



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 09/04/18

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

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.

nb0813/0829

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 09/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600613

CASE NAME: MTR OF JEFFREY WARREN ASHTON SR

HEARING:

Accounting Review by ***

COUNSEL:

INTERNAL REVENUE SERVICE

(TP)...PRO/PER

JEFFREY WARREN ASHTON SR

(DEC)...

THRIVENT TRUST COMPANY

(PET)...KEVIN

VACATE – Waiver of Account filed and set for 11/01/18.

(nb)

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

DATE: 09/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700651

CASE NAME: MTR OF EUGEN STANCIU

HEARING:

FIRST AND FINAL Account and Report of NICOLE A VETTRAINO and
Petition for allowance of fees filed.

COUNSEL:

EUGEN STACIU	(DEC)...
NICOLE A VETTRAINO	(PET)...BRIAN S MANDEL
SURETEC INSURANCE COMPNAY	(TP)...
VLAD STANCIU	(PET)...BRIAN S MANDEL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and Petition for Fees by Administrator, Nicole Vettraino ["Petitioner"].

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

1. Assets on Hand \$417,764.43 in cash.
2. Statutory fees of \$11,382.75 requested. Calculated.
3. Attorney waives reimbursement of costs.
4. **Need** bank/financial statements to support date of death balances per Local
Rule 20-908.
5. Petitioner requests discharge and bond exoneration upon filing of receipts.
However, discharge and bond exoneration will not occur until entry of a final
discharge order.
6. No proposed order. Submit Order after Hearing.

RECOMMENDATION

Need to cleat note 4 then Court's discretion. If approved, set next hearing for receipts
and final discharge for **09/17/19**.

(nb)

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

DATE: 09/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800708

CASE NAME: SALLY GONZALES ESCOTO
HEARING:
Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:
ELIZABETH ARMIJO (PET)...SCOT THOMAS MOGA, ESQ
SALLY GONZALES ESCOTO (DEC)...

CCP170.6 filed as to Judge TARA REILLY, case reassigned to Judge STANFORD E. REICHERT for all purposes.

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by daughter, Elizabeth Armijo ["Petitioner"].

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

1. All heirs waive bond. Estimated estate valued at \$447,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
2. **Need** proof of publication.
3. ~Proposed Form Order/Letters 07/30/18 & 08/24/18

RECOMMENDATION:

Need to clear note 2 then Court's discretion. If approved, set future hearing for Accounting Review on **11/12/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 09/04/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600091

CASE NAME: John Paul Jacobs

HEARING:

Accounting Review by ***1

COUNSEL:

JOHN PAUL JACOBS

(CEP)...

PATRICIA JACOBS

(CPE)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Estate, Patricia Jacobs.

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

1. Ex Parte Petition to Dispense with Accounting and Order entered 07/11/17 for period ending 06/28/17; accounting now due.
2. No accounting or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000096

CASE NAME: DICK HOFSTRA JR

HEARING:

Petition for JOINT PETITION FOR AUTHORITY TO SELL REAL PROPERTY
ETC

COUNSEL:

DICK HOFSTRA JR	(DEC)...
JANE DEVRIES	(PET)...AGREN LAW FIRM
MARCELLA HOFSTRA	(PET)...ROBBINS & HOLDAWAY
PAMELA SUE DURANT	(TP)...JOHN T ANDERSON

Currently under review by Legal Research.
(LR)

Notice given.
(nb)

Future Hearing:
05/30/19 Accounting Review.

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

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

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0701036

CASE NAME: MARIA ANNA SCHULTZE

HEARING:

Accounting Review by ***

COUNSEL:

LUCIEN SCHULTZE	(PET)...GREGORY L ZUMBRUNN
MARIA ANNA SCHULTZE	(DEC)...
RICHARD SCHULTZE	(OBJ)...DIANA J CARLONI
RICHARD SCHULTZE	(PET)...DIANA J CARLONI
S.B. COUNTY PUBLIC ADMINISTRAT	(PET)...CRAIG M PARKER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order approving Status Report entered 05/24/18; accounting now due.
2. No accounting or updated status report. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700185

CASE NAME: ERIC KNIPPERT

HEARING:

Final Account and Report of CLAUDIA TOLAR and Petition for allowance of fees filed.

COUNSEL:

CLAUDIA TOLAR (PET)...LAUREN LAUNDIS
ERIC KNIPPERT (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Administrator, Claudia Tolar ["Petitioner"].

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

1. Accounting period 06/01/17 to 07/24/18. Account period should begin as of date of death on 06/11/16.
2. Assets on Hand \$192,919.67 consisting of cash and securities. **Need** description of the assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614(c).
3. Statutory fees are not requested.
4. Inventory and Appraisal includes items that need to be appraised by Probate Referee. **Need** corrected inventory.
5. **Need** a verification signed by the personal representative. An attorney may not sign verification for a fiduciary. Pr.C. §1023.
6. **Need** a Summary of Account with supporting schedules.
7. **Need** a final report of administration per Pr. C. §1064 and Pr. C. §10954(c)(1).
8. **Need** statement regarding notice to Director of Health Care Services or notice per Pr. C. §9202(a).
9. **Need** statement regarding notice to California Victim and Compensation and Government Claims Board or notice per Pr. C. §9202(b).
10. **Need** statement regarding notice to Franchise Tax Board or notice per Pr. C. §9202(c)(1).
11. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary per Pr. C. §1064 (a)(4).

