



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 12/07/17

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.

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: 12/07/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700281

CASE NAME: MAXIMILIANO SANTUCCI

HEARING:

Hearing Re: RECEIPT OF CI REPORT

COUNSEL:

JENNIFER GALVEZ	(OBJ)...PRO/PER
MAXIMILIANO SANTUCCI	(MIN)...
NORA SANTUCCI	(GP)...THOMAS E. SHINTON
RICHARD SANTUCCI	(GP)...THOMAS E. SHINTON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Receipt of Court Investigator report.

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

1. Matter set at 12/07/17 hearing when trial dates were set and matter referred to Court Investigator.
2. Court Investigator report filed 11/08/17.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing:

08/09/18 Readiness calendar

09/04/18 *Court Trial*

09/05/18 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: 12/07/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700310

CASE NAME: MTR OF ANYELO ANTONIO CULAJAY ALVARADO

SEE ALSO 3

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

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

GENERAL INFORMATION

Continued from 07/27/17. Referred to Court Investigator.

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

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

1. Petitioner requests Court dispense with notice to Lorenzo Ordonez (father) and unknown paternal grandparents. [See petition, attachment10, LFpg5]. JTD
2. Monica Celiz (mother) resides in Guatemala, consents and waives notice.
3. Blanca Gonzalez, maternal grandmother, signed consent and waiver.
4. See Confidential Screening Form by Manuel Celiz filed 06/15/17.
5. Petitioner has filed an SIJS petition concurrently. See next page.
6. Court Investigator report filed 11/21/17.
7. ~Proposed form Order: 06/15/17

RECOMMENDATION

Court's discretion.

(lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700310

CASE NAME: MTR OF ANYELO ANTONIO CULAJAY ALVARADO

SEE ALSO 2

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

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

GENERAL INFORMATION

Continued from 07/27/17.

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

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

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

2. The specific findings required under the statutory scheme would be: (1) that petitioner is an immigrant placed under the custody of an individual appointed by a state court (probate guardianship); (2) that petitioner's reunification with one or both parents is not viable due to abandonment; and (3) it is not in the petitioner's best interest to be returned to his/her home country.
3. Once the above findings are made, petitioner may then begin the process with the Bureau of Citizenship and Immigration Services to obtain legal permanent residence status. In other words, the findings requested are a prerequisite to filing a petition for a "green card."
4. State Superior Courts have jurisdiction to make factual findings of eligibility under SIJS See *N.O. v. Super. Ct. of Calif.*, County of Alameda, No. A122430 at 2-3 (Cal. Ct. App. 9/25/08). Thus, under the federal legislation, any superior court judge would have jurisdiction to hear the SIJS petition
5. **Petitioner** offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on **01/29/99** in Guatemala and lived there with his mother and siblings until February 3, 2016.
 - b. Minor was abused and neglected by minor's parents. His father was physically and verbally abusive to minor until the age of, after which he left the family. Minor's mother was unemployed and unable to care for minor.
 - c. Minor moved to the United States in February, 2016 and was placed with his uncle and aunt, and has been living here since.
 - d. Minor does not believe he can return to minor's parents because he is estranged from his father, his mother cannot support him, and he fears for his safety due to local gangs.
6. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
7. Mother and maternal grandmother waive notice.
8. Petitioner requests Court dispense with notice to Lorenzo Ordonez (father) and unknown paternal grandparents. JTD
9. Court Investigator report filed 11/21/17.

RECOMMENDATION

Court's discretion. ***Court to reach only if accompanying guardianship petition is first granted***, then Court's discretion re factual findings that would support this petition.
(lh/lc)

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

DATE: 12/07/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700353
CASE NAME: MTR OF RICHALA JULIA BELIA CRUZ
HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

DESIREE GANIVET	(GP)...PRO/PER
DESIREE GANIVET	(OBJ)...PRO/PER
RICARDO L VILLESICAS JR	(GP)...PRO/PER
RICHALA JULIA BELIA CRUZ	(MIN)...
YOLANDA THERRIEN	(GP)...PRO/PER

GENERAL INFORMATION

Yolanda Therrien (maternal grandmother) and Ricardo Villescas Jr. (maternal uncle) appointed temporary guardians on 07/19/17.

