



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 07/11/18**

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](mailto:ProbateNotes@sb-court.org)

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

06/19/18lh

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**PROBATE**

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DATE: 07/11/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS0900130

CASE NAME: AURORA ROMERO

HEARING:

Accounting Review

COUNSEL:

ROSALINDA MANCHESTER      (PET)...E JOAN NELMS

AURORA ROMERO                      (DEC)...

**XREF: SCSS01960** *MATTER OF AURORA ROMERO ROMERO*

#### GENERAL INFORMATION

**Continued from 02/22/17, 05/10/17, 07/26/17, 10/04/17, and 01/03/18.**

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Rosalinda Manchester, daughter, on 04/25/13; full authority, no bond.
2. Previous status report approved on 06/30/16.
3. **Need** accounting or status report.

#### RECOMMENDATION

Inquire status of accounting. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 07/11/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1300251

**VACATED**

CASE NAME: ROSEMARY MCNALLY HILL

HEARING:

Hearing re Final Discharge

COUNSEL:

ROBERT RAYMOND HILL III	(PET)...PRO/PER
ROSEMARY MCNALLY HILL	(DEC)...
BARBARA HILL	(OBJ)...PRO/PER
BERNARD M BIDART	(PRO/PER)

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600433

CASE NAME: LAURENCE TRUJILLO

HEARING:

Hearing re Final Discharge

COUNSEL:

DONALD SCHULTZ (PET)...CALDWELL, KENNEDY & PORTER, A.  
LAURENCE TRUJILLO (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge re Donald Schultz,  
administrator/non-relative

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

1. **Need** receipts from Laurence A. Trujillo, I Leah Trujillo-Warren, Rheana Filio, and Amber Peter.
2. **Need** Ex Parte Petition for Final Discharge and Order.

#### RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 4

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600962

CASE NAME: MTR OF HOWARD TAYLOR SMITH

HEARING:  
Accounting Review

COUNSEL:

RICHARD D CLEARY (PET)...RICHARD D CLEARY  
HOWARD TAYLOR SMITH (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Richard Cleary,  
administrator (nominee of creditor)

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

1. Letters of Administration with full powers were issued to Richard Cleary on 07/27/17; \$270,000 bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting and status report.

RECOMMENDATION

Inquire status.  
(lh)

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700992

CASE NAME: MTR OF DOROTHY A BRYNJOLFSON

HEARING:

Final Account and Report of STEPHANIE BRYNJOLFSON and Petition  
for allowance of fees

COUNSEL:

STEPHANIE BRYNJOLFSON (PET)...KEVIN PORTER  
DOROTHY A BRYNJOLFSON (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Account and Report of Administrator;  
Petition for Statutory Fees, Extraordinary Fees, and Final Distribution by Stephanie  
Brynjolfson, daughter

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

1. Assets on hand: \$60,633.71, cash
2. Attorney and petitioner request statutory fees of **\$7,600**, each. Calculated.
3. Attorney requests extraordinary fees of **\$677.50**. Itemized. [Acct, 5/23/18,  
LFpg14-15]. **JTD**
4. Petitioner requests reserve of **\$1,450**. **JTD**
5. Notice was given.
6. ~Proposed order: 05/23/18

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final  
discharge for **07/24/19**.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 6

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1701142

CASE NAME: REEDY DEREK HALL

HEARING:

Petition for first and final Account and Report of LELA MARIA HALL and Petition for allowance of fees filed.

COUNSEL:

LELA MARIA HALL (PET)...MICHAEL C MADDUX  
REEDY DEREK HALL (DEC)...

Waiver of Court Fees and Costs filed by LELA MARIA HALL is GRANTED  
TOTAL FEES WAIVED TO DATE: \$1378.50

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Acct and Report of Administrator, Petition for Statutory and Extraordinary Fees, Final Distribution by Lela Maria Hall, spouse

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

1. Assets on hand: \$21,454, cash
2. Petitioner requests statutory fees of \$9,018.83 less \$5,000 previously paid by court order entered 03/05/18, for a total of **\$4,018.83. JTD**
3. Attorney requests statutory fees of **\$9,018.83**. Calculated. **JTD**
4. Attorney requests extraordinary fees of **\$5,600** for 16 hours at \$325 per hour. Itemized. The court will generally not consider awarding extra-ordinary fees until the executor and/or counsel establish that all ordinary fees have been actually been earned. (In re Walker Estate (1963) 221 Cal App. 2d 792). **Supp 07/05/18 property was sold to a private party.**
5. Decedent died intestate leaving a spouse and (3) adult issue. The sole asset of the estate was real property which petitioner alleges was acquired during marriage, with mortgage payments and taxes paid with community funds. However, spouse's name is not on title. **Supp 07/02/18, LFpg9 includes copy of Grant Deed.**
6. Petitioner seeks her one-half community share, plus one-third intestate share. However, if community property, this does not appear to be proper distribution per Pr. C. §6401(a).

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

- a. **Need** Court determination via proper petition whether real property is community property, or the sole and separate property of decedent to establish proper estate distribution. Does Court wish to require a copy of vesting document? **JTD**
- b. If real property is the sole and separate property of decedent, it appears surviving spouse is only entitled to one-third share per Pr. C. §6401(c)(3). **JTD**
7. Notice was given.
8. Does Court wish to reconsider waived fees totaling \$1,378.50? **JTD**
9. Proposed order includes payment of \$1,080 in unpaid court fees and distribution is improper.

**RECOMMENDATION:**

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **07/24/19**.

(lh)

Future Hearing: 3/05/18 Accounting Review



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

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DATE: 07/11/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800323

CASE NAME: BETTY FURLONG

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

RAYMOND LINK (PET)...PRO/PER  
BETTY FURLONG (DEC)...  
WC COX AND COMPANY, (TP )...LAYNE A BARTHOLOMEW

#### GENERAL INFORMATION

**Continued from 05/09/18.**

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Raymond Link, caregiver/nonrelative

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

1. Petitioner seeks waiver of bond; however, **need** bond waivers from Angie and Cricket Furlong, daughters. Estimated estate assets \$117,000, real property.
2. **Need** Notice of Petition to Administer Estate with proof of service. *Note: Notice returned by Clerk's Office on 05/03/18.*
3. **Need** Proof of Publication.
4. No proposed Order submitted.

#### RECOMMENDATION

Need to clear notes 1-3. If approved, set Accounting/Status Review for **07/24/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800362

CASE NAME: KENNETH ROBERT BRANDER

HEARING:

Spousal Property Petition hearing.

COUNSEL:

JAMIE BRANDER (PET)...JASMINE PICO  
KENNETH ROBERT BRANDER (DEC)...

GENERAL INFORMATION

**Continued from 05/18/18 for Counsel to provide further supplement to clear notes.**

THIS CASE SET FOR HEARING ON Spousal Property Petition by Jamie Brander, spouse

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

1. Petitioner requests a determination of real property passing to the surviving spouse as community property. Specifically, real property located in Redlands, San Bernardino County.
2. Petitioner indicates that following in support of the petition:
  - a. Decedent and she were married in April 1995, divorced in November 2004 and remarried in May 2011 per **Supp filed 05/15/18**.
  - b. The property was purchased on 12/23/97 and titled as joint tenants but then multiple deeds were filed due to marital status and tax complications. **Supp 06/19/18**. On 02/06/07, a deed was recorded on property from Kenneth R Brander and Jamie Leah Brander, husband and wife as joint tenants to Kenneth R. Brander, an unmarried man, and Jamie Leah Brander, an unmarried woman, as Joint Tenants.
  - c. On 05/28/11 petitioner and decedent were remarried. On 06/27/13 a deed was recorded on property from Kenneth R. Brander, an unmarried man, and Jamie Leah Brander, an unmarried woman, as Joint Tenants to Kenneth R. Brander, an unmarried man. Deed attached to **Supp filed 06/19/18 LFpgs5-11**].
  - d. The final change to the deed on 08/04/15 granted the property to Kenneth R. Brander and Jamie L Brander but did not include the words

“joint tenants” and wishes for the property to transfer to her as the sole owner. However, both parties were married. Grant deed is attached.  
[Petition, 4/18/18; LF pg. 10]

3. Notice given.
4. ~Proposed Form Order: 04/18/18

#### RECOMMENDATION

Court's discretion.

(ww/lh)

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800372

CASE NAME: Donald Lee Woods

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With  
Full Authority Under IAEA

COUNSEL:

JOHN L WOODS  
DONALD LEE WOODS

(PET)...LAW OFFICE OF MARY M. BADER  
(DEC)...