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

12. **Need** to indicate if cash has been invested and maintained in an interest bearing account per Pr.C. §1064(a)(5).
13. **Need** proposed distribution.
14. **Need** Notice of Hearing with proof of service.

RECOMMENDATION:

Need amended account that conforms to Pr. C. § 1064 et seq., to be set on first check calendar no sooner than **10/16/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700296

CASE NAME: MTR OF LOUIS MENDOZA CARBAJAL

HEARING:

Accounting Review by ***

COUNSEL:

LOUIS MENDOZA CARBAJAL (DEC)...

MARTHA LILAH PADILLA (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Special Administration issued to Martha L. Padilla on 04/06/17.
2. Letters of Administration issued to Martha L. Padilla on 06/27/17, full authority, and no bond.
3. No accounting or status report. **Need same.**

RECOMMENDATION:

Inquire status.

(nb)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700304

CASE NAME: KATHRYN ANN SMITH

HEARING:

Accounting Review by ***

COUNSEL:

KATHRYN ANN SMITH (DEC)...

KRISTOPHER J SMITH (PET)...JAMES B CHURCH

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters Testamentary issued to Kristopher J. Smith on 07/27/17, full authority, \$140,000 bond.
2. **Need** final inventory and appraisal.
 1. No accounting or status report. **Need** same.

RECOMMENDATION:

Inquire status. Clerk to notice bonding company.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800515

CASE NAME: MTR OF ROBIN GALE DONOHUE

HEARING:

Hearing Re: Status on filing a general petition

COUNSEL:

JAMES J DONOHUE

(PET)...STEPHEN E GRANT

ROBIN GALE DONOHUE

(DEC)...

Status - No general petition filed as of the review of this matter.
(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800585

CASE NAME: ROSALINDA ROCHA NIETO

SEE ALSO 8, 9

HEARING:

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

COUNSEL:

ARMANDO NIETO

(PET)...FULLERTON LEMANN

ROSALINDA LUNA MONTELONGO

(OBJ)...PRO/PER

ROSALINDA LUNA MONTELONGO

(PET)...PRO/PER

ROSALINDA ROCHA NIETO

(DEC)...

ROSALINDA SKAGGS

(PET)...FULLERTON LEMANN

See next matter #8.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800585

CASE NAME: ROSALINDA ROCHA NIETO

SEE ALSO 7, 9

HEARING:

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

COUNSEL:

ARMANDO NIETO	(PET)...FULLERTON LEMANN
ROSALINDA LUNA MONTELONGO	(OBJ)...PRO/PER
ROSALINDA LUNA MONTELONGO	(PET)...PRO/PER
ROSALINDA ROCHA NIETO	(DEC)...
ROSALINDA SKAGGS	(PET)...FULLERTON LEMANN

GENERAL INFORMATION

Letters of special administration issued to Rosalinda Skaggs and Armando Nieto
06/21/18; no bond.

**Continued from 07/26/18. Parties object and a competing petition was filed. All
temporary orders/letters to remain in full force and effect.**

THIS CASE SET FOR HEARING ON

Petition #1: Petition for Letters of Administration with full authority under IAEA by
Rosalinda Skaggs and Armando Nieto, children.

Petition #2: Probate of Will and for Letters of Administration w/WA by granddaughter,
Rosalinda Luna Montelongo ["Petitioner"].

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

Petition #1:

1. Letters of Special Administration issued to Rosalinda and Armando on 06/21/18.
2. Petitioners seek bond of \$115,000. Ok.
3. ~Proposed Form Order: 06/15/18.
4. **Objections** by Rosalinda Luna Montelongo filed. **Need** proof of service.

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

Petition #2:

5. Will dated 06/30/80 names post-deceased son and beneficiary, Leonardo Montelongo, as executor [LF, p. 10].
6. Proof of Holographic Instrument filed.
7. **Need** proof of publication.
8. ~Proposed Form Order/Letters 07/23/18.

RECOMMENDATION:

Need to clear notes 4 & 7; \$121,000 bond; then set for contested hearing. If approved, set Accounting/Status Review for **11/14/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800585

CASE NAME: ROSALINDA ROCHA NIETO

SEE ALSO 7, 8

HEARING:

Ex parte hearing re: PETITION FOR LETTERS OF SPECIAL
ADMINISTRATION

COUNSEL:

ARMANDO NIETO

(PET)...FULLERTON LEMANN

ROSALINDA LUNA MONTELONGO

(OBJ)...PRO/PER

ROSALINDA LUNA MONTELONGO

(PET)...PRO/PER

ROSALINDA ROCHA NIETO

(DEC)...

ROSALINDA SKAGGS

(PET)...FULLERTON LEMANN

No notes – Judge to decide.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800694

CASE NAME: MTR OF BUNNY BEATRICE ALBAUGH

HEARING:

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

COUNSEL:

BUNNY BEATRICE ALBAUGH (DEC)...

CHARLES BREWER (PET)...BETTY AUTON-BECK

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by son, Charles Brewer ["Petitioner"].