Temporary denied as to Desiree Ganivet on 09/11/17. Temporary guardians to file written objections by 10/05/17, otherwise deemed waived.

Continued from 10/19/17. No stip for pro tem signed.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian of the person only by Desiree Ganivet (sister) for minor Richala (11)

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

1. Father is deceased.
2. **Need** Notice of Hearing and Proof of Personal Service [GC-020 & GC-020(P)] on Gala Therrien (mother).
3. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on Yolanda Therrien (maternal grandmother), paternal grandfather, unknown; and siblings: Gala Carrillo, Marisa Ganivet and Yolanda Romero.
4. Child information attachment (GC-210CA) states that minor is receiving public benefits but section 1 is blank. Court to clarify.
5. Due Diligence Declarations filed 09/05/17 as to Albert Therrien (maternal grandfather) and Julia Cruz (paternal grandmother). JTD
6. Court to inquire if there are additional siblings as competing petition also lists Vincent, Vicky, and Delia (last name unknown) and service would be required on them. In alternative, need verified supplement.
7. Court to see Guardianship questionnaire. [LF pg. 3]
8. If referred to Court Investigator, a CI report would be required.
9. ~Proposed Form Order: 09/01/17

RECOMMENDATION

Need to clear notes 2 & 3. Trail **12/19/17** competing petition.

(ww/lc)

Future Hearing: 12/19/17 Hearing re: Petition for appointment of guardian (*by Temporary Guardians Yolanda Therrien (maternal grandmother) and Ricardo Villescas Jr. (maternal uncle)*)

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: 12/07/17 TIME: 11:00 DEPT: S36G

CASE#: GAR BS900006

CASE NAME: GUARDIANSHIP OF AUDREY TORTES, ETAL

SEE ALSO 2, 2A

HEARING: Petition for APPOINTMENT OF GUARDIAN

COUNSEL:

AUDREY E TORTES	(MIN)...
JANET E GOOD	(PET)...PRO/PER
LARA SANTOYO HERNANDEZ	(GP)...PRO/PER
LARRY TORTES	(GP)...PRO/PER
LORI SCHONDEL	(PET)...PRO/PER
MAKAIE K TORTES	(MIN)...

GENERAL INFORMATION:

Temporary orders denied on 07/12/17.

Continued from **08/17/17** Referred to DCFS pursuant to Pr.C. § 1513(b).

Continued from 10/05/17. Court Investigator to share information with counsel for Tribe. Referred to Court Investigator.

THIS CASE IS SET FOR HEARING ON Petition for **Successor** Guardian of Person only by Larry Tortes and Lara Hernandez, paternal grandfather and paternal aunt, minors Audrey 13 and Makaie 11.

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

1. Lori Schondel and Janet Good, maternal grandmother and great maternal grandmother on 04/07/09; person only.
2. Petition indicates minors do not live with Petitioners. Court to clarify.
3. Petition indicates \$15,000 in real property. Court to inquire as this is for person only.
4. Father is deceased.
5. Paternal grandmother and maternal grandfather are deceased.
6. **Need** notice of hearing and proof of personal service [GC-020/020P] or due diligence declaration for mother Jammie Leffet [sic], guardians and minor Audrey.
7. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration for siblings Lee Lee and Leona if 12 or older.
8. UCCJEA does not indicate dates of residency. **Need** full 5 years.
9. Minor is of Indian Ancestry according to Indian Child Inquiry Attachment. **Need** ICWA-20 form, Parental Notification of Indian Status.

