No notes – Court Trial.
(nb)

Future Hearing:

11/29/17 Court Trial

11/30/17 Court Trial

12/01/17 Court Trial

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: 11/28/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1600364

CASE NAME: TR OF YOSELIN NICOL BARRERA CASTRO

SEE ALSO 2

HEARING:

Hearing Re: PETITION FOR SPECIAL IMMIGRANT JUVENILE STATUS

COUNSEL:

MERY YOLINA MENDEZ

(PET)...CATALINA L GRACIA

YOSELIN NICOL BARRERA CASTRO

(MIN)...

GENERAL INFORMATION

Continued from **12/19/16** at request of counsel to clear probate notes.

Continued from **02/27/17 and 04/04/17**. The Court notes matter was previously referred to DCFS for report; report has not been submitted to the Court.

Continued from **06/06/17** for receipt of DCFS report.

Continued from 08/22/17.

THIS CASE IS SET FOR HEARING ON **Amended** Request for findings re: special immigrant juvenile status (**minor is 16 and will attain 18 on 05/18/18**)

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

1. Petitioner, Mery Yolina Mendez, proposed guardian of minor, Yoselin Nicol Barrera Castro, 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;

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- 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 Points and Authorities in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on 05/18/00, in Honduras. Her mother came to the United States, leaving minor in the care and custody of maternal grandmother. Maternal grandmother's health is failing and she can no longer care for Yoselin.
 - b. Legal reunification with parents is not viable because it would result in minor being exposed to deportation from the United States and would place the child's life in danger since maternal grandmother's health is failing and can no longer provide and ensure minor's well-being in Honduras.
 - c. Minor cannot return to Honduras with father as he has abandoned and neglected minor. Attempts have been made to locate father and he cannot be found. There is no safe place for minor to be cared for in Honduras.
 - d. Yoselin left Honduras and traveled to the United States. She was detained by immigration officials at the border and was later released to her mother in Upland, California, where she currently resides. However, minor is currently involved in deportation proceedings in immigration court unless she can obtain special juvenile immigration status.
 6. Minor will be 18 yrs old in May, 2018. The underlying guardianship petition will become moot if not granted by that time. If guardianship is not granted then minor is not eligible for a finding of SIJS status.
 7. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.

RECOMMENDATION:

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

(lh/cs/lh/nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 11/28/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1600364

CASE NAME: TR OF YOSELIN NICOL BARRERA CASTRO

SEE ALSO 1

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MERY YOLINA MENDEZ

(PET)...CATALINA L GRACIA

YOSELIN NICOL BARRERA CASTRO

(MIN)...

GENERAL INFORMATION:

Continued from **11/09/16** to clear probate notes.

Continued from 12/19/16. Court excuses notice to father, maternal grandfather, and paternal grandparents. Continued at request of counsel to clear remainder of probate notes.

Continued from **02/27/17**. It is notes for the records that Mery Mendez is not a licensed foster family home. Court refers matter to DCFS for report.

Continued from 04/04/17, 06/06/17 and 08/22/17. Matter is continued for receipt of DCFS report.

THIS CASE SET FOR HEARING ON 2nd Amended Petition for Appointment of Guardians, of the person only, by Mery Mendez (non-relative), minor Yoselin age 16 (DOB 05/18/00)

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

1. Mother signed Nomination, Consent and Waiver filed 11/01/16.
2. Petition alleges minor resides with mother.
3. Need DCFS report as petitioner is non-relative per Pr. C. § 1513. **Report of No Report filed 05/31/17 requesting continuance to 12/19/17.**
4. ~Proposed Letters/Order: 07/26/16

RECOMMENDATION:

Need DCFS report, then Court's discretion.

(cs/lh/cs/lh/nb/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.**

Superior Court of Calif, County of San Bernardino

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

DATE: 11/28/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700415

CASE NAME: SKYLYNN ASIA ANNISA WYNN
HEARING:
Hearing re: Petition for Appointment of Guardian

COUNSEL:

BRITTANY J WYNN (GP)...PRO/PER
SKYLYNN ASIA ANNISA WYNN (MIN)...