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

1. Venue is improper. Decedent was a resident of Cherry Valley located at Riverside County.
2. Petitioner requests bond to be fixed in the amount of \$225,000. Appears sufficient.
3. Publication should be filed in Riverside County.
4. Proposed Form Order/Letters 07/20/18.

RECOMMENDATION:

Deny. Venue is improper per Pr. C. §7051.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800704

CASE NAME: ESTATE OF PETER C KNIGHT III

HEARING:

Petition to determine succession to Real Property

COUNSEL:

PATRICIA STEPHENS

(PET)... JAMES P GRIFFIT

PETER C KNIGHT III

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by Patricia A. Stephens ["Petitioner"].

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

1. Petitioner requests a determination that decedent's real property located at Victorville in San Bernardino County, pass to petitioner without administration. Petitioner is sole beneficiary in decedent's will [LF, p5].
2. Court to review sticky note at [LF, p. 2 to petition]
3. Declaration filed 08/23/18 by brother, Charles William Knight, waives notice and informally assigns his interest, in favor of petitioner. Does Court wish to require a proper assignment? **JTD**.
4. ~Proposed Form Order 07/31/18.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800714

CASE NAME: William P Benson

HEARING:

Spousal Property Petition hearing.

COUNSEL:

CLAUDELLA MAY BENSON (PET)...IGNAZIO FICARA

WILLIAM P BENSON (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Claudella M. Benson ["Petitioner"].

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

1. Petitioner requests confirmation of real property and a promissory note passing to the surviving spouse as community property. Specifically, real property located at Yucca Valley in San Bernardino County.
2. Petition indicates parties were married for 46 years; the real property and promissory note were purchased or acquired by the Petitioner and the Decedent during their marriage and were paid for with community funds; and title to the property and promissory note were held in Decedent's name, as a convenience for ease of management.
3. The Decedent was a general and electrical contractor who bought properties, improved them and then sold them. To facilitate this process of buying and selling, the Petitioner and the Decedent decided to take title to these assets just in the Decedent's name.
4. Copies of installment note; deed of trust; grant deed; death certificate; and marriage certificate filed under separate cover on 07/31/18.
5. ~Proposed Form Order 07/31/18.

RECOMMENDATION:

Court's discretion.

(nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800715

CASE NAME: Russell E Blewett

HEARING:

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

COUNSEL:

LORI NIELSON

(PET)...PRO/PER

RUSSELL E BLEWETT

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by daughter, Lori Nielson ["Petitioner"].

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

1. Petition affixes a conformed copy of Decedent's Will. However, a copy of the original Will is affixed to declaration filed on 07/31/18 [LF, p.9] that clarifies the date discrepancy on the Attestation of the original Will.
2. Will waives bond. Estimated estate valued at \$228,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
3. Notice filed on 08/14/18 is missing Malcolm Lewis and Jill Steiber, named in the Will. **Need** proper service.
4. ~Proposed Form Order/Letters 07/31/18.

RECOMMENDATION:

Need to clear note 3, then Court's discretion re bond. If approved, set future hearing for Accounting Review on **11/12/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800724

CASE NAME: CATHERINE RAMIREZ

HEARING:

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

COUNSEL:

CATHERINE RAMIREZ

(DEC)...

OLIVIA PADILLA

(PET)...MATTHEW E SHEASBY

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by grand-niece, Olivia Padilla ["Petitioner"].

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

1. Section 3c does not include address and county of decedent's residence at time of death and Section 6 is also blank. **Need** verified supplement.
2. Section 7a & 7b are both marked. Only one can apply. **Need** verified supplement.
3. Section 8 to petition does not include address for Michael Padilla and Isabel Padilla. **Need** verified supplement.
4. Petitioner requests bond be fixed at \$10,000. Estimated estate valued at \$0.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
5. **Need** proof of publication.
6. **Need** Notice of Petition to Administer Estate with proof of service.

RECOMMENDATION:

Need to clear notes then Court's discretion re: bond. If approved, set future hearing for Accounting Review on **11/12/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **TRUSTS AND MOTIONS**

DATE: 09/04/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800050

CASE NAME: JEAN F. JOHNSON REVOCABLE TRUST U/D/T ETC

HEARING:

Petition for Invalidate trust based on undue influence and incapacity

COUNSEL:

ERICA DURAN

JEAN F. JOHNSON RECOVABLE TRUS

MELANIE WOODS

ROBERT E PLOUNG

(PET)...DAVID D JONES

(TRU)...

(OBJ)...THOMAS W DOMINICK

(THOMAS W DOMINICK

Currently under review by Legal Research.
(LR)

Notice given.
(nb)

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

DATE: 09/04/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800088

CASE NAME: The Hull Revocable Trust

HEARING:

Petition for (AMENDED) FINANCIAL ELDER ABUSE ; PETITION TO DETERMINE TITLE TO REAL PROPERTY

COUNSEL:

DEANNE MILLER (PET)... ARTHUR H LAMPEL
THE HULL REVOCABLE TRUST (TRU)...

Request for Waiver of Court Fees and Costs filed by DEANNE MILLER is GRANTED

XREF: PROPS1800550 (David S Hull)

Currently under review by Legal Research

LR

NOTICE:

Notice given for initial hearing on 01/02/18.