10. It appears tribes ***have not been noticed*** in the history of the guardianship until 07/25/17; however, notice sent by clerk's office contains incorrect hearing date and notice must be resent. **On 07/25/17 Clerk of the Court mailed corrected** Notice of Child Custody Proceeding for Indian Child ICWA-030 to the ***Desert Cahuilla, Bureau of Indian Affairs and Secretary of Interior*** with a copy of the petition, together with other required documents per Pr.C. §1460.2(5) . Proofs of certified mail are attached as required per Pr.C. §1460.2. ***Ten (10) days have not lapsed since receipt*** of the copy of the petition by the Indian Tribe.
11. No response has been filed by the Indian Tribe or Bureau of Indian Affairs at the time of the review of the file. However, ***Petition to Transfer Case to Tribal Jurisdiction filed on 11/17/17.***
12. If a Court Investigator and/or DCS is appointed, then the investigator must consult with the Indian child's tribe per Pr.C. §1513(h). **Notice of tribal intervention filed by Torres Martinez Desert Cahuilla Indians on 08/11/17 requesting a continuance, a CPS report and Telephonic appearance. Notice contains case law; sent to legal research for review.**
13. DCFS narrative filed 09/14/17.
14. Court Investigator report filed 11/29/17.
15. ~Proposed Form Order: 07/06/17.

RECOMMENDATION:

Need report and clear notes 6 – 9. Matter re termination needs to be approved prior to this petition.

(lc/ww/lc)

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

DATE: 12/07/17 TIME: 11:00 DEPT: S36G

CASE#: GAR BS900006

CASE NAME: GUARDIANSHIP OF AUDREY TORTES, ETAL

SEE ALSO 1, 2A

HEARING: Hearing re: Petition for Termination of Guardianship

COUNSEL:

AUDREY E TORTES	(MIN)...
JANET E GOOD	(PET)...PRO/PER
LARA SANTOYO HERNANDEZ	(GP)...PRO/PER
LARRY TORTES	(GP)...PRO/PER
LORI SCHONDEL	(PET)...PRO/PER
MAKAIE K TORTES	(MIN)...

GENERAL INFORMATION:

Continued from 08/17/17 and 10/05/17.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by Larry Tortes and Lara Santoyo, paternal grandfather and paternal aunt.

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

1. Lori Schondel and Janet Good, maternal grandmother and great maternal grandmother on 04/07/09; person only.
2. Petitioners Larry and Lara allege that the current guardian Lori is not consistent with minor's schooling, medical and daily needs. Petitioner needs to file petition for removal per Pr. C. § 2651 or the guardian needs to resign per Pr. C. § 2660. Alternatively, Court may wish to deem guardian's consent as resignation.
3. Father is deceased.
4. Paternal grandmother and maternal grandfather are deceased.
5. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration for mother Jammie Laffle [sic], guardians, minor Audrey and siblings Lee Lee and Leona if 12 or older.
6. Court Investigator report filed on 11/29/17.
7. ~Proposed Form Order: 07/06/17.

RECOMMENDATION:

Need to clear notice and Court's discretion re note 2.

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 11:00 DEPT: S36G

CASE#: GAR BS900006

CASE NAME: GUARDIANSHIP OF AUDREY TORTES, ETAL

SEE ALSO 1, 2

HEARING:

Petition for Transfer case involving an Indian child to Tribal
Jurisdiction

COUNSEL:

AUDREY E TORTES	(MIN)...
JANET E GOOD	(PET)...PRO/PER
LARA SANTOYO HERNANDEZ	(GP)...PRO/PER
LARRY TORTES	(GP)...PRO/PER
LORI SCHONDEL	(PET)...PRO/PER
MAKAIE K TORTES	(MIN)...
TORRES MARTINEZ DESRT CAHUILLA	(PET)...ROVIANNE LEIGH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Transfer Case Involving Indian Child to Tribal Jurisdiction by Torres Martinez Desert Cahuilla Indians.

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

1. Torres Martinez Desert Cahuilla Indians Tribe seeks case be transferred to Intertribal Court of Southern California in Valley Center.
2. ~Proposed Form Order: 11/17/17.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/07/17 TIME: 11:00 DEPT: S36G

Vacated

CASE#: GAR PS1600566

CASE NAME: MAXWELL THOMAS PATTON

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

MAXWELL THOMAS PATTON (MIN)...

PHILIP DOLIM (PET)...CHRISTINA FERRANTE

ULRIKE DOLIM (PET)...CHRISTINA FERRANTE

Request for Dismissal granted.