GENERAL INFORMATION

Ex parte orders denied on 08/11/17.

Continued from 09/12/17 and 10/17/17. Matter is contested. Written objections to be filed.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Brittany Wynn (maternal aunt), minor Skylynn (2 months)

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

1. Biance M Wynn (mother) was personally served.
2. Father is purportedly unknown. Need copy of birth certificate per Local Rule 20-1302.
3. Need Notice of Hearing and proof of mailed service as to unknown paternal grandparents, or file Due Diligence Declarations.
4. Petitioner intends to adopt minor.
5. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b).
6. 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 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. Upon Court referral, need CI report.
8. **Objections filed 10/30/17 by Bianca Wynn [mother].**
9. ~Proposed form Order: 08/04/17

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/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.**

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 11/28/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700525

CASE NAME: AALIYAH E GARNETT

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

AALIYAH E GARNETT

(MIN)...

BARBARA L CHAMBERS

(GP)...PRO/PER

GENERAL INFORMATION:

Temporary Letters issued 10/30/17.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother, Barbara L. Chambers, minor, Aaliya now 15.

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

1. Mother is deceased.
2. Need Notice of Hearing and proof of personal service on minor 12 or older, father, Charles A. Garnett and Conservator for father.
 - a. **Notice filed 11/14/17 is by mail. Need proper service.**
3. UCCJEA indicates parties have resided in San Bernardino County as of 07/15/17.
4. Petitioner alleges parental custody would be detrimental to minor.
5. ~Proposed Form Order/Letters 10/06/17.

RECOMMENDATION:

Need to clear notes 2 then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 11/28/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700556

CASE NAME: MTR OF ANTHONY PITTS III

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ANTHONY PITTS III (MIN)...

NADINE BERKLEY (GP)...PRO/PER

X-REF: GARPS1700490 (S37G)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother, Nadine Berkley, minor Anthony now 1 ½ .

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

1. Petitioner indicates she is currently in the process of getting guardianship for minor's 3 siblings. Does Court wish to consolidate matters to the lower-case number? JTD.
2. Minor is not residing with petitioner and currently with paternal grandmother.
3. Need Notice of Hearing and proof of personal service on mother and father. Alternatively, as parents are incarcerated, notice may be served in accord with Local Rule 20-1317. **Need signed return of receipt (green card).**
4. Need Notice of Hearing and proof of mailed service on unknown paternal grandfather. **Due Diligence Declaration filed. JTD.**
5. Petitioner alleges mother agrees with guardianship. However, no consent is filed.
6. Petitioner requests authority to seek such medical, dental, psychiatric and psychological treatment/therapy as needed. JTD.
7. Petitioner requests authority to apply for and receive such public benefits, Social Security and SSI benefits minors may be entitled to receive. JTD.
8. ~Proposed Form Order/Letter 10/19/17

RECOMMENDATION:

Need to clear note 3 then Court's discretion.

(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.**

Superior Court of Calif, County of San Bernardino

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San Bernardino Superior Court

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 11/28/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1300076

CASE NAME: MARCUS WILLIAMS JR

SEE ALSO 7

HEARING:

Petition for Visitation

COUNSEL:

CYNTHIA DENISE WILBURN	(GP)...PRO/PER
MARCUS WILLIAMS JR	(MIN)...
MIEISHIA JACKSON	(MOT)...PRO/PER

No notes – Visitation.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/28/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1300076

CASE NAME: MARCUS WILLIAMS JR

SEE ALSO 6

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

CYNTHIA DENISE WILBURN	(GP)...PRO/PER
MARCUS WILLIAMS JR	(MIN)...
MIEISHIA JACKSON	(MOT)...PRO/PER

GENERAL INFORMATION:

Cynthia Black-Jackson aka Cynthia D. Wilburn (MGM) appointed guardian of the person on 05/08/14.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by mother, Mieishia Jackson, minor Marcus Williams now age 6.