Continued matter- notice not re-reviewed.

(ww/nb)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 09/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500095

CASE NAME: Hsuehju Sheu

HEARING:

Accounting Review by 090418

COUNSEL:

HSUEHJU SHEU	(CEP)...MARK J. FLORY
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHARON HSAINGYAN CHEN	(OBJ)...PRO/PER
SHARON HSIANGYUAN CHEN	(PET)...HARTNELL LAW GROUP
SOLOMON C CHEN	(PET)...FIDUCIA LEGAL

VACATE – First Account filed and set for 10/03/18.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600084

CASE NAME: MTR OF SEAN E SITTLER

HEARING:

FIRST Account and Report of SHANNON M DEBENEDICTIS and Petition for allowance of fees filed.

COUNSEL:

SEAN E SITTLER (CEP)...PRO/PER
SHANNON M DEBENEDICTIS (CPE)...HARTNELL LAW GROUP
SHANNON M DEBENEDICTIS (CPE)...PRO/PER

Request for Waiver of Court Fees and Costs filed by SEAN E SITTLER is GRANTED

Request for Waiver of Court Fees and Costs filed by SEAN E SITTLER is GRANTED

Fee waiver amount due \$633.00

\$555.00 for temp and general petitions on 04/21/16

\$78.00 for 3 certified copies of the letters on 05/12/16

Request for Waiver of Court Fees and Costs filed by SHANNON M DEBENEDICTIS is GRANTED

Fee waiver amount due 538.00

\$73.00 for 3 certified copies of the letters on 07/14/16

\$465.00 for first account current on 09/19/17

GENERAL INFORMATION:

Continued from **10/24/17** at request of counsel. Mr. Hartnell's Office has been sub'd back in.

Continued from **12/05/17** to amend and file a final account. Conservatee passed away.

Continued from 03/20/18, 05/15/18 and 07/17/18 to clear notes.

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Conservator of the Person and Estate by Shannon DeBenedictis ["Petitioner"-sister].

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

1. Conservatee died on 11/13/17. **Need** separate pre and post-death accountings.
2. Accounting period 07/27/16 to 08/15/17. However, accounting should begin as of day of appointment on 07/12/16.

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

3. Assets on Hand \$66,384.13 consisting of \$17,884.13 in cash and \$48,500 in personal property.
4. Current bond of \$18,000.
5. Supplemental Inventory and Appraisal filed 04/04/18, Attachment 1, does not include amount and does not include bank statement. **Need** corrected inventory with bank statement.
6. Petition indicates Conservator is receiving \$2,200 per month for conservatee's care and services. It does not appear this has been authorized by Court. Does court wish to ratify monthly payments and make a formal order authorizing same? **JTD.**
7. Question whether any receipts were received during the period 07/12/16 to 03/01/17? **Need** verified supplement.
8. **Need** Schedule E, Non-Cash Assets on Hand at End of Account period via verified supplement.
9. **Need** Notice of Hearing with proof of service.
10. Proposed Order 09/19/17 reflects wrong judge and does not include balance and description of the assets on hand, specifically noting the amount of cash included in said balance (Local Rule 20-614c).

RECOMMENDATION:

Need to clear notes then Court's discretion re bond and fees. If approved, set hearing for receipts and final discharge on **11/12/19**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700265

CASE NAME: MTR OF PEGGY ANN CHRISTIAN

HEARING:

First and Final Account and Report of PAUL EDWARD CHRISTIAN and
Petition for allowance of fees filed.

COUNSEL:

PAUL EDWARD CHRISTIAN (CPE)...SKOUSEN LAW
PEGGY ANN CHRISTIAN (CEP)...WALTER T. MOORE

GENERAL INFORMATION:

Conservatee passed away on 01/05/18.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees
by Conservator of the Person and Estate, Paul E. Christian ["Petitioner"].

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

1. Accounting period 11/16/17 to 01/05/18. **Need** post death accounting.
2. Assets on Hand \$960.00 in cash.
3. The Summary of Account is not on the mandatory Judicial Council form (GC-400/405). **Need** same.
4. Petitioner and Attorney waive compensation.
5. Question whether any receipts or monies were received? (ie. interest, social security, et seq.) If so, **need** supporting schedule.
6. **Need** a final report of administration per Pr. C. §1064 and Pr. C. §10954(c)(1).
7. Need to state the conservatee's residence(s) during the accounting period per Local Rule 20-1406(a).
8. **Need** findings re: sole and separate property.
9. **Need** findings re: known creditors.
10. **Need** findings re: all taxes have been paid, or reserve made for taxes.
11. **Need** statement regarding notice to Director of Health Care Services or notice per Pr. C. §9202(a).
12. **Need** statement regarding notice to California Victim and Compensation and Government Claims Board or notice per Pr. C. §9202(b).
13. **Need** statement regarding notice to Franchise Tax Board or notice per Pr. C. §9202(c)(1).

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

14. **Need** bank statement to support date of death balances.
15. **Need** proposed distribution.
16. Petitioner requests exoneration of bond. However, bond will not be exonerated until entry of a final discharge order.