GENERAL INFORMATION

**Continued from 05/30/18.**

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with  
Full Authority under IAEA by John L. Woods, stepson/sole beneficiary

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

1. Petitioner seeks waiver of bond as sole beneficiary. Estimated value of estate is \$327,600. The court may for good cause require that a bond be given, either before or after issuance of letters. (Prob. Code, § 8481(b). **JTD**
2. Petitioner alleges to be the named executor in holographic will. The testator did not specifically name an executor; however will states "I...wish that he [petitioner] take care of everything for me." Court to determine whether testator is meant to petitioner to be executor. Alternatively, does Court wish to require an amended petition for Probate of Letters of Administration with Will Annexed? **JTD**
3. ~Proposed Form Order: 04/23/18

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review **09/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 10

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800392

CASE NAME: KYLE WESTLEY SCHMIDT

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With  
Full Authority Under IAEA

COUNSEL:

VERONICA J SCHMIDT (PET)...PRO/PER  
KYLE WESTLEY SCHMIDT (DEC)...

GENERAL INFORMATION

**Continued from 05/30/18. Court clears probate notes regarding copy of Will and Notice of Petition to Administer Estate as to Warren Schmidt and any other individuals named in will.**

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Veronica Schmidt, mother

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

1. Petitioner alleges will waives bond. See note #2. Estimated assets consist of \$317,000 in real property and remaining \$1,850 in personal property. Does court wish to require minimum bond of \$20,000 or alternatively based on real property assets of \$318.850? **JTD**
2. **Need** proof of publication.
3. ~Proposed Form Order: 04/25/18

RECOMMENDATION

Need to clear note #2 then Court's discretion re bond. If approved, set Accounting/Status Review for **09/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800521

CASE NAME: DANIEL EVERETT CATON

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

TAMMY D WOLFHOPPE (PET)...PAUL JAY FUKUSHIMA  
DANIEL EVERETT CATON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Tammy Wolfhope (sister)

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

1. Terry Caton (father) is the sole heir who assigned his entire interest to decedent's siblings, Tammy Wolfhope and Michael R. Caton. Bond waivers filed by Tammy and Michael, but not Terry. Estimated value of estate is \$178,000, real property only. The court may for good cause require that a bond be given, either before or after issuance of letters. (Prob. Code, § 8481(b) **JTD**
2. ~Proposed Form Order: 05/29/18

RECOMMENDATION

RFA. Court's discretion re bond. If approved, set Accounting/Status Review for **09/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800530  
CASE NAME: Seon Ho Choi

HEARING:  
Spousal Property Petition hearing.

COUNSEL:  
DAE YUNG CHOI (PET)...WEINSTOCK MANION  
SEON HO CHOI (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Dae Yung Choi  
THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Dae Yung Choi, seeks court *confirm* his half of community property and *determine* that decedent's half transfers to petitioner without administration based on the following allegations:
  - a. Petitioner and decedent were married on 05/11/1975 until decedent's death on 02/24/18.
  - b. Decedent had nominal assets prior to her marriage to petitioner.
  - c. Decedent and petitioner acquired the subject real property in Apple Valley as joint tenants on 02/25/11. Grant deed attached at [Petition; LFpg 8].
  - d. Decedent and petitioner refinanced real property on 07/23/13 but had to remove petitioner from title to facilitate the refinance. The property has since been held in the name of decedent as her sole and separate property. Grant deed attached at [Petition; LFpg16].
  - e. Decedent deposited funds in a Bank of America account ending in x4455 in her name alone consisting of community earnings. Account was for 'convenience purposes.'
  - f. Decedent was survived by spouse and 2 adult children, Sharon Choi and Eugene Choi, who both consent to petition. Consent attached. [Petition, LFpgs20-21].
2. Notice was given.
3. ~Proposed Form Order: 06/01/18

RECOMMENDATION:  
Court's discretion.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIPS**

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DATE: 07/11/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON DS1000062

CASE NAME: RICHARD GRANT VALENTI

HEARING:

Second and final Account and Report of CHRISTOPHER VALENTI and  
Petition for allowance of fees

COUNSEL:

FRANK VALENTI	(CE )...HARTNELL LISTER & MOORE
THERESA PARKER	(CE/CP)...HARTNELL LISTER & MOORE
RICHARD GRANT VALENTI	(CTE/CEP/CEE)...DAVID J HORSPOOL
CHRISTOPHER VALENTI	(CPE)...JEGLIN & WRIGHT LLP
CHRISTOPHER VALENTI	(PCR)...DONNASUE ORTIZ
J DAVID HORSPOOL	(PET)...DAVID J HORSPOOL
MITCHELL I ROTH	(PET)...MITCHELL I ROTH

**XREF: PROPS1300815** *The Nancy T. Piper Testamentary Trust*

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Second and Final Account Current and Petition  
for Allowance of Fees by Christopher Valenti, successor Conservator.

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

1. Accounting period: 10/15/16 to 02/12/18.
  - a. Conservatee, Richard Grant Valenti, died on 02/04/18. Court to determine whether to require accounting to be brought more current. **JTD**
2. Assets on hand \$14,464.12 cash.
3. Attorney Donnasue Smith Ortiz requests fees and costs totaling **\$12,704.50** for 23.75 hours at \$395/\$375/\$125 per hour for attorney and paralegal services. Itemized [Acct.05/31/18; LFpg17-22]. **JTD**
4. Attorney J. David Horspool was appointed Counsel for conservatee on 05/02/13 and requests fees \$5,312.50 is to be paid from conservatorship estate and \$2,950 for legal services provided regarding Nancy T. Piper Trust for a total of **\$8,262.50**. Itemized. [Acct, 05/31/18, LFpg27-30]. **JTD**
5. Petitioner acknowledges estate is of sufficient size to pay all requests for payments but Conservatee is a beneficiary of his grandfather's trust, see x-ref

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



matter. Upon Court approving fees, petitioner as the conservator for Richard Valenti will request payment to be made by First American Trust Co to pay amounts not paid by estate. **JTD**

6. Notice was given.

7. ~Proposed Order: 05/31/18

#### RECOMMENDATION

Court's discretion. If approved, set hearing re final discharge and receipts for **07/24/19**.

(lh)

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

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DATE: 07/11/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1400223

CASE NAME: ASHLEY MORGAN CIMINSKI

HEARING:

Hearing Re: STATUS OF TRANSFER TO RIVERSIDE COUNTY

COUNSEL:

SANDRA L CIMINSKI (CP )...LOCKHART LAW FIRM, P.C.  
ASHLEY MORGAN CIMINSKI (CTP)...

#### GENERAL INFORMATION

**Continued from 01/17/18.** No appearance. Court orders Counsel and Conservator to be personally present in Court on 03/07/18 at 9:30AM in Dept S35. Court also set OSC re sanctions in the amount of \$500 on both for failure to appear.

**Continued from 03/07/18. Court vacates OSC re sanctions set for 03/07/18. Court orders case transferred to Riverside County and orders that the transfer fees be waived for both San Bernardino and Riverside Counties. Clerk's office to transfer to Riverside County.**

THIS CASE IS SET FOR HEARING ON Transfer to Riverside County

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

1. Matter set on Court's own motion on 12/26/17 upon receipt of Court Investigator Report and Request for Action indicating conservatee, Ashley Ciminski, now resides in Norco, California, County of Riverside.
2. Opposition to OSC re Sanctions with Declaration in Support of Opposition filed 01/29/18.
3. Signed certified mail receipt received from Riverside County Superior Court.
4. **Need** receipt and acknowledgment of transfer from Riverside County Superior.

#### RECOMMENDATION

Need receipt of transfer from Riverside County Superior.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 15

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

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DATE: 07/11/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1600163

CASE NAME: JEREMIAH T PITTS LEWIS

HEARING:

Hearing Re: STATUS OF CONSERVATEE & LIVING CONDITIONS

COUNSEL:

BEVERLY J WHITE	(CP )...PRO/PER
BEVERLY J WHITE	(PET)...PRO/PER
JEREMIAH T PITTS-LEWIS	(CEE)...JEANNE E KENNEDY

GENERAL INFORMATION

**Continued from 02/26/18.** Oral report given by Counsel. Court notes appearance by Steven Beckett for Inland Counties Regional Center (IRC) is not required at next hearing but report is to be provided by next hearing from IRC. Court orders Beverly White to be personally present in Court on 04/04/18 at 9:30AM.

**Continued from 04/04/18. Oral report given by Jeanne Kennedy. Matter continued for receipt of report from Inland Regional Center. Clerk's office to notify IRC.**

THIS CASE SET F/OR HEARING ON Status of Conservatee & Living Conditions

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

1. Court set hearing after receipt of the Court Investigator's Report on 01/29/18.
2. Jeanne Kennedy reappointed as counsel for conservatee. Oral report given.
3. Letter from IRC received 03/27/18; conservatee's case was reactivated 03/08/18.
4. **IRC report filed 07/03/18**

RECOMMENDATION

Court's discretion.