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700426

CASE NAME: MTR OF CARMEN LEIGH GONZALES
HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

CARMA LEIGH GONZALES (MIN)...
PAULA ANITA RIVERA (GP)...PRO/PER
ZACHARY SEBASTIAN GILL (GP)...PRO/PER

X-REF: RGRS01371 (In re: Carma Leigh Gonzales)

GENERAL INFORMATION

Temporary orders denied on 08/17/17. No emergency.

Continued from 09/20/17. Sibling Gabriel is under 12.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Paula Rivera (mgm) and Zachary Gill (mat. uncle), minor Carma (age 14)

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

1. Request to excuse notice as to father Gilbert Gonzales and mother Jessica Mercado filed 08/10/17.
2. Notice of hearing and proof of personal service filed as to minor, paternal grandfather James Gonzales and siblings Lilia and Gabriel; however, proof of service is incomplete as to server and notice was not full 15 days' notice. **Need** proper proof of service.
3. Section 6 of UCCJEA filed 08/10/17 is incomplete as to persons with physical custody. **Need** verified supplement.
4. Siblings Jesse and Vanessa Gonzales consent and waive notice.
5. Petition indicates co- petitioner Paula Rivera was previously appointed guardian of the person of minor, terminated on 03/25/08.
6. See Guardian Screening form by Paula Rivera filed 08/10/17 LFpg4.
7. Upon Court referral, need CI report.
8. ~Proposed form Order: 08/10/17

RECOMMENDATION

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

(lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700435

CASE NAME: CHLOE PAIGE ELKINS

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CATHERINE MARIE HELLER	(GP)...PRO/PER
CHLOE PAIGE ELKINS	(MIN)...PRO/PER
DAVID J ELKINS II	(PRO/PER
VICTORIA HELLER	(MOT)...PRO/PER

GENERAL INFORMATION

Temporary orders denied on 08/23/17. The mother and father object to petition.

Continued from 09/20/17.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Catherine Heller (mgm), minor Chloe (4)

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

1. Parents David Elkins and Victoria Heller appeared at 08/23/17 hearing, notice not required per *Tate v. Superior Court* (1975) 45 Cal.App.3d 925,930.
2. Upon Court referral, need CI report.
3. **Objections filed by David Jelkins II father on 09/20/17.**
4. **Objections field by Victoria Heller, mother on 09/20/17.**
5. ~Proposed form Order: 08/16/17

RECOMMENDATION

Matter is contested.

(lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 11:00 DEPT: S36G

CASE#: GAR RS1100066

CASE NAME: LILIANA A RIVERA

SEE ALSO 7

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

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

GENERAL INFORMATION

Continued from 07/27/17. Minor present and states that she received service. Referred to CI for investigation and report.

Continued from 09/21/17 for Court Investigator report.

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

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

1. Rosa and Ignacio Ruan (maternal grandparents) appointed co-guardians \ on 07/12/11; person only.
2. Guardians seek termination of guardianship alleging guardianship is no longer necessary. Question if minor is returning to a parent, or if a petition for successor guardian will be filed? Court to inquire.
3. Rose Garza (mother) signed Consent and Waiver, but failed to date at signature line. JTD
4. Court Investigator report filed 11/29/17.
5. ~Proposed form Order: 06/15/17

RECOMMENDATION

Court's discretion.

(lh/ww/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 12/07/17 TIME: 11:00 DEPT: S36G

CASE#: GAR RS1100066

CASE NAME: LILIANA A RIVERA

SEE ALSO 6

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

IGNACIO RUAN

(PET)...PRO/PER

LILIANA A RIVERA

(MIN)...

ROSA RUAN

(PET)...PRO/PER

See notes on matter 6.