RECOMMENDATION:

Need amended account that conforms to Pr. C. §1064 et seq., to be set on first check calendar no sooner than **10/16/18**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800215

CASE NAME: MTR OF MAVIS HOLSTEIN

HEARING:

Petition for APPOINTMENT OF CONSERVATORSHIP OF THE PERSON AND
ESTATE

COUNSEL:

DEBRA HEIDENREICH	(CE)...TREVOR MARTIN
MAVIS HOLSTEIN	(CTE)...
SHELLEY VERES	(OBJ)...JAMES B CHURCH
SHELLEY VERES	(PET)...JAMES B CHURCH

GENERAL INFORMATION

Ex-parte hearing is held on 08/06/18. Oral motion to appoint Linda Maxwell as a private fiduciary as to the conservator of the estate. Court grants this motion. Attorney Roth to submit a stipulation and order. No petition for temporary conservatorship is required to be filed by Linda Maxwell. Court appoints Linda Maxwell as the temporary conservator of the estate of Mavis Holstein. Bond required \$650,000.00. Order to be submitted. Parties agree to advance the 08/28/18 petition and the 09/04/18 petition to 09/05/18. Notice to be given by Attorney Mitchell Roth (GAL).

THIS CASE IS SET FOR HEARING ON

Petition #1: Petition for Appointment of Conservatorship of the estate only, by daughter, **Debra Heidenreich** ["Petitioner"].

Petition #2: Petition for Appointment of Conservatorship of the person and estate by daughter, **Shelley Veres** ["Petitioner"].

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

Petition #1:

- 1 **Need** temporary order/letters re: Linda Maxwell.
- 2 Nomination of this petitioner affixed to petition [LF, p. 12]
- 3 Petitioner requests bond be fixed at \$600,000. Appears sufficient
- 4 **Need** report by GAL. Mitchell Roth.
- 5 Court Investigator's Report filed.

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

- 6 Citation returned served.
- 7 **Need** Certificate of Completion re Conservatorship Class.
- 8 **Objections** filed by Shelley Voss.
- 9 ~Proposed Form Order/Letters 07/20/18.

Petition #2:

- 10 Petitioner indicates she is proposed conservatee's agent-in-fact under a DPOA and trustee of proposed conservatee's trust. Does Court wish to require copies of DPOA and Trust? **JTD**.
- 11 Petitioner requests bond of \$682,000 to be fixed. Appears sufficient.
- 12 Petitioner seeks medical powers. **Need** Medical Capacity Declaration.
- 13 **Need** report of GAL, Mitchell I. Roth.
- 14 **Need** Court Investigator's Report.
- 15 **Need** return of Citation.
- 16 **Need** Notice of Hearing and proof of service.
- 17 ~Proposed Form Order/Letters 07/26/18.

RECOMMENDATION:

Need to clear notes then set for contested hearing. If approved, set hearing for Compliance Review for **04/09/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. §1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C. §2352.5 (form GC-355); Care Plan per Pr.C. §2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C. §2610; recordation of letters if applicable per Pr.C. §2313.

Set hearing re Accounting Review for **11/12/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 09/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1401029

CASE NAME: KAY EULENE LANDIN

HEARING:

Accounting Review by ***

COUNSEL:

KAY EULENE LANDIN

(DEC)...

LOREE SABATINO

(PET)...BROWN & BROWN

XREF: CIVDS1612554 (Sabatino –v-Pomtario Enterprises)

GENERAL INFORMATION:

Continued from **2/17/16** at request of counsel to file a quiet title action.

Continued from **6/29/16** as Quiet Title action still needs to be filed. Nothing new filed.

Continued from 09/28/16. Judge McCarville has heard the request to find this case and CIVDS1612554 related actions. These matters to be heard in S30 until issue of quiet title is resolved.

Continued from **04/04/17 and 06/13/17** at request of Counsel due to pending civil litigation. Notice to be given by Mr. Morris.

Continued from 12/19/17 and 03/13/18 at request of counsel. Quiet title action has resolved. Accounting to be filed.

Continued from 06/12/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting/status review

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

1. Letters of Administration issued 1/8/15, no bond.
2. **Need** final inventory & appraisal filed.
3. **Need** an accounting or status report filed. Need same.

RECOMMENDATION:

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

(sa/lh/nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700208

CASE NAME: ROBERT RICHARD SALSBURY SR

HEARING:

PETITION FOR FINAL Account and Report of MICHAEL SALSBURY and
Petition for allowance of fees filed.

COUNSEL:

MICHAEL SALSBURY

(PET)...PRO/PER

ROBERT RICHARD SALSBURY SR

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of Account and for Fees by Administrator, Michael Salsbury ["Petitioner"-son].

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

1. Heirs waive accounting.
2. Accounting period 10/02/16 to 03/2018.
3. Assets on Hand \$304,300.00 consisting of . \$17,017.77 in cash and remaining in real property.
4. Total Charges and Total Credits to Summary of Account do not match. **Need** corrected Summary of Account.
5. Petitioner waives statutory compensation.
6. Petitioner does not request reimbursement for costs.
7. **Need** bank statement to support date of death balances per Local Rule 20-908.
8. Petition indicates Petitioner liquidated the real property in Yucaipa at Section 21 to petition However, Section 22 indicates the real property remains an asset on hand for distribution. **Question** the status of the real property via verified supplement.
9. **Need** addresses of those receiving real property.
10. **Need** Notice of Hearing with proof of service.
11. Proposed Order 07/23/18 alleges notice was waived; and does not include addresses of those receiving real property.