(ww/lh)

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

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DATE: 07/11/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700322

CASE NAME: MTR OF BILL TEAGUE

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of GREGORY VINCENT TEAGUE

COUNSEL:

GREGORY VINCENT TEAGUE (CPE)...DAVID M GROSSMAN  
BILL H TEAGUE (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Gregory H. Teague was appointed conservator of the person and estate on 12/06/17; \$150,000 bond.
- 2 Notification of Conservatee's Rights with proof of service filed 02/01/18; however, proof of service, item #5 does not indicate a copy of order appointing conservator was served with notice. **Supp filed 06/26/18 copy of order dated 12/06/17 was served with notice. JTD**
- 3 Care Plan was filed.
- 4 Determination of Conservatee's Appropriate Level of Care filed 02/08/18; **Supp filed 06/26/18 regarding missing item 4(b)(2) regarding limitations to return to personal residence.**

RECOMMENDATION:

None.

(lh)

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

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DATE: 07/11/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700371

CASE NAME: DANIEL DOMINGUEZ LARA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of JOEL A LARA

COUNSEL:

JOEL A LARA (CP )...  
DANIEL DOMINGUEZ LARA (CTP)...LENITA SKORETZ

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Joel A Lara (father) appointed limited Conservator of the person on 11/29/17.
2. Notification of Conservatee's rights filed
3. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C. § 2352.5 (form GC-355).
4. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh)

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

-----  
DATE: 07/11/18 TIME: 9:30 DEPT: S35P  
-----

CASE#: CON PS1800013

CASE NAME: MTR OF TOLIVER THOMAS JR

HEARING:

Petition for Appointment of Conservator

COUNSEL:

TIRA A HAWTHORNE (CPE)...PRO/PER  
TOLIVER THOMAS JR (CTP)...SANDRA TURNER

#### GENERAL INFORMATION

**Continued from 03/07/18 to clear probate notes.** Sandy Turner requests petitioner complete a new confidential screening form and requests the court investigator confirm the number of persons residing in the home with the petitioner and if there are additional persons that a CII be completed on those persons. Referred to Court Investigator for investigation and report. If additional information is received by Court Investigator, Court Investigator to supply Court with supplemental report for next hearing on 5/2/18.

**Continued from 05/02/18.** Court clears probate note regarding *capacity declaration and certificate of completion of conservatorship training class*. Court needs supplemental information as to stepfather. Court notes that effective 03/21/18, petitioner's legal name is changed to Tira Ann Harrison. Petitioner to submit revised proposed order and letters. Court has considered reports filed by Sandy Turner and Court Investigator. Referred to Court Investigator for additional information identified in recent report from Sandy Turner. Case referred to Legal Aid for legal assistance.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Tira Hawthorne, mother

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract. **JTD**
2. Petitioner seeks civil rights to not be limited without court order.
3. Proposed conservatee is developmentally disabled.

- a. **Report of appointed Counsel Sandy Turner filed 3/12/18.**
- b. **IRC Report filed 03/02/18.**
4. See Confidential Screening form filed 04/20/18, item #9.
5. List of required contacts form filed 01/19/18 and 04/20/18 have conflicting information as to names of relatives. **Need** amended List of Required Contacts to include names of relatives and their relationships to proposed conservatee.
6. CI Report filed 02/28/18. **Need CI Report/supplemental report.**
7. **Need** supplement re stepfather per 5/2/18 minute order.
8. Due Diligence Declaration filed 02/21/18 as to Toliver Thomas, Sr (father). **JTD**
9. Return of Citation filed 02/21/18.
10. ~Proposed Form Order: 01/19/18

#### RECOMMENDATION

Need to clear notes 5-7. If approved, set hearing for Compliance Review for **02/13/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

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

-----  
DATE: 07/11/18 TIME: 9:30 DEPT: S35P  
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CASE#: OG RS612

CASE NAME: IN THE MATTER OF DOUGLAS B CERINI

## **VACATED**

HEARING:

Accounting Review

### COUNSEL:

LOIS V CERINI	(PET)...ALTHOUSE & MCDONOUGH
DEPT OF VETERANS AFFAIRS	(PET)...OFFICE OF REGIONAL COUNSEL
JUDITH C VOILES	(CPE)...ALTHOUSE & MCDONOUGH
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
DOUGLAS B CERINI	(CEP)...DONNASUE ORTIZ

### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Judith C Voiles, trustee

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

1. Order approving fourth account current of trustee, Judith C. Voiles, entered 09/26/16 for period ending 03/31/16.
2. **Need** fifth account current starting 04/01/16.

### RECOMMENDATION

Inquire status.

(lh)



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

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DATE: 07/11/18 TIME: 9:30 DEPT: S35P  
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CASE#: VC VS00503

CASE NAME: MATTER OF THERESA RENEE HARDY

HEARING:

Accounting Review

COUNSEL:

MILDRED E REAVIS	(CPE)...ZUMBRUNN LAW CORPORATION
FRANKLIN T REAVIS	(CPE)...PRO/PER
THERESA RENEE HARDY	(CEP)...
KATHERINE MCCOY	(CPE)...ZUMBRUNN LAW CORPORATION
MILDRED REAVIS	(PET)...ZUMBRUNN LAW CORPORATION

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Mildred Reavis and Katherine McCoy

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

1. Order approving third account current of co-conservators, Mildred E. Reavis and Katherine McCoy, entered 11/15/17 for period ending 05/05/17. Conservatorship of the estate was ordered terminated same date.
2. **Need** fourth and final account.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 21

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRIAL**

-----  
DATE: 07/11/18 TIME: 1:30 DEPT: S35P  
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CASE#: PRO PS1600251

CASE NAME: MARY M ORTIZ LIVING TRUST

HEARING:

Hearing Re: Court Trial (Day 2)

COUNSEL:

LOUISE SULLIVAN	(PET)...BANKS GARCIA & JANIS
MARY M ORTIZ LIVING TRUST	(TRU)...
BARBARA RUBIO RESENDEZ	(PET)...PRO/PER
JOE MARTIN ORTIZ	(OBJ)...THOMAS V PRATT
THOMAS W DOMINICK	
DEPT OF CHILD SUPPORT SVCS	(PRO/PER)

Court trial—no notes—JTD

Future Hearing: 7/12/18 Court Trial (Day 3)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**PROBATE**

-----  
DATE: 07/11/18      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1500840

CASE NAME: MUSGROVE FAMILY TRUST

**SAME DAY HEARING: MEDIATION SETTLEMENT CONFERENCE @ 8:30 IN DEPT S34**

HEARING:

Case Management Conference

**SEE ALSO 2, 3**

COUNSEL:

BEVERLY RANDOLPH

(PET)...LIONHEART LEGAL

THE MUSGROVE FAMILY TRUST

(TRU)...PRO/PER

FRANK J. PRAINITO

(PET)...FRANK J PRAINITO

HERBERT MUSGROVE JR

(OBJ)...FRANK J PRAINITO

CMC—no notes—JTD

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1500840

CASE NAME: MUSGROVE FAMILY TRUST  
**SAME DAY HEARING: MEDIATION SETTLEMENT CONFERENCE @ 8:30 IN DEPT S34**  
HEARING:  
Petition for Attorney fees and costs etc

**SEE ALSO 1, 3**

COUNSEL:

BEVERLY RANDOLPH	(PET)...LIONHEART LEGAL
THE MUSGROVE FAMILY TRUST	(TRU)...PRO/PER
FRANK J. PRAINITO	(PET)...FRANK J PRAINITO
HERBERT MUSGROVE JR	(OBJ)...FRANK J PRAINITO

GENERAL INFORMATION

**Continued from 05/09/18. Need additional mediation date.**

THIS CASE SET FOR HEARING ON Petition for Reimbursement of Attorney's Fees and for Order of Sale of Real Property by Herbert Musgrove, J, co-trustee

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

1. Petitioner, Herbert Musgrove, Jr, is the nominated and acting co-trustee of the Musgrove Family Trust since 01/20/99.
2. Petitioner requests reimbursement of costs of **\$16,983.05** for payment of attorney fees and costs paid during period 11/11/15 to 02/06/18 for defense of trust. It is estimated another \$15,000 will be needed to conclude matter. Billing statements attached at LFpgs914; however, need complete itemization of fees with separate subtotals of hours charged at different rates of attorney/paralegal/secretary fees, and costs. **Need verified supplement.**
3. **Need** verified supplement with qualifications of paralegals per requirements of CRC 7.703(e)(1)(c) which show the completion of mandatory continuing education per Business & Professions Code 6450(d).
4. Petitioner seeks additional order to sell rental properties as trustor, Geneva Musgrove, passed away 12/29/17 and there is no need to hold rental properties. Co-trustees, Beverly Randolph and Herbert Musgrove, Jr, to agree on a licensed realtor and accept any reasonable offer within 60 days of listing. Proceeds to be deposited into interest bearing account and held until two

parties reach agreement for payment of expenses and final division. Note:  
Caption does not reflect reference to code section or statutory authority  
authorizing relief requested per Local Rule 20-601. **JTD**

5. **Need** Notice of Hearing and Proof of Service as to Beverly Randolph.
6. No proposed order submitted.