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

1. Need Notice of Hearing with proof of service on father, Marcus Williams; maternal grandfather Michael Jackson; unknown paternal grandfather; paternal grandmother Donna Copper; siblings 12 years or older; or need Due Diligence Declaration(s).
2. Petitioner, Mieishia Jackson, requests that the guardianship of the person be terminated as it in the best interest of the minor; she has attended and completed parenting class; and will be returning to nursing school.
3. **Confidential declaration with supporting letters filed by mother.**

RECOMMENDATION:

Need notice then Court's discretion.

(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: 11/28/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700278

CASE NAME: JAYSHAWN RASHAD ALLEN

SEE ALSO 2, 3

HEARING:

Hearing Re: VISITATION

COUNSEL:

DENIYA WILSON

(TP)...

JAYSHAWN RASHAD ALLEN

(MIN)...PRO/PER

TENYATTA B HAYNES

(GP)...PRO/PER

Request for Waiver of Court Fees and Costs filed by JAYSHAWN RASHAD ALLEN is GRANTED

XREF: GARPS1600046 (Kaniah Currey-Miley)

No notes – Visitation.

(nb)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 11/28/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700278

CASE NAME: JAYSHAWN RASHAD ALLEN
SEE ALSO 1, 3

HEARING:
Hearing Re: PETITION FOR GUARDIANSHIP

COUNSEL:
DENIYA WILSON (TP)...
JAYSHAWN RASHAD ALLEN (MIN)...PRO/PER
TENYATTA B HAYNES (GP)...PRO/PER

XREF: GARPS1600046 (Kaniah Currey-Miley)

GENERAL INFORMATION

Continued from 07/03/17. The Court deems this petition to ne a petition for successor guardianship and order that petitioner file a petition to terminate guardianship. The court determines minor is living with current guardian in Chino. The court does not wish to consolidate this matter with GARPS 1600046. Referred to Family Court Services. Further orders made Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of **Successor** Guardian, person only, by Tenyatta Haynes (maternal grandmother), minor Jayshawn (13)

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

1. Kyleeah Miley (mother) and Jayshawn (minor) were personally served.
2. Request to Excuse Notice with Due Diligence Declarations as to unknown father and unknown paternal grandparents filed 06/13/17; however, forms are not dated at signature. Need completed declarations.
3. Father is purportedly unknown. Need copy of Birth Certificate per Local Rule 20-1302.
4. Child Information Attachment is contradictory as item #1b indicates minor resides in Pomona, Los Angeles County, while item #1g indicates minor resides with petitioner in Ontario. Need verified supplement clarifying minor's current residence. [See Petition 5/26/17, LFpg5-6].

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.**

5. Guardian Screening Form filed 05/26/17 is not dated at signature. Need completed form.
6. UCCJEA Declaration indicates DV action in Los Angeles County Superior, case number 17-39578.
7. Petitioner was appointed guardian of Kaniah Currey-Miley (minor's sibling). See x-ref matter.
- 8. CI report and addendum filed.**
- 9. FCS report filed.**
10. ~Proposed form Order: 05/26/17

RECOMMENDATION

Need to clear notes 2-5 then Court's discretion.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/28/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700278

CASE NAME: JAYSHAWN RASHAD ALLEN

SEE ALSO 1, 2

HEARING:

Hearing Re: PETITION TO TERMINATE GUARDIANSHIP

COUNSEL:

DENIYA WILSON (TP)...
JAYSHAWN RASHAD ALLEN (MIN)...PRO/PER
TENYATTA B HAYNES (GP)...PRO/PER

XREF: GARPS1600046 (Kaniah Currey-Miley)

GENERAL INFORMATION

On 07/09/15, San Bernardino County Superior Court appointed Demiya Wilson (non-relative) as temporary guardian of the person of Jayshawn Allen.

On 08/31/16, matter ordered transferred to Los Angeles County as case number 16STPB03817 with temporary orders remaining in effect.

On 06/22/17, Los Angeles County Superior Court ordered matter transferred back to San Bernardino County.