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

RECOMMENDATION:

Need to clear notes then Court's discretion. If approved, set next hearing for receipts and final discharge for **09/17/19**.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 09/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700238

CASE NAME: CYNTHIA S. MCCOMBS

HEARING:

FIRST AND FINAL Account and Report of MISTY ROBERTS and Petition
for allowance of fees filed.

COUNSEL:

CASEY M. ROBERTS	(PET)...GABRIELLE R RANSELL
CYNTHIA S. MCCOMBS	(DEC)...
MISTY ROBERTS	(PET)...GABRIELLE R RANSELL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON by Petition for Final Distribution upon Waiver
of Account and for Fees by Administrator, Misty Robert ["Petitioner"-daughter].

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

1. Petition indicates heirs waive accounting. However, **need** waiver of account by
Petitioner.
2. Final Inventory and Appraisal is not verified by petitioner. An attorney may not
sign verification for a fiduciary. Pr.C. §1023. **Need** corrected inventory.
3. Accounting period 11/27/17 to 06/30/18. Incorrect. Account should begin as of
date of death on 08/28/16.
4. Assets on Hand \$197,150.00 consisting of \$181,000 in cash and remaining in
personal property.
5. Attorney request statutory fees of \$8,423.00. Calculated.
6. Attorney requests reimbursement of costs advanced of \$1,943.65. Itemized.
7. Petitioner has paid her attorney \$2,500 leaving a balance owed of \$7,866.65 for
attorney fees and costs advanced.
8. **Need** verified supplement indicating if cash has been invested and maintained
in an interest bearing account per Pr.C. § 1064(a)(5).
9. Petitioner requests discharge upon filing of receipts. However, discharge does
not occur until entry of a final discharge order.
10. Proposed Order 07/258/18 caption does not indicate this is also a waiver of
account; hearing date is incorrect; indicate letters testamentary were issued;
reflects incorrect account period; does not include findings re: sole and separate

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

property; finding re: taxes have all been paid; discharges petitioner; and closes administration.

RECOMMENDATION:

Need to clear notes 1-2 & 8 then Court's discretion. If approved, set next hearing for receipts and final discharge for **09/17/19**.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 3A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700267

CASE NAME: MTR OF WALT GLEN PITTER

SEE ALSO 3B

HEARING:

Hearing Re: REPORT OF SALE (amended)

COUNSEL:

CHRISTOPHER A SHUMATE (TP)...
DEBRA LYN PITTER (PET)...HORSPPOOL & HORSPPOOL
WALT GLEN PITTER (DEC)...

Request for Waiver of Court Fees and Costs filed by DEBRA LYN PITTER is GRANTED

GENERAL INFORMATION:

Continued from 07/12/18 at request of counsel. Buyer having issue/new buyer may need to be found.

Address	10313 Juniper Ave. Yucaipa 92399 APN: 0320-221-63-0000
Appraised value	\$410,000.00 reappraisal for sale.
Sale price	\$370,000.00
First overbid	\$389,000.00
Deposit	\$5,000, insufficient. Deposit must be 10% of the purchase prices unless the sale is VA or FHA financed.
Commission	Section 1c re commission amounts is incomplete. However, Section 5d indicates 5% to Inter Real Estate Services, only. JTD.
Additional bond	Proceeds of sale to be placed in blocked account.
Reason for sale	Debts and best interest of the interested persons.

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

Exposure to market MLS (Multiple listing service), marketing and advertising.

Notice Sufficient.

~Proposed Form Order: 08/23/18.

Waiver formally approved. Does Court wish to require filing fees? **JTD.**
(lc/nb)

Future Hearing:
11/19/18 Accounting Review.

Superior Court of Calif, County of San Bernardino

Page: 3B ADD ON

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

DATE: 09/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700267

CASE NAME: MTR OF WALT GLEN PITTER

SEE ALSO 3A

HEARING:

Report Sale and Petition for Order Confirming Sale of Real
Property.

COUNSEL:

CHRISTOPHER A SHUMATE (TP)...
DEBRA LYN PITTER (PET)...HORSPOOL & HORSPOOL
WALT GLEN PITTER (DEC)...

Request for Waiver of Court Fees and Costs filed by DEBRA LYN PITTER is GRANTED

See prior matter #3.
(nb)

Future Hearing:
11/19/18 Accounting Review.

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700349

CASE NAME: DON VAN NGUYEN

HEARING:

Accounting Review by ***

COUNSEL:

DON VAN NGUYEN

(DEC)...

NIKI PHUNG NGUYEN

(PET)...MARIVEL M ZIALCITA

VACATE – report of administration and petition for final distribution filed and set for 10/02/18.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700788

CASE NAME: MTR OF CURTIS DALE PIERSON

HEARING:

first and final Account and Report of JULIA MAY MILLER and
Petition for allowance of fees filed.

COUNSEL:

CURTIS DALE PIERSON (DEC)...

JULIA MAY MILLER (PET)...DAVID H BAUM

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees
by Executrix, Julie M. Miller ["Petitioner"-daughter/successor trustee].