#### RECOMMENDATION

Need to clear notes #2, 3, & 5 then Court's discretion.

(lh)

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1500840

CASE NAME: MUSGROVE FAMILY TRUST

**SAME DAY HEARING: MEDIATION SETTLEMENT CONFERENCE @ 8:30 IN DEPT S34**

HEARING:

FIRST Account and Report of BEVERLY RANDOLPH and Petition for allowance of fees filed.

**SEE ALSO 1, 2**

COUNSEL:

BEVERLY RANDOLPH	(PET)...LIONHEART LEGAL
THE MUSGROVE FAMILY TRUST	(TRU)...PRO/PER
FRANK J. PRAINITO	(PET)...FRANK J PRAINITO
HERBERT MUSGROVE JR	(OBJ)...FRANK J PRAINITO

GENERAL INFORMATION

**Continued from 12/28/17** Attorney Frank Prainito waives CART reporter for this hearing. The Court notes an objection was filed on 12/15/17. The Court inquires of counsel regarding the possibility of setting a Voluntary Mediation Session. Oral arguments by counsel are heard regarding setting a Voluntary Mediation Session. The Court sets a Case Management Conference on 4/9/18 at 8:30am in department S36. Counsel is to advise the court of the status of discovery in this matter.

**Continued from 04/09/18** at request of Counsel. Parties to attend mediation as agreed. Trustor is deceased and both parties are equal beneficiaries.

**Continued from 05/09/18. Need additional mediation date.**

THIS CASE SET FOR HEARING ON 1<sup>st</sup> Trust Account Current and Petition for Allowance of Fees by ***De Facto Trustee Beverly Randolph.***

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

1. **NOTE:** court to clarify if an Accounting review should be set for co-trustee Herbert Musgrove, Jr.
2. Accounting period 06/26/10 – 10/28/16.
3. Assets on hand \$414,978.05 of which \$1,478.05 is cash, remainder real property.
4. Beverly seeks trustee fees of \$22,830 for services at \$30 per hour for an average of 10 hours a month. No itemization. **JTD**

5. Beverly seeks fees for caregiving services of \$158,880, reduced from \$211,840, for 8 hours a day at \$10 per hour. No Itemization. **JTD**
6. Beverly seeks reimbursement of attorney's fees paid of \$8,085 at \$125/300 per hour for paralegal and attorney services and costs of \$788. [Acct. 10/11/17 LFpg 95-97]. **JTD**
7. Beverly Randolph is daughter/co-Trustee and power of attorney for Geneva Musgrove; Trustor. Herbert Musgrove Jr. resigned as POA simultaneously at appointment as power of attorney.
8. Real property in Fontana was purchased by Beverly and her spouse in 2008; two years prior to Trustor's incapacity. Herbert Jr. allegedly accused Beverly for wrongful taking of funds to purchase said property.
9. Payments were made for Beverly's Fontana property when Geneva resided at the Fontana residence. Geneva allegedly lived alone at Fontana address prior to Geneva becoming incapacitated. Geneva moved into Beverly's home in 2015.
10. Beverly states that Trustor's tax preparer created "CBRAND, Inc." to provide liability protection for Geneva and Trust whereas Geneva's caregivers were paid directly from CBRAND, Inc. and later dissolved as trust income was unable to cover Geneva's monthly expenses.
11. Beverly seeks reimbursement of expenses of \$31,408.02 to assist with Geneva's living expenses. [Acct. 10/11/17 LFpg 86]. **JTD**
12. Beverly seeks reimbursement of costs of \$33,816.68 for repairs and maintenance. [Acct. 10/11/17 LFpg 87-88]. **JTD**
13. **Objections filed by Herbert Musgrove Jr on 12/15/17.**
14. No proposed order. Submit after hearing.

#### RECOMMENDATION

Matter is contested. *If* court retains jurisdiction of trust set next Accounting review for **06/20/19**.

(lc/cs/lh)

Superior Court of Calif, County of San Bernardino

Page: 4

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600164

**VACATED**

CASE NAME: MTR OF RONALD WARREN GOODERMUTH

HEARING:

Accounting Review

COUNSEL:

PATRICIA J SUTPHIN	(PET)...JOELLE LEE A. NICHOL
RONALD WARREN GOODERMUTH	(DEC)...
DEPT OF HEALTH CARE SERVICES	(TP )...PRO/PER

Future hearing date: 07/25/18 - Probate Status Report



Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**TRUSTS**

-----  
DATE: 07/11/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: TRU PS1800044

CASE NAME: LEMMONS FAMILY TRUST

**SEE ALSO 6**

HEARING:

Hearing Re: PTN TO SUSPEND SUCCESSOR CO-TRUSTEE

COUNSEL:

ALAN R LEMMONS

THE LEMMONS FAMILY TRUST

GARY L LEMMONS

(PET)...RICHARD M. GHAN

(TRU)...PRO/PER

(OBJ)...BURT & ASSOCIATES

Currently under review by Legal Research.  
(LR)

All parties appeared. Matter is contested.

(cs/lh)

Superior Court of Calif, County of San Bernardino

Page: 6

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S36P  
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CASE#: TRU PS1800044

CASE NAME: LEMMONS FAMILY TRUST

**SEE ALSO 5**

HEARING:

Petition for To Remove Successor Trustee

COUNSEL:

ALAN R LEMMONS

THE LEMMONS FAMILY TRUST

GARY L LEMMONS

(PET)...RICHARD M. GHAN

(TRU)...PRO/PER

(OBJ)...BURT & ASSOCIATES

Currently under review by Legal Research.  
(LR)

All parties appeared. Matter is contested.

(cs/lh)

Superior Court of Calif, County of San Bernardino

Page: 7

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S36P  
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CASE#: TRU PS1800055

CASE NAME: MTR OF THE PHILLIPS 1998 FAMILY TRUST

**SEE ALSO 7A**

HEARING:

Petition for REDRESS OF BREACH OF TRUST AND SURCHARGE  
REMOVAL OF TRUSTEE ETC

COUNSEL:

DONALD SCOTT PHILLIPS  
THE PHILLIPS 1998 FAMILY TRUST

(PET)...ROSS LAW GROUP APC  
(TRU)...

Currently under review by Legal Research

LR

NOTICE:

Notice is complete.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 7A late add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 07/11/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: TRU PS1800055

CASE NAME: MTR OF THE PHILLIPS 1998 FAMILY TRUST

**SEE ALSO 7**

HEARING:

Petition for Compel accounting and trust financial records

COUNSEL:

DONALD SCOTT PHILLIPS

(PET)...ROSS LAW GROUP APC

THE PHILLIPS 1998 FAMILY TRUST

(TRU)...

Currently under review by Legal Research

LR

Continued form 7/02/18 to be heard with pending petitions.

NOTICE:

Notice is complete.

Petitioner indicates that Donald Scott Phillips and Scotty D. Phillips are the same person.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**CONSERVATORSHIPS**

-----  
DATE: 07/11/18      TIME: 9:30      DEPT: S36P  
-----

CASE#: CON PS1700255

CASE NAME: ALLWYN E D KELLY

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of LEIANI KELLY

COUNSEL:

LEIANI KELLY

(CPE)...DINA I FARHAT

ALLWYN E D KELLY II

(CPE)...DINA I FARHAT

ALLWYN E D KELLY

(CEP)...BRYAN C HARTNELL

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1      Leiani Kelly and Allwyn Kelly, II, were appointed co-conservators of the person and estate on 11/29/17; \$150,000 bond.
- 2      Notice of Death of Conservatee filed 02/13/18. Conservatee passed away 01/18/18. *Court may wish to advance accounting review hearing to 09/12/18.*  
**JTD**
- 3      **Need** final Inventory & Appraisal per Pr. C. §2610. Question if any Conservator marshaled any assets? **Court to inquire.**
- 4      **Need** Proof of service of Inventory & Appraisal including Instructions for Objection per Pr. C. §2610.

RECOMMENDATION:

Inquire status.

(lh)

Future Hearing: 2/13/19 Accounting Review

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

-----  
DATE: 07/11/18

TIME: 8:30

DEPT: S37P  
-----

CASE#: PRO PS1300689

CASE NAME: Joanne L. De Loof

HEARING:

Report Account and Report of RICHARD DE LOOF and Petition for allowance of fees

COUNSEL:

RICHARD DE LOOF

(PET)...CHRISTOPHER JAMES MURTAGH

JOANNE L DE LOOF

(DEC)...