Continued from 08/15/17. Court indicates that it has not yet received the file from Los Angeles.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by Tenyatta Haynes (maternal grandmother) as to minor Jayshawn Allen (age 13)

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

1. A review of Los Angeles County docket indicates matter was transferred to San Bernardino County on 06/22/17; however, it appears matter has not yet been received by San Bernardino County. Also, it is not clear whether general guardianship orders were ever entered.
2. Petitioner Tenyatte Haynes (maternal grandmother) seeks termination of existing guardianship and has filed a petition for [successor] guardianship on 05/26/17. However, it does not appear petitioner has standing to file a Petition for Termination per Pr. C. §1601. Need to file petition for removal of guardian upon receipt of transfer from Los Angeles County.

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. Need Notice of Hearing and Proof of Service as to Demiya Wilson (guardian), Jayshawn Allen (minor), Kyleah Miley (mother), Kamiah Miley (sibling), Gregory Miley (maternal grandfather), and unknown paternal grandparents, or file Due Diligence Declaration(s).
4. ~Proposed form Order: 07/07/17

RECOMMENDATION

Need to clear probate notes 2-3.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 11/28/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700290

CASE NAME: COOPER TAITE COSTELLO-WAGNER

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

COOPER TAITE COSTELLO-WAGNER (MIN)...
PAUL A WAGNER (PET)...PRO/PER

XREF: PROPS1700652 (Gary J Wagner)

GENERAL INFORMATION

Ex parte orders entered 06/15/17. Paul Wagner appointed temporary guardian of the person of Cooper Taite Costello-Wagner.

Continued from 07/11/17 for service to grandmothers and adult siblings. Due diligence declaration to be filed as to maternal grandmother. Court notes both mother and father have passed away. Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Paul Wagner (uncle), minor Cooper (15).

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

1. Mother is deceased.
2. Gary Wagner (father) signed Nomination, Consent and Waiver filed 06/02/17.
3. Cooper Costello-Wagner (minor) signed Consent and Waiver filed 06/02/17.
4. Need Notice of Hearing and proof of mailed service as to unknown maternal grandfather or file Due Diligence Declaration.
5. **Need CI report.**
6. ~Proposed form Order: 06/02/17

RECOMMENDATION

Need to clear notes 4-5 then Court's discretion.

(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.**

Superior Court of Calif, County of San Bernardino

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

DATE: 11/28/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700548

CASE NAME: MTR OF KARINNE FAE SMITH

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

FREDERICK SMITH	(GP)...PRO/PER
JENNEL SMITH	(GP)...PRO/PER
KARINNE FAE SMITH	(MIN)...

GENERAL INFORMATION:

Temporary Letters issued 10/24/17

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandfather and wife, Frederick and Jennell Smith, minor Karinne now 8.

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

1. Need Notice of Hearing and proof of personal service for mother Chennel Smith and unknown father.
 - a. Request to Excuse Notice as to mother, Chennel A. Smith filed. JTD.
2. Need Notice of Hearing and proof of mailed service on sibling Sean Jones if 12 or older, unknown maternal grandmother and unknown paternal grandparents or file Due Diligence Declaration(s).
3. As father is purportedly unknown, minor's birth certificate is required.
4. Petition indicates petitioner intends to adopt minor
5. Petitioners allege mother agrees with guardianship. However, no consent is filed.
6. Petitioners allege parental custody would be detrimental to minor.
7. ~Proposed Form Order/Letters 10/17/17.

RECOMMENDATION:

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

(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.**

Superior Court of Calif, County of San Bernardino

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

DATE: 11/28/17 TIME: 11:00 DEPT: S37G

CASE#: GAR RS1100079

CASE NAME: KATIE-SUE ELLEN NOTTURNO

HEARING:
Hearing Re: SURCHARGE

COUNSEL:
KATIE SUE-ELLEN NOTTURNO (MIN)...
VIRGINIA E GOMEZ (GPE)...PRO/PER
WILLIAM A NOTTURNO (FAT)...PRO/PER

GENERAL INFORMATION

Continued from 08/29/17 on Court's motion. No appearance. Virginia Gomez cited to appear at hearing. Should she fail to appear, a bench warrant may be issued for her arrest.