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

1. Need final inventory and appraisal. **Supp. (08/22/18)** requests Court to deem partial inventories #1 & #2 as the final inventory. **JTD.**
2. Accounting period 06/23/17 to 04/30/18.
3. Assets on Hand \$255,400.90 consisting of \$21,478.90 in cash and remaining in real and personal property.
4. Current bond of \$150,300.00.
5. Statutory fees of \$10,591.61 requested. Calculated.
6. Petitioner requests extraordinary fees of \$3,342.50 for services rendered in connection with the sale of real property. Billed at \$35/hour for a total of 95.50 hours' time. Generally described [LF, pgs. 39-45]. **JTD.**
7. Attorney requests extraordinary fees of \$4,601.75 for services rendered in connection with the sale of real property. Billed at \$395/hour for a total of 11.65 hours' attorney time. Itemized [LF, pgs. 31-38]. **JTD.**
8. "Disbursements" includes reimbursement for lodging; parking; gas totaling \$431.63, which is considered overhead. Does Court wish to reduce petitioner's compensation by this amount? **Supp. (08/22/18)** requests Court to not reduce statutory fees by this amount. **JTD.**
9. "Disbursements" include \$2,416.36 for costs advanced by Attorney Baum. Itemization at supplement filed 08/22/18 [LF, pgs. 29-31].
10. Petitioner requests authority to withhold the sum of \$300 as a reserve.

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

11. Proposed Order 06/13/18 does not include omnibus clause.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for

09/17/18.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800380

CASE NAME: Joalla Lydia Cordell

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

BRYAN SCHRADER (PET)...PRISCILLA C SOLARIO ESQ

JOALLA LYDIA CORDELL (DEC)...

Request for Waiver of Court Fees and Costs filed by BRYAN SCHRADER is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Receipt of Bond

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

1. Bryan Schraderer appointed with full IAEA powers, and bond of \$25,000.
2. **Need** bond and letters.

RECOMMENDATION:

Need bond and letters.

(nb)

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

DATE: 09/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800708

CASE NAME: SALLY GONZALES ESCOTO

CASE MOVED TO DEPT S35P SEE PAGE 3

HEARING:

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

COUNSEL:

ELIZABETH ARMIJO (PET)...SCOT THOMAS MOGA, ESQ
SALLY GONZALES ESCOTO (DEC)...

CCP170.6 filed as to Judge TARA REILLY, case reassigned to Judge STANFORD E. REICHERT for all purposes.

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by daughter, Elizabeth Armijo ["Petitioner"].

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

1. Section 5b to petition re whether decedent was survived by step child is incomplete. **Need** verified supplement.
2. All heirs waive bond. Estimated estate valued at \$447,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
3. **Need** proof of publication.
4. **Need** Notice of Petition to Administer Estate with proof of service.
5. Proposed Form Order 07/30/18

RECOMMENDATION:

Need to clear notes then Court's discretion. If approved, set future hearing for Accounting Review on **11/12/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

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

DATE: 09/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800729

CASE NAME: CAROL ANN BURKE

HEARING:

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

COUNSEL:

CAROL ANN BURKE (DEC)...
WILLIAM A BURKE (PET)...SANDRA RH CRAWFORD

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by son, William A. Burke ["Petitioner"].

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

1. Heirs waive bond. However, **need** Mandatory Waiver of Bond by Heir, form DE-142/DE-111, **by Petitioner**.
2. Estimated estate valued at \$256,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
3. Proposed Form Order/Letters 08/02/18

RECOMMENDATION:

Court's discretion re: bond. If approved, set future hearing for Accounting Review on **11/12/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 09/04/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700837

CASE NAME: ROBERT DETAR AND JEAN DETAR TRUST

HEARING:

Petition for TO MODIFY TRUST

COUNSEL:

ROBERT DETAR

(PET)...AARON CHARLES GREGG

ROBERT DETAR AND JEAN DETAR TR

(TRU)...PRO/PER

Currently under review by Legal Research.

(LR)

Notice given.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/04/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800088

CASE NAME: The Hull Revocable Trust

CASE MOVED TO DEPT S36P – SEE PAGE 15A

HEARING:

Petition for (AMENDED)FINANCIAL ELDER ABUSE ; PETITION TO DETERMINE TITLE TO REAL PROPERTY

COUNSEL:

DEANNE MILLER (PET)... ARTHUR H LAMPEL
THE HULL REVOCABLE TRUST (TRU)...

Request for Waiver of Court Fees and Costs filed by DEANNE MILLER is GRANTED

XREF: PROPS1800550 (David S Hull)

Currently under review by Legal Research

LR

NOTICE:

Notice given for initial hearing on 01/02/18.

Continued matter- notice not re-reviewed.

(ww/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 09/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300339

CASE NAME: THOMAS W. MAHONEY

HEARING:

Accounting Review by ***

COUNSEL:

LAURA L. HARRIS

(CPE)...CRAIG M PARKER

MARK J ANDREW FLORY

(PET)...MARK J. ANDREW FLORY

PATSY MAHONEY

(OBJ)...PRO/PER

THOMAS M MAHONEY

(LAWRENCE R. BYNUM

THOMAS M MAHONEY

(WILLIAM DEAKTOR

THOMAS W. MAHONEY

(CEP)...BROWN WHITE & OSBORN

THOMAS W. MAHONEY

(CEP)...MARK J. FLORY

GENERAL INFORMATION:

Continued from 05/08/18 at request of Attorney Parker as documents needed to complete the accounting were just received yesterday. Mr. Parker represents that the case in LA County has been settled.