JUDITH L JORDAN

(TP )...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Second Amended Final Accounting and Report of Executor with Proposed Distribution

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

1. Accounting period: 01/21/13 to 02/01/17; Court to determine whether to require accounting to be brought more current **JTD**
2. Assets on hand: \$20,427.86, cash
3. Petitioner waives statutory compensation.
4. Petitioner seeks reimbursement of advanced costs totaling \$5,200 for attorney services during asbestos litigation. **Supp filed 4/6/18 petitioner was requested by Court to explain why \$5,200 was paid without Court approval. Petitioner alleges statutory fees in Pr. C. §10813 refer to probate court and not the process of probate. Petitioner initiated probate in pro per, and attorney's fees paid were not statutory fees, but rather a flat fee for assistance completing petition. JTD**
5. Summary of Account does not balance as Charges total \$0 and Credits total \$27,785.50. **Need** amended accounting or verified supplement with proper, balanced Summary of Account to include receipts per Pr. C. §1061. **Supp filed 07/03/18 includes revised Schedules.**
6. Petitioner alleges the decedent owned real property subject to a reverse mortgage; however, real property is not reflected in the Inventory and Appraisal. Question what is the status and character of real property? How is title held? Is it currently occupied? Is there any remaining equity? **Supp**

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

**07/03/18 real property was relinquished to mortgage company in 2014 as there was no equity in real property. Property is rented by petitioned from current owner.**

- a. *It appears real property was an estate asset as of decedent's date of death [03/08/13] and should be accounted for as a loss. Does Court wish to require a third amended Inventory and Appraisal with valuation from probate referee? **JTD***
- b. *Does Court wish to require vesting document? **JTD***
7. Petitioner advanced **\$25,785.50** to the estate for administrative expenses. **Supp filed 4/6/18**, LFpg10, includes list of expenditures including home insurance, house appraisals, property taxes, etc.
  - a. **Supp filed 07/06/18. Petitioner seeks reimbursement of remaining \$11,116.01 for advanced funds for which he is owed.**
8. Petitioner requests proposed distribution of any and all future asbestos claims to be distributed directly to petitioner as successor trustee of the Joanne L. De Loof Family Trust to be distributed to beneficiaries per terms of will. Supp. 04/06/18, LFpg3]. Points and Authorities in Support of Request to Settle Estate and Distribute Residuary of Litigation Proceeds. **Referred to Legal Research for review and memo.**
9. Notice was given.
10. Proposed Order submitted 07/03/18 is missing findings re assets; sole and separate property; taxes; creditors' claims; distribution to recipients.

**RECOMMENDATION:**

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **07/24/19**.

(lh)

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1300947

CASE NAME: Betty J Jennings

HEARING:

Hearing re Final Discharge

COUNSEL:

PATRICIA J COSTA (PET)...PRO/PER  
BETTY J JENNINGS (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge of Patricia Costa,  
administrator

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

1. **Need** receipts from Patricia Costa, Bonnie Mattos, and Evelyn Bond.
2. **Need** Ex Parte Petition for Final Discharge and Order.

#### RECOMMENDATION

Inquire status.

(lh)



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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1400008

CASE NAME: George Contreras, Sr.

HEARING:

Hearing Re: OSC RE: SANCTIONS AS TO PETITIONER AND COUNSEL

COUNSEL:

JESS CONTRERAS (PET)...KELLY L PEXTON  
GEORGE CONTRERAS Sr. (DEC)...

**XREF: PROPS1100601** GEORGE CONTRERAS  
**PROPS1300500** GEORGE CONTRERAS SR

#### GENERAL INFORMATION

Continued from **10/19/16** and **12/21/16**. No appearance. Jess Contreras ordered to be present if notes not cleared.

**Continued** from 03/15/17, 05/24/17 and 07/26/17.

**Continued from 09/20/17**. No appearance. Jess Contreras and/or Kelly Pexton are ordered to be present at next hearing if final discharge is not filed. Notice given by Judicial Assistant.

**Continued from 11/22/17**. No appearance. Court orders Jess Contreras and Kelly Pexton to be present at next hearing. OSC re Sanctions as to both Jess Constreas and Kelly Pexton set for their non-appearance/failure to file final discharge.

**Continued from 01/31/18** at request of Court. Declaration with cancelled checks to be filed. Petitioner ordered to be present at next hearing.

**Continued from 04/11/18 to clear probate notes. Court orders Jess Contreras to be physically present at next hearing date of 07/11/18. If all documents are filed, no appearance by Jess Contreras is necessary.**

THIS CASE SET FOR HEARING ON **OSC Re Sanctions/Final Discharge**.

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

1. Final account/distribution of Jess Contreras approved on 10/27/15.
2. **Need** receipts for George and Georgette.
3. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§ 11753(b).
4. **Need** declaration with cancelled check per 01/31/18 minute order.

## RECOMMENDATION

Inquire status of receipts and discharge. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with C.C.P. §§ 128 & 1209.

(lc/ww/lc/lh)

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1400778

CASE NAME: MTR OF THE MARTIN F STONER AND DARLEEN K STONER

**SEE ALSO 5**

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT

COUNSEL:

RENE ABRAHAM (PET)...DONNASUE ORTIZ  
THE MARTIN F STONER AND DARLEEN K STONER TRUST (TRU)...  
DARLEEN STONER (PET)...LAYNE A BARTHOLOMEW  
MEISHYAN JOSEPHINE CHENG (OBJ)...MARK F VON ESCH

**XREF: PROPS1500839** MARTIN F. STONER

GENERAL INFORMATION

**Continued from 04/11/18 to file settlement agreement.**

THIS CASE IS SET FOR HEARING ON RECEIPT OF SETTLEMENT

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

1. Matter set on 01/31/18. Parties informed Court matter settled prior to mediation. Settlement includes approval of accounting.
2. **Settlement Agreement filed 05/02/18. Order entered 05/30/18.**
3. **Receipt of Settlement filed 06/26/18.**

RECOMMENDATION

None.

(lh)

Future Hearing: 12/12/18 Accounting Review

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500839

CASE NAME: MARTIN F. STONER

**SEE ALSO 4**

HEARING:

Hearing Re: Further Accounting Review

COUNSEL:

MEISHYAN JOSEPHINE CHENG	(PET)...VON ESCH & VON ESCH
MARTIN F. STONER	(DEC)...
RENE ABRAHAM	(PET)...DONNASUE ORTIZ
ROBERTA LYNN SHEIR	(TP )...ALBREKTSON & SHUMATE, LLP
DARLEEN STONER	(LAYNE A BARTHOLOMEW)

**XREF: PROPS1400778** *MTR OF THE MARTIN F STONER AND DARLEEN K STONER*

GENERAL INFORMATION

Continued from **10/06/16** trailing status reports in PROPS1400778

Continued from **01/19/17** and **04/13/17**. Discussions re settlement continue.

Continued from **08/03/17** at request of Counsel.

**Continued from 11/07/17.** Ms. Ortiz reports that formal Inventory and Appraisal has not been filed as assets were determined to be assets of the Trust in PROPS1400778.

**Continued from 01/31/18** at request of Counsel to trail PROPS1400778 which has settled.

**Continued from 04/11/18 at request of Counsel to clear probate notes/file receipt of settlement.**

THIS CASE IS SET FOR HEARING ON Accounting Review re executor Rene Abraham

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

1. Rene Abraham was appointed Special Administrator on **05/22/14** in Los Angeles County Superior Court and Letters Testamentary with full authority were issued 07/31/15; no bond.
2. While probate was pending in Los Angeles County, petitioner, Rene Abraham, petitioned San Bernardino County Court to transfer real property into trust and take jurisdiction of trust. On or about **04/29/15**, parties in Los Angeles probate case and parties in San Bernardino trust action agreed for probate to be transferred to San Bernardino County, and agreed for the real

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

property to be accounted for under the trust. The Los Angeles County probate case was transferred to San Bernardino County on 09/11/15, amended letters issued 11/17/15.

3. It appears decedent owned a collection of valuable antiques and plants. It remains to be determined who the beneficiaries are of the estate. Question if the antiques, plants, and/or other property are assets of the trust? **Need verified supplement.**
4. **Need** separate accounting as to the probate estate.

#### RECOMMENDATION

Inquire status of separate accounting re probate estate.

(lh)

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600597

CASE NAME: DAVID A BROWN SPECIAL NEEDS TRUST

**SEE ALSO 7, 8**

HEARING:

Hearing Re: ACCOUNTING REVIEW (BARBARA HARRISON)

COUNSEL:

BARBARA HARRISON	(PET)...JEANNE E KENNEDY
DAVID A BROWN SPECIAL NEEDS TRUST (TRU)...	
JEANNE E KENNEDY	(PET)...CALDWELL, KENNEDY & PORTER
DAVID A. BROWN	(BEN)...DONNASUE ORTIZ
KIM HARRISON BROWN	(PET)...DENNIS M SANDOVAL
LARRY E HOOVER	(STE)...