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 11:00 DEPT: S36G

CASE#: SG SS04954

CASE NAME: MTR OF ANTOINE DOMINIQUE JUSTICE

SEE ALSO 9

HEARING: Hearing Re: OSC RE: FILING OF PETITION TO FIX RESIDENCE

COUNSEL:

ANTOINE DOMINIQUE JUSTICE	(MIN)...	J. DAVID HORSPOOL
EDWARD LEE SCOTT JR	(GP)...	PRO/PER
JAMES R KUNTZ	(GP)...	PRO/PER
TERESA ANN JOURNEY	(GP)...	PRO/PER
TERRIEE A KUNTZ	(GP)...	PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Filing of Petition to Fix Residence

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

1. OSC set on 09/21/17 when there was no appearance at opposing hearing.
2. Teresa Journey and Edward Scott, appointed co-guardians, of the person only on 06/27/05. Caption on amended order on 09/21/17 indicates person and estate. Court to require corrected order.

RECOMMENDATION

Court's discretion re OSC. Inquire status of Petition to Fix Residence.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 11:00 DEPT: S36G

CASE#: SG SS04954

CASE NAME: MTR OF ANTOINE DOMINIQUE JUSTICE

SEE ALSO 8

HEARING: Petition for APPOINTMENT OF GUARDIAN OF MINOR

COUNSEL:

ANTOINE DOMINIQUE JUSTICE	(MIN)...	J. DAVID HORSPOOL
EDWARD LEE SCOTT JR	(GP)...	PRO/PER
JAMES R KUNTZ	(GP)...	PRO/PER
TERESA ANN JOURNEY	(GP)...	PRO/PER
TERRIEE A KUNTZ	(GP)...	PRO/PER

GENERAL INFORMATION:

Temporary Orders denied on **02/07/17**. Teresa Journey and Edward Scott to file written objections before next hearing. Minor resides with current guardian. Due to allegations made in the petition for temporary guardianship, the court makes referral to DCFS in compliance with W & I Code 328 and 329. CI notified. Attorney David Horspool is appointed for minor.

Continued from **03/16/17**. Assessment ordered to be completed on medications that minor is taking. Physician information to be given to Counsel Horspool within 48 hours.

Petitioners shall have minor every other weekend from Friday at 5pm to Sunday 6pm commencing 03/24/17, dropoff/pickup at McDonald's at the 38/15. The Kuntz will have the minor for spring break for the week of March 20 – March 26th 5pm. Kuntz to be included and notified of all IRC appointments, interviews etc.

Temporary guardianship granted to James and Terrie Koontz on 03/24/17 when court suspended co-guardians.

Continued from 08/10/17 Court terminates temporary guardianship of James and Terrie Juntez. Guardianship of Edward and Teresa is reinstated. Guardians to file a petition to fix residence outside CA. Court orders that Antuaine have frequent contact with James Kuntz. Guardians are to report the services available for minor in Arizona.

Continued from 09/21/17. No appearance.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by **James and Terrie Kuntz** (non-relative), minor Antuaine, 17 (DOB 03/24/00)

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

1. Teresa Journey and Edward Scott, appointed co-guardians, of the person only on 06/27/05. Minor served on 03/22/17.
2. Request to excuse notice with due diligence filed re mother Wytosha Justice on 03/24/17. JTD
3. **Need** Notice of Hearing and Proof of Personal Service on Teresa Journey and Edward Scott, Jr (current guardians). Appeared at ex parte on 03/24/17. JTD
4. **Need** notice of hearing and proof of personal service for unknown father.
5. **Need** supplement regarding item 1(i) of Child Information Attachment, [LF p 11], indicating whether “San Bernardino Social Services” is affiliated to a state hospital for purposes of giving notice according to PrC§1461(b).
6. **Need** supplement setting forth where minor resides. UCCJEA indicates minor lives with proposed guardians; however, item 6 indicates current guardian (Teresa Journey) has physical custody.
7. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on unnamed paternal and maternal grandparents.
8. Court to review Petition attachment 8 [LF pgs 3/8] and attachment 4 [LF p 13/20].
9. Petition alleges other related matters,[LF p 11]. Court to inquire.
10. Court to see confidential screening form.
11. List of Evidence [60 pgs.] filed by James & Terrie Kuntz on 02/02/17.
12. **Objections filed by current guardians, Teresa and Edward Scott on 02/06/17 [37 pgs].**
13. **Need** DCFS report as Petitioner is non-relative per Pr.C. §1513(g). DCFS Narrative Report filed 02/28/17, letter filed 03/14/17 and continuance requested to 10/26/17.
14. 1st Report of GAL, David Horspool filed 02/07/17.2nd report of GAL, David Horspool filed on 07/20/17.
15. ~Proposed form Order: 01/23/17