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Person and Estate, Laura L. Harris.

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

1. Amended First Account by Laura Harris, daughter, approved on 11/08/16.
2. **Need** 2nd account beginning with date of 03/01/16.

RECOMMENDATION:

Inquire status of accounting. Clerk to notice surety.

(nb/ww/nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400019

CASE NAME: TERESA L MURPHY

HEARING:

Accounting Review by ***

COUNSEL:

SHARON K SCOTT

(CPE)...PAMELA Y VALENCIA

TERESA L MURPHY

(CTE)...LENITA A SKORETZ

VACATE – signed Ex Parte Petition for Final Discharge forwarded for processing.
(nb)

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

DATE: 09/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600018

CASE NAME: MTR OF MARCOS ORTIZ BARRERA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MARIA PETRA BARRERA

COUNSEL:

MARCOS ORTIZ BARRERA (PCE)...WALTER T. MOORE
MARIA PETRA BARRERA (PET)...PRO/PER
RUTLIO ORTIZ (PET)...PRO/PER

XREF: CONPS1700085 (Diana Judith Ortiz Barrera)

GENERAL INFORMATION

Maria P. Barrera and Rutlio Ortiz appointed Limited Conservators of the person on
07/10/17.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 **Need** Letters.
- 2 **Need** proof of service of a copy of the Order for Conservatorship with
Notification of Conservatee's Rights per Pr.C.§1830(c).
- 3 **Need** a Determination of Conservatee's Appropriate Level of Care per Pr. C.
§2352.5 (form gc-355).
- 4 **Need** Statement of Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION:

Inquire status.

(nb)

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

DATE: 09/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600090

CASE NAME: NAJLA FORD

HEARING:

Accounting Review by ***

COUNSEL:

CHARLES NAJJAR	(PET)...MARC B HANKIN
ISABELLA PLACENTIA	(PRO/PER
JACOB NIXA	(PRO/PER
JOHN MOIO	(CPE)...MARC B HANKIN
JOHN MOIO	(PET)...MITCHELL I ROTH
JORDAN NIXA	(PRO/PER
MARC B HANKIN	(PET)... MARC B HANKIN
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
NAJLA FORD	(CEP)...MITCHELL I ROTH
NAJLA FORD	(CEP)...PRO/PER
NAJLA FORD	(PET)...SANDY L. TURNER
NATALIE BLICKENSTAFF	(CE)...JENNIFER M DANIEL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
SANDY TURNER	(PET)...SANDY L. TURNER
TINA NIXA	(JEREMIAH RAXTER
TINAMARIA A NIXA	(CP)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Estate, Natalie Blickenstaff.

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

1. First and Final Account approved and order signed on 12/19/17 per minute order. **Need** copy of conformed order.
2. No account or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status. Clerk to notice bonding company.

(nb)

Future Hearing: 09/05/18 Petition for payment of attorney fees etc.

12/24/18 Final Discharge

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

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

DATE: 09/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600248

CASE NAME: CONNIE R ROWLAND

HEARING:

Accounting Review by ***

COUNSEL:

CHERYL ANDERSON	(PET)...PRO/PER
CONNIE R ROWLAND	(PCE)...J. DAVID HORSPOOL
ROBERT C GARNETT JR	(OBJ)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Person and Estate, Cheryl Anderson.

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

1. Cheryl Anderson appointed Conservator of the person and estate on 06/27/17, no bond.
2. No accounting or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700085

CASE NAME: DIANA JUDITH ORTIZ BARRERA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of DIANA JUDITH ORTIZ BARRERA

COUNSEL:

DIANA JUDITH ORTIZ BARRERA (CTP)...WALTER T MOORE

MARIA PETRA BARRERA (CP)...PRO/PER

RUTILO ORTIZ (CP)...PRO/PER

XREF: CONPS1600018 (Marcos Ortiz Barrera)

GENERAL INFORMATION

Maria P. Barrera and Rutilo Ortiz appointed Limited Conservators of the person on
01/30/18.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. **Need** Letters.
2. **Need** proof of service of a copy of the Order for Conservatorship with
Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr. C.
§2352.5 (form gc-355).
4. **Need** Statement of Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/04/18 TIME: 9:30 DEPT: S37P

CASE#: VC VS00199

CASE NAME: MTR OF MATTHEW VOGT

HEARING:

Accounting Review by ***

COUNSEL:

JOHN F VOGT

(PET)...PRO/PER

MARIA VOGT

(PET)...PRO/PER

MATTHEW VOGT

(PCE)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Person and Estate, John Vogt (father).

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

1. Ex Parte Petition to Dispense with Accounting and Order entered on 07/15/16 for period ending 06/01/16; accounting now due.
2. No accounting or waiver of account. **Need** same.
3. Court ordered CI Special Report filed.

RECOMMENDATION:

Inquire status.

(nb)