GENERAL INFORMATION

**Continued from 10/04/17** at request of counsel to trail accounting hearing set. Counsel notes Kim Harrison-Brown's (spouse) accounting is as to the joint bank account she has with David Brown. Ms. Ortiz informs the Court this account is involved in a family law action in Texas. Court informs counsel: should bills not be paid by Kim Harrison-Brown the account may be taken into the trust.

**Continued from 01/29/18.** Court signed order after hearing of 04/12/17 ordering Kim Harrison Brown's name be removed from Union Bank account and Larry Hoover to take control of account. Counsel report Casa Colima Facility has not been paid in 2 months. Court ordered Mr. Hoover to pay Casa Colima as soon as possible. Ms. Kim Harrison Brown ordered to reimburse Mr. Hoover. Court orders Kim Harrison Brown's accounting be from 08/15/17 to current and for Kim Harrison Brown to be present at next hearing (CourtCall acceptable).

**Continued from 04/11/18 at request of Counsel to get signatures on global settlement.**

THIS CASE SET FOR HEARING ON Status Review.

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

1. On 07/12/17 Larry Hoover was re-appointed as trustee of Special Needs Trust; Bond of \$1,000,000. Order regarding payment of care facility bills signed.
2. Accounting reviews were set. See other matters 9 and 14.

3. Inquire status of reimbursement to Mr. Hoover, payment to Casa Colima, and Union Bank Account.

RECOMMENDATION

Court's discretion.

(lc/cs/lh)

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600597

CASE NAME: DAVID A BROWN SPECIAL NEEDS TRUST

**SEE ALSO 6, 8**

HEARING:

First and final Account and Report of BARBARA HARRISON and  
Petition for allowance of fees filed.

COUNSEL:

BARBARA HARRISON	(PET)...JEANNE E KENNEDY
DAVID A BROWN SPECIAL NEEDS TRUST (TRU)...	
JEANNE E KENNEDY	(PET)...CALDWELL, KENNEDY & PORTER
DAVID A. BROWN	(BEN)...DONNASUE ORTIZ
KIM HARRISON BROWN	(PET)...DENNIS M SANDOVAL
LARRY E HOOVER	(STE)...

GENERAL INFORMATION:

**Continued from 04/11/18 for possible global settlement. Court approves probate notes #3 and #4.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of SNT and Petition for Attorney Fees Rendered to Former Co-Trustee of SNT by Barbara Harrison, former Co-Trustee

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

1. Accounting period: 12/05/12 to 07/07/17
2. Assets on hand: \$992,003.35, consisting of \$8,006.09 and remaining in equities, fixed income and securities
3. Attorney requests fees of \$25,206.25 less \$8,973.03 previously paid for a total of **\$16,233.22** for 109.10 hours, plus an anticipated 2.0 hours at the rate of \$300/275 for attorney services and \$150/\$125 for paralegal services. Itemized [Acct, 2/7/18, LFpgs 14-21]. **Approved.**
4. Petitioner waives compensation; however, requests reimbursement of \$4,299.28 for paid attorneys' fees and \$812.12 for costs re filing fee, mileage and CPA, for a total of **\$5,111.40. Approved.**
5. Schedule C Disbursements include a cash withdrawal to Kim Brown for \$5,000, a \$20,000 cash transfer to acct ending in x 0490, over \$46,000 in cash transfers to community account x5478 without any description other



than to support the family. Does Court wish to require further itemization?  
[Acct, 2/7/18, LFpg4, 36-38] **JTD**

6. Notice was given.
7. Current bond: \$1,000,000, appears sufficient.
8. No proposed Order submitted.

**RECOMMENDATION:**

Court's discretion. If approved, court to set hearing re receipts and final discharge  
**04/17/19.**

(lh)

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600597

CASE NAME: DAVID A BROWN SPECIAL NEEDS TRUST

**SEE ALSO 6, 7**

HEARING:

KIM HARRISON BROWN'S Account and Report of KIM HARRISON BROWN  
and Petition for allowance of fees

COUNSEL:

BARBARA HARRISON	(PET)...JEANNE E KENNEDY
DAVID A BROWN SPECIAL NEEDS TRUST (TRU)...	
JEANNE E KENNEDY	(PET)...CALDWELL, KENNEDY & PORTER
DAVID A. BROWN	(BEN)...DONNASUE ORTIZ
KIM HARRISON BROWN	(PET)...DENNIS M SANDOVAL
LARRY E HOOVER	(STE)...

#### GENERAL INFORMATION

Continued from **01/29/18** The Court signs order after hearing of 4/12/17 hearing ordering KIM HARRISON BROWN'S name be removed from Union Bank account and Larry Hoover take control of account. Counsel report Casa Colima facility has not been paid in two months. The Court orders Mr. Hoover to pay Casa Colima as soon as possible. Ms. Kim Harrison Brown is ordered to reimburse Mr. Hoover. The Court orders Kim Harrison Brown's accounting be from 8/15/17 to current. The Court orders Kim Harrison Brown be present at next hearing (CourtCall acceptable).

**Continued from 01/31/18.** The Court orders all trust records collected and provided to Larry Hoover, successor trustee. Ms. Kennedy reports she will be seeing her client this weekend and will have accounting signed and advised her client of the court's orders. The Court authorizes trustee to pay another \$2,500 retainer fee to Texas counsel, Cindy Tisdale. Ms. Cheah is concerned Union Bank will not abide by the Court's order transferring the account to Larry Hoover and requests a hearing be set on citing Union Bank.

**Continued from 04/09/18.** Court notes that hearings were moved from 04/09/18 due to Court's unavailability except for this matter. Court continued to 04/11/18.

**Continued from 04/11/18 for possible global settlement.**

THIS CASE SET FOR HEARING ON Accounting of Kim Harrison Brown, **spouse** and Report of Joint Bank Account at Union Bank.

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

1. On 02/07/17 petitioner, Kim Harrison Brown filed for Dissolution of Marriage from David Brown, trust beneficiary.
2. Accounting period: 02/07/17 to 08/15/17
  - a. Per minute order of 01/29/18, the Court requires the accounting period to include 08/16/17 through current. **Need** amended accounting.
3. Asset on hand: \$24,783.26 in cash.
4. Money spent after 04/12/17 hearing was used to support David's children, including his autistic son to stimulate and keep him high functioning. He takes rodeo lessons, runs cross-country, and plays basketball. These expenses cost nearly \$2,000 per month.
5. In July 2017, Kim spent about \$1,000 on rodeo lessons and about \$3,000 on saddle-bronc saddle and rodeo equipment for their son.
6. On 07/21/17 a water filtration system was purchased in the amount of \$4,202 for the youngest daughter who has a non-functioning thyroid, which results in digestive conditions.
7. Petition is verified; however, page is of poor quality and illegible. **Need** clear copy of verification.
8. ~Proposed Order: 09/28/17

RECOMMENDATION:

Need amended accounting then Court's discretion.

(cs/ww/lh)

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600608

CASE NAME: CREIG ALLEN SCHMALTZ

HEARING:

Accounting Review

COUNSEL:

SHELLEY LORENE SCHMALTZ (PET)...PRO/PER  
CREIG ALLEN SCHMALTZ (DEC)...

GENERAL INFORMATION

**Continued from 01/08/18.** No appearance. OSC set re sanctions for FTA and file accounting.

**Continued from 03/28/18. A petition to terminate may be filed as this is a zero asset estate. The house was foreclosed upon and the only remaining asset is the car.**

THIS CASE SET FOR HEARING ON Accounting Review/Status re Shelley Schmaltz

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

1. Letters of Administration issued to Shelley Schmaltz, spouse, on 10/31/16 full authority, no bond.
2. Final Inventory and Appraisal filed 03/20/18.
3. **Need** accounting or status report.

RECOMMENDATION:

Inquire status

(cs/lh)

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600797

CASE NAME: DONALD RAYMOND GABBARD

HEARING:  
Accounting Review

COUNSEL:

BETSY MOORE (PET)...THEODORE  
DONALD RAYMOND GABBARD (DEC)...

GENERAL INFORMATION

**Continued from 01/10/18** at request of Court. Amended Inventory and Appraisal to be filed. Court discussed storage claim and sale of house with Counsel.

**Continued from 04/11/18 at request of Counsel to file accounting or status report and for legal research to review amended final inventory and appraisal filed 04/06/18.**

THIS CASE IS SET FOR HEARING ON Accounting Review re Betsey Moore, administrator

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

1. Letters of Administration with full authority issued to Betsey Moore, \$275,000 bond.
2. **Amended** final Inventory and Appraisal filed 04/06/18.
3. No accounting or status report of administration. Need same.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1601169

CASE NAME: MICHAEL RAFAEL GONZALES

HEARING:

Accounting Review

COUNSEL:

FIDEL GONZALES (PET)...CHRISTOPHER V MARKARIAN ESQ  
MICHAEL RAFAEL GONZALES (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Fidel Gonzalez  
(administrator/father)

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

1. Letters of Administration with full authority were issued to Fidel Gonzalez on 04/26/17.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting and status report.

#### RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700947

CASE NAME: MTR OF HOWARD BURTON IMMERMEN

HEARING:

Petition for /to Revoke Probate Petition

COUNSEL:

RONNIE HYMAN	(PET)...LEANN E MAILLIA
HOWARD BURTON IMMERMEN	(DEC)...
ROSALIE GREENBERG	(PET)...PRO/PER

GENERAL INFORMATION

**Continued from 04/11/18 to clear probate notes. Court advises Ms. Greenberg to speak with a qualified probate attorney. Court orders any and all eviction proceedings to be stayed.**

THIS CASE IS SET FOR HEARING ON Petition for to Revoke Probate Petition by Rosalie Greenberg, partner of decedent

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

1. Petitioner Rosalie Greenberg seeks Court to revoke petition of Ronnie Hyman as administrator of the estate.
2. Petitioner alleges she is the "common law wife" of decedent, Howard Burton Innerman. That she and decedent have lived in the same residence in Victorville California, the property which administrator seeks to evict petitioner from.
3. Petitioner alleges she has made all payments on the mortgage of the real property since decedent's death on 05/04/17; she and decedent made payments on the mortgage through their joint checking account with Union Bank; she and decedent have lived as husband and wife, and she is listed on his retirement account as decedent's spouse. Bank statements attached. [Petition, 02/15/18, LFpg5-7].
4. Petition does not cite authority under which relief is sought. **Need** amended petition and caption to include reference to applicable probate code section per Local Rule 20-601.
5. Notice was given.
6. **Grant deed as proof of decedent's ownership of real property filed 05/24/18.**

7. No proposed order submitted.

**RECOMMENDATION**

Need to clear note #4. Suggest petitioner seek Counsel.  
(lh)

Future Hearing: 3/27/19 Accounting Review



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

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DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700979

CASE NAME: DONALD EUGENE HARRINGTON

**SEE ALSO 14**

HEARING:

Order to Show Cause RE: Dismissal (FTA)

COUNSEL:

TASHA HARRINGTON (PET)...PRO/PER  
DONALD EUGENE HARRINGTON (DEC)...

GENERAL INFORMATION

**Continued from 01/31/18.** Court determined Donald Harrington passed away 02/25/17. Court ordered supplement clarifying how home became community property and why decedent was planning to adopt petitioner's adult children.

**Continued from 04/11/18. No appearance. Court continues this matter and sets for OSC re dismissal.**

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal for FTA/Spousal Property Petition**

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

1. Petitioner requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
2. Decedent died intestate on 02/25/17 and is survived by a spouse, 3 adult biological children, and 2 stepchildren who allegedly would have been adopted by decedent but for a legal barrier.
3. Petitioner alleges that she and decedent were married in 04/04/14. Decedent acquired subject real property on or about 04/09/09 with his deceased spouse, which was held as Joint Tenants and as community property. Decedent executed an Affidavit Death of Joint Tenant on 02/01/13. Petitioner alleges she is decedent's next of kin.
4. It appears the real property is decedent's separate property and decedent's issue would also share a 2/3 distribution of the estate per Pr. C. §6401.
5. **Need verified supplement clarifying how home became community property and why decedent was planning to adopt petitioner's adult children.**

6. Notice was given.
7. *Note: Request for Dismissal submitted by petitioner Tasha Harrington on 06/21/18.*
8. ~Proposed form order: 10/02/17

RECOMMENDATION:

Matter appears moot due to submitted Request for Dismissal.

Need to clear note #5.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 14

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700979

CASE NAME: DONALD EUGENE HARRINGTON

**SEE ALSO 13**

HEARING:

Spousal Property Petition hearing.

COUNSEL:

TASHA HARRINGTON

(PET)...PRO/PER

DONALD EUGENE HARRINGTON

(DEC)...

See notes on prior matter #13.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 15

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1701139

CASE NAME: CRISPIN DIAZ VILLAFANA

HEARING:

Hearing re: Petition for Letters of Administration w/WA W/Full  
Authority under IAEA.

COUNSEL:

FERMIN EVANGELISTA

(PET)...RICHARD L FRANCIS

CRISPIN DIAZ VILLAFANA

(DEC)...

#### GENERAL INFORMATION

**Continued from 12/21/17.**

**Continued from 03/22/18 for documents to be translated from Spanish to English.**

THIS CASE SET FOR HEARING ON Petition for Probate, Letters of Administration WWA, with Full Authority under IAEA by Fermin Evangelista, nephew/nominee.

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

1. Decedent was domiciled in Mexico. This appears to be an ancillary proceeding. Question if there is a proceeding in Mexico, if so need exemplified copy of order/letters. **Supp filed 06/25/18 with copy of Order**
2. Sole beneficiary/named executor waives bond. Net estate value is \$88,600 of which \$3,600 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
3. Named executor Adriana Evangelista Diaz declines to act and nominates petitioner.
4. Petitioner is not listed in section 8, nor is named executor/sole beneficiary. **Amended petition filed 06/25/18, section 8 lists petitioner.**
5. Will was executed in Mexico. **Supp filed 06/25/18 with declaration from attorney in Mexico attesting as a valid will, with copy of will attached. JTD**
6. Copy of interpretation of foreign Will attached with Certification of Interpreter an English translation must be attached to the petition as Attachment 3e (2). Pr.C. § 8002(b)(2). [LFpg9-13].

7. *Note: Amended petition filed 06/25/18 appears to be a supplement adding an additional heir and includes petitioner. Does Court wish to deem a supplement? **Alternatively, Court to trail to 08/06/18.***
8. ~Proposed Form Order: 11/14/17.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **09/18/19**. Any accounting to be filed 30 days in advance local rule 20-901.

(lc/lh)

*Future hearing date: 08/06/18 Amended Petition by Fermin Evangelista*

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**TRUSTS**

-----  
DATE: 07/11/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1701257

CASE NAME: ALBERT & BEATRICE CHAMPAGNE FAMILY TRUST

**SEE ALSO 17**

HEARING:

Hearing Re: STATUS OF MEDIATON

**SAME DAY HEARING: MEDIATION SETTLEMENT CONFERENCE @ 8:30 IN DEPT S34**

COUNSEL:

DANI C PODWYS

(PET)...PRO/PER

ALBERT & BEATRICE CHAMPAGNE FAMILY TRUST (TRU)...

MICHELE C WHEELER

(OBJ)...PRO/PER

Status—no notes—JTD

Superior Court of Calif, County of San Bernardino

Page: 17

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

-----  
DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1701257

CASE NAME: ALBERT & BEATRICE CHAMPAGNE FAMILY TRUST  
**SAME DAY HEARING: MEDIATION SETTLEMENT CONFERENCE @ 8:30 IN DEPT S34**

HEARING:

Petition for ORDER REMOVING TRUSTEE APPOINTING SUCCESSOR  
TRUSTEE AND ACCTING ETC

**SEE ALSO 16**

COUNSEL:

DANI C PODWYS (PET)...PRO/PER  
ALBERT & BEATRICE CHAMPAGNE FAMILY TRUST (TRU)...  
MICHELE C WHEELER (OBJ)...PRO/PER

Currently under review by legal research.

(LR)

Notice: Summons issued to respondent Michele Wheeler. **Need** proof of service for summons. Michele appeared at last hearing. Court may wish to deem Michele served. JTD

(lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 18

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

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DATE: 07/11/18 TIME: 8:30 DEPT: S37P  
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CASE#: TRU PS1800117

CASE NAME: WILLIAM EDGAR O'NEIL & PATRICIA ANN O'NEIL FAMILY

HEARING:

Petition for Order confirming trust assets

COUNSEL:

DEBORAH O'NEIL (PET)...DONNASUE ORTIZ  
WILLIAM EDGAR O'NEIL & PATRICIA ANN ONEIL FAMILY TRUST (TRU)...

Currently under review by legal research.

(LR)

Notice is complete.

(lh)



Superior Court of Calif, County of San Bernardino

Page: 19

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

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DATE: 07/11/18 TIME: 8:35 DEPT: S37P  
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CASE#: TRU PS1800107

CASE NAME: ESTHER ALLEN HUBBARD TRUST DATED 06221972

HEARING:

Petition for order terminating trust memorandum

COUNSEL:

RUTH E WIERSEMA (PET)...REYNOLDS, JENSEN, SWAN & PERSH  
ESTHER ALLEN HUBBARD TRUST (TRU)...

Currently under review by legal research.