RECOMMENDATION:

Matter appears moot for **James and Terrie Kuntz** as guardianship by **Teresa and Edward** was reinstated on 08/10/17. Need DCFS report and Petition to fix residence outside of California by Teresa Journey and Edward Scott.

(cs/lc/ww/lc)

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

DATE: 12/07/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700158
CASE NAME: LILLIAN NGUYEN
HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

LILLIAN NGUYEN (MIN)...PRO/PER
MABLE KUENNIGER (PET)...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 (alleged substance abuser) is residing in the home. Temporary orders made on 04/10/17 are vacated. Letters revoked Mitchell Roth appointed GAL as to Savanna Espinosa and Lillian Nguyen. GAL to speak with DCFS social worked and make a report to DCFS if appropriate.

Continued from 10/25/17 for report/meet with minors. Mother is doing well and has no objection to visitations. Mother to have supervised visitation by Jennifer Harper up to 12 hours a week arranged by all parties/supervisor.

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 as to Peter Nguyen, father, and Savannah, sibling; and Mr. and Mrs. John Nguyen on 09/07/17.
 - a. Notice does not indicate documents served. **Need** corrected notice.
 - b. **Need** individual service as to paternal grandparents.
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, including minor Savanna.
5. **Need** GAL report
6. CI Report filed 09/13/17 and addendum filed 11/16/17.
7. ~Proposed form Order: 04/03/17

RECOMMENDATION:

Need to clear notes 2-5.

(cs/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700197
CASE NAME: AARON ANTHONY WILLIAMS-RUIZ JR
HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

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

GENERAL INFORMATION:

Francine Morales appointed Temporary guardian on 04/27/17. Visitation Orders made. Court found as emergency and requested an expedited report from Court Investigator. Referred to DCFS.

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 and 08/30/17. At request of DCFS. All household members to be livescanned. Due diligence accepted as to paternal grandfather. Petitioner needs to make further to notice mother. Due Diligence Declaration not accepted as to mother.

Continued from 10/25/17. Clarita Medina has phone and court requests continuance. Need petitioner's spouse's live scan. Mother report

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Francine Morales (non-relative, 2nd cousin), minor: Aaron, 4

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

1. Due diligence declaration filed as to Cynthia Landeros, mother 04/20/17. **Need actual** notice of hearing and proof of personal service [GC-020/020P].
2. DCFS report filed 05/24/17, 08/23/17 & 10/20/17 and **dismissal report filed 10/20/17. Need** DCFS report including petitioner's spouse.
3. **Objections by Aaron Ruiz and Clarita Medina, father and paternal grandmother, on 06/26/17.**
4. **Reply to Objections filed by Francine Morales on 08/18/17. Need** proof of service.
5. ~Proposed form Order: 04/20/17

RECOMMENDATION:

Need to clear notes 1, 2 and proof of service for objections. Matter is contested.

(cs/lh/lc)

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

DATE: 12/07/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700258

CASE NAME: MTR OF CIANNA FAITH ATILANO
HEARING:
Hearing re: Petition for Appointment of Guardian

COUNSEL:

CIANNA FAITH ATILANO	(MIN)...
DAVID RICHARD TORRES	(PET)...PRO/PER
JOSEPHINE PAULINE TORRES	(PET)...PRO/PER

GENERAL INFORMATION

Josephine and David Torres appointed temporary guardians on 05/25/17; person only.
Continued from 07/06/17. Need proper notice. Referred to Court Investigator.
Continued from 11/30/17.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only,
by Josephine and David Torres, maternal grandparents, minor Cianna; 10