THIS CASE IS SET FOR HEARING ON Re SURCHARGE

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

1. Matter set on 06/20/17 at hearing re Second and Final Account wherein Court surcharged Virginia Gomez \$300 for unauthorized disbursements paid to Visalia Legal Services to be paid within 30 days directly to former minor, Katie Notturmo.
2. **Need return of citation.**

RECOMMENDATION

Need return of citation.
(lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 11/28/17 TIME: 11:00 DEPT: S37G

CASE#: GAR VS1000078

CASE NAME: MATTER OF SHAWN AVERY WILLIAMS

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

DIANE WELLS (PET)...PRO/PER
SHAWN AVERY WILLIAMS (MIN)...

GENERAL INFORMATION

Continued from **08/23/16** at request of petitioner.

Continued from **10/18/16 and 12/13/16** to clear notes.

Continued from **03/28/17**. Matter continued for completed declarations of disclosure and/or notice to father, paternal grandparents, and maternal grandfather to be filed. Referred to Court Investigator for investigation and report.

Continued from **06/06/17**. Court accepts Due Diligence Declarations as to paternal grandparents and finds all notice requirements have been met. Court notes matter was referred to Court Investigator on 03/28/17.

Continued from 07/18/17 on court's motion for mother to be interviewed by CI.

THIS CASE IS SET FOR HEARING ON Petitioner for Termination of Guardianship filed by guardian, minor (10).

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

1. Diane Wells (maternal great-grandmother) appointed guardian, of the person only, of minor Shawn Avery, age 10 (DOB 12/06/05), on 09/24/10 and is now seeking termination so minor can return to mother's care.
2. Mother signed informal consent and waiver of notice; filed 10/07/16. JTD if sufficient.
3. Petition is incomplete as to Section 5 (p.1 of form). Supp. 03/28/17. Guardianship is no longer necessary as mother was released from incarceration 7 years ago and is doing well for herself and minor. Minor has been living with mother and no longer resides with guardian.
4. **CI report filed 07/10/17. Special Report filed 11/07/17.**
5. ~Proposed Form Order: 07/18/16

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
Court's discretion.
(lh/lc/jm/lh/nb)

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

DATE: 11/28/17 TIME: 11:00 DEPT: S37G

CASE#: SG SS05306

CASE NAME: MTR OF JOSEPH DIAB

HEARING:

FOURTH AND FINAL Account and Report of SAMER DIAB and Petition
for allowance of fees filed.

COUNSEL:

JOSEPH DIAB	(MIN)...MELVIN L FRIEDLAND
MICHLINE DIAB	(GE)...LAWRENCE
SAMER DIAB	(GE)...JAMES B CHURCH
SAMER DIAB	(GPE)...JAMES B CHURCH

XREF: CONPS1600278 (Joseph Diab)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Fourth and Final Account and Petition for
Fees by Guardian, Samer Diab ["Petitioner"].

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

1. Accounting period 04/01/14 to 04/25/17.
2. Assets on Hand \$1,619,896.34 consisting of cash.
3. Petitioner requests compensation of \$6,360.00. Billed at \$15/hour for 424 hours of service to the minor. Generally described. Need itemization via verified supplement.
4. Attorney requests fees of \$34,370.50. Billed at \$375/hour for 78.40 hours' attorney time and \$100-\$180/hour for 126.15 paralegal time. Itemized [LF, pgs. 31-64]. JTD.
 - a. Paralegal rate exceeds community standard of \$150.00.
5. Attorney requests reimbursement of costs advanced of \$566.80. Itemized.
6. Need balance and description of the assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614(c).
7. Account does not include proposed distribution. Need verified supplement.
8. Disbursement – Schedule C [LF, p.27] reflects one unidentified withdrawal. Need verified supplement.

9. Proposed Order 09/07/17 does not include balance and description of the assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614(c) or include proposed distribution.

RECOMMENDATION:

Need to clear notes 3, 6-8 then Court's discretion re: fees. If approved, set next hearing for receipts and final discharge for **12/04/19**.

(nb)