(LR)

Notice is complete.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**CONSERVATORSHIPS**

-----  
DATE: 07/11/18      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS1400239

**VACATED**

CASE NAME: Gabriel Orozco

HEARING:

Accounting Review

COUNSEL:

TERESA O HERRERA

(CP )...PRO/PER

GABRIEL OROZCO

(CTP)...JEANNE E KENNEDY

Waiver of Court Fees and Costs filed by TERESA O HERRERA is GRANTED

**XREF: PROPS1400354** ROSA NUNEZ OROZCO

Order waiving accounting signed and sent to clerk's office for processing on 06/15/18.  
Next accounting review set for 07/01/20.

(lh)

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

-----  
DATE: 07/11/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700039

CASE NAME: MTR OF TOMASA DE CASAS

**SEE ALSO 22, 23**

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of MARIA DE CASAS

COUNSEL:

MARIA DE CASAS	(CPE)...SHEASBY AND ASSOCIATES
TOMASA DE CASAS	(CEP)...
MIGUELITO DE CASAS	(PET)...DUANE P BOOTH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review re Maria De Casa,  
conservator of estate

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

- 1 Maria De Casas (daughter) was appointed temporary conservator of the person and estate on 02/08/1, and appointed conservator of the *estate only* on 11/29/17 with \$20,000 bond.
- 2 Notification of Conservatee's Rights filed.
- 3 Care Plan filed.
- 4 **Final** Inventory & Appraisal filed 5/21/18 with proof of service with instructions on how to object.

RECOMMENDATION:

None.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 22

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

-----  
DATE: 07/11/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700039

## **VACATED**

CASE NAME: MTR OF TOMASA DE CASAS

**SEE ALSO 21, 23**

HEARING:

Hearing Re: ACCOUNTING REVIEW (CONSERVATORSHIP)

### COUNSEL:

MARIA DE CASAS	(CPE)...SHEASBY AND ASSOCIATES
TOMASA DE CASAS	(CEP)...
MIGUELITO DECASAS	(PET)...DUANE P BOOTH

First Account Current and Report of Maria De Casas, Conservator filed 06/05/18.

Future Hearings:

**7/19/18 Petition for Approval of the First Account & Report of Maria De Casas**

1/17/19 Hearing Re: Accounting Review (Conservatorships) – **VACATE** – First Acct filed 6/5/18

1/17/19 Hearing Re: Accounting Review (Trust) – **VACATE** – First Acct filed 4/2/18

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

-----  
DATE: 07/11/18 TIME: 9:30 DEPT: S37P  
-----

CASE#: CON PS1700039

CASE NAME: MTR OF TOMASA DE CASAS

**SEE ALSO 21, 22**

HEARING:

First Account and Report of MIGUELITO DECASAS and Petition for allowance of fees filed.

COUNSEL:

MARIA DE CASAS	(CPE)...SHEASBY AND ASSOCIATES
TOMASA DE CASAS	(CEP)...
MIGUELITO DECASAS	(PET)...DUANE P BOOTH

#### GENERAL INFORMATION

**Continued from 05/09/18. Court notes that Frank De Casas is also Francisco De Casas. Matter continued to clear probate notes.**

THIS CASE SET FOR HEARING ON 1<sup>st</sup> Trust Account of **Linda Rogers Trustee** and Petition for Allowance of Fees.

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

1. Accounting period 02/08/17 to 02/07/18
2. Assets on hand \$185,764.37, cash
3. Current bond is \$200,000. Suggest bond increase of \$5,000 for total bond of \$225,000. **Supp filed 5/4/18. Petitioner alleges no need to increase bond as Trust assets of \$185,764.37 are not expected to increase substantially and no monthly income is received by Trust. JTD**
4. Attorney requests fees of \$1,200 for 3 hours at \$400 per hour. Itemized [Acct.4/2/18, LFpg7-8]. **JTD**
5. Trustee requests fees of \$1,200. Itemized. [Supp filed 05/04/18, LFpg6-11]. **JTD**
6. Notice was given.
7. ~Proposed Order: 04/02/18

#### RECOMMENDATION

Court's discretion. If approved, Court to set Accounting review next re Trust for **04/10/19**. Accounting to be filed 30 days prior to hearing date.

(lh)

*Future hearings: 07/19/18 First Acct & Report of Maria De Casas, Conservator*

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

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DATE: 07/11/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700328

CASE NAME: JOHN GOMEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of YASBET PENALOZA GOMEZ

COUNSEL:

YASBET PENALOZA GOMEZ	(PET)...PRO/PER
JUAN GOMEZ	(PET)...PRO/PER
JOHN GOMEZ	(CEE)...MARK J. FLORY

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review re Yasbet and Juan Gomez, parents

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

1. Yasbet and Juan Gomez were appointed co-conservators of the person only on Conservator of the person on 12/06/17.
2. Notification of Conservatee's rights filed 12/11/17.
3. Determination of Conservatee's Appropriate Level of Care filed 12/08/17.
4. Care Plan filed 12/08/17.

RECOMMENDATION

None.

(lh)

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

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DATE: 07/11/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700388

CASE NAME: MARISOL E. RODARTE

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of JUEVENITO MANUEL RODARTE

COUNSEL:

JUEVENITO MANUEL RODARTE	(PET)...PRO/PER
GUADALUPE NIEVES RODARTE	(PET)...PRO/PER
MARISOL E RODARTE	(CEE)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review re Juevenito Rodarte and  
Guadalupe Rodarte, parents

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

1. Juevenito Rodarte and Guadalupe Rodarte (parents) were appointed co-conservators of the person only on 11/29/17.
2. Notification of Conservatee's rights filed 4/10/18.
3. Determination of Conservatee's Appropriate Level of Care filed 04/10/18; however, item #4 is incomplete as to whether conservatee resides in personal residence and if not, limitations regarding her return to personal residence.  
**Need completed form.**
4. Care Plan filed 04/10/18.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 07/11/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1800057

CASE NAME: MTR OR CHRISTOPHER MENDOZA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

RUTH AVINA (CP)...PRO/PER  
ROBERTO MENDOZA (CP)...PRO/PER  
CHRISTOPHER MENDOZA (CTP)...JEANNE KENNEDY

#### GENERAL INFORMATION

**Continued from 04/04/18 for receipt of IRC report and to clear notes.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Ruth Avina and Roberto Mendoza, parents

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, consent/withhold consent to marriage, limit right to contract, control social/sexual contacts, and make decisions re education. **JTD**
2. Petitioner seeks to limit all of conservatee's civil rights described in note #1. **JTD**
3. Petitioner seeks medical powers. Capacity Declaration filed 03/02/18.
4. Proposed conservatee is developmentally disabled. **Report of Counsel Jeanne E. Kennedy filed 07/03/18.**
5. Proposed conservatee is developmentally disabled. Letter from IRC filed 03/27/18 requesting 30-day continuance. **Need IRC report.**
6. Return of citation filed 03/23/18; however, **need proper personal service to include at least 15-days' notice.**
7. Proof of Service of Notice filed 03/23/18; however, **need proper mailed service to include at least 15-days' notice.**
8. Proof of Completion of the Conservatorship Training Class filed 03/09/18.
9. Court Investigator report filed 03/26/18.
10. No proposed order submitted.



## RECOMMENDATION

Need to clear notes 5-7. If approved, set hearing for Compliance Review for **02/13/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

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

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DATE: 07/11/18 TIME: 9:30 DEPT: S37P  
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CASE#: RC RS00329

CASE NAME: LJUJICA BOGGIO

HEARING:  
Accounting Review

	COUNSEL:
LJUJICA BOGGIO	(PCE)...
LUBA BOGGIO	(PCR)...PRO/PER
ROMULO BOGGIO	(PCR)...PRO/PER

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Luba and Romulo Boggio, co-conservators

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

1. Order dispensing with account entered 12/21/16 for period ending 05/10/16.
2. **Need** accounting and or waiver for period commencing 05/11/16.

#### RECOMMENDATION

Inquire status.  
(lh)

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

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DATE: 07/11/18 TIME: 9:30 DEPT: S37P  
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CASE#: RC RS737

CASE NAME: IN THE MTTR OF LAWRENCE W BRASHEAR

HEARING:

Hearing Re: Confirmation of Transfer

COUNSEL:

LINDA J MALNATI (PET)...MARY M BADER  
LAWRENCE W BRASHEAR (PCE)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON OSC Re: TRANSFER TO LOS ANGELES COUNTY

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

1. Linda J. Malnati, mother, was appointed conservator of the person of Lawrence Brashear on 11/04/91.
2. Matter set on 01/22/18 upon Court review of CI Report and request for transfer filed 01/03/18.
3. **Receipt** of transfer from Los Angeles County Superior Court filed 06/28/18.

#### RECOMMENDATION

None.

(lh)