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

1. Matthew Atilano, father, served on 10/18/17.
2. Mother Feliciano Torres signed **informal consent** attached to Proposed Guardian consent, filed 05/18/17.
3. Proof of service filed as to mother; however, no indication notice was served. **Need** actual Notice of Hearing and Proof of Personal Service as to mother Feliciano Torres.
4. Proof of service filed; however, **need** actual notice of hearing and proof of mailed service [GC-020] or due diligence declaration on unknown paternal grandfather.
5. UCCJEA Declaration filed 05/18/17. **Need** verified supplement as to minor's address from 05/2012 to 03/2013.
6. Court Investigator report filed 11/13/17 and addendum on 11/22/17.
7. ~Proposed form Order: 05/18/17

RECOMMENDATION

Need to clear notes 3-5, then Court's discretion.
(/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 12/07/17 TIME: 11:00 DEPT: S37G

CASE#: GAR SS800050

CASE NAME: IN THE MATTER RE SAVANNA LANE E SPINOSA

HEARING:

Hearing Re: REVIEW OF GUARDIANSHIP

COUNSEL:

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

XREF: GARPS1700158 (In Re: Lillian Nguyen)

GENERAL INFORMATION

Continued from 10/25/17. Mother to have supervised visitation by Jennifer Harper up to 12 hours a week arranged by all parties/supervisor.

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. Mabel Kuenniger, maternal grandmother, appointed guardian on 04/21/08, person only.
2. Matter set on 09/20/17 when case was ordered to be heard with **GARPS1700158** as related actions. Mitchell Roth appointed GAL for both Savanna Espinosa and Lillian Nguyen (related matter/same maternal grandmother), who was ordered to speak with DCFS and provide them a report if appropriate.
3. **Need** GAL Report.

RECOMMENDATION

Inquire status.

(lh/lc)

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

DATE: 12/07/17 TIME: 11:00 DEPT: S37G

CASE#: GAR SS900107

CASE NAME: MTR RE ALEXUS TEAGUE ET AL

HEARING: Hearing Re: Ptn for Termination of Guardianship

COUNSEL:

ALAJANAE ALLEN	(MIN)...
ALEXUS TEAGUE	(MIN)...
BRENDA FINDLEY-SUTTON	(PET)...PRO/PER
BRENDA SUTTON	(GP)...PRO/PER

GENERAL INFORMATION

Exparte orders denied. Step-father Gilbert Rodriguez is willing to take custody of minor; however, not present. Referred to Court Investigator.

THIS CASE SET FOR HEARING ON Petition for Termination by Brenda Sutton, guardian; as to minor Alexis, 17.

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

1. Brenda Sutton, maternal grandmother, appointed guardian on 05/15/09, person only as to Alexis and Alajanae.
2. Guardian seeks termination as to Alexis only due to recent events that allegedly endangered sibling Alajanae' s safety. Guardian alleges step father is willing to take over custody. **Need** petition for successor guardianship.
3. **Need** notice of hearing and proof of mailed service or due diligence declaration on step-father Gilbert Rodriguez, minors Alexis and Alajanae, mother Angelita Allen, sibling Marion and paternal grandparents [unknown].
4. **Need** amended letters at to Alajanae, now 15.
5. Father and maternal grandfather are deceased.
6. Court Investigator report filed 11/01/17.
7. ~Proposed Form Order: 09/22/17.

RECOMMENDATION

Need to clear notes 2-4.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 12/07/17 TIME: 11:00 DEPT: S37G

CASE#: GAR VS1100149

Vacated

CASE NAME: THE MATTER OF JOSEPH MCCOY

HEARING:

Accounting Review

COUNSEL:

DONALD D GATHRIGHT	(GP)...PRO/PER
DONALD GATHRIGHT	(FAT)...PRO/PER
HELEN SLOAN	(GPE)...PRO/PER
JOSEPH MCCOY	(MIN)...PRO/PER
LUCENDY GATHRIGHT	(PET)...PRO/PER
WIL R MULLINS	(PET)...WIL R MULLINS ESQ

(lc)

Future hearing dates: 3rd Account and Report by Helen Sloan.