



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 09/10/18

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.

(08/13/18 ww)(08/23/18 cs)(09/05/18 cs)

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: 09/10/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400663

CASE NAME: ERWIN B. KOWALSKI

HEARING:

Hearing Re: 2nd Amended First Account Current for Estate of

COUNSEL:

MICHAEL J. KOWALSKI

(PET)...PRO/PER

ERWIN B. KOWALSKI

(DEC)...

Waiver of Court Fees and Costs filed by MICHAEL J. KOWALSKI is GRANTED

GENERAL INFORMATION:

Continued from 04/30/18 Supplement to be filed by 09/10/18.

THIS CASE SET FOR HEARING ON [**Third Amended filed 07/31/18**] on First Account Current, by son, Michael Kowalski, Executor/Petitioner

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

1. **Need** allegations regarding decedent's date of death, place of death; date of appointment; date letters issued, whether IAEA powers granted.
2. Assets on hand of \$34,308.94 consisting of \$31,258.39 in cash.
3. **Need** account statements support ending balance per Local Rule 20-908. Petitioner indicates known liabilities [LFp12] of the estate as follows :
 - a. Statutory fees of \$5,391.04. **Need** calculation. Pr.C. §10800.
 - b. Extraordinary fees and reimbursements in an amount to be determined.
 - c. Dish Network for \$176.63; however, Dish network does not have a record of this account.
 - d. Time Inc for \$65.72; however, Time, Inc. does not have a record of this account.
 - e. Waived Court fees of \$649.00.
4. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary (Pr. C. § 1064 (a)(4)). **Need** verified supplement.
5. **Need** findings re: all taxes have been paid, or reserve made for taxes.
6. **Need** proposed distribution per Local Rule 20-907(c).

7. Schedule C -Disbursements [LFp7] indicates disbursement of \$506.02 for miscellaneous charges and Legal fees of \$1,348.59. **Need** verified supplement further clarifying disbursements.
8. **Petitioner indicates heir Rosemary Kowalski (spouse) is deceased and there is no known representative. Need identification of known beneficiaries or other person entitled to succeed in interest and provide notice to each. CRC 7.51(e)(1).**
9. **Proposed order attached to report [LF p34]; however, need total assets on hand, proposed distribution and findings re notices given including Pr.C. §9202, sole separate property, creditors, all taxes paid,**

RECOMMENDATION:

Need to clear notes 1, 3-8, then Court's discretion.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600981

VACATED

CASE NAME: RUBEN TAFOLLA ARANDA

HEARING:

Hearing Re: SPOUSAL PROPERTY PETITION (FILED 5/15/17)

COUNSEL:

KARINA GOMEZ	(PET/OBJ)...PRO/PER
RUBEN TAFOLLA ARANDA	(DEC)...
MARIA DOLORES TAFOLLA	(PET)...GEORGINA LEPE

Counsel requested to withdraw the spousal property petition on 05/07/18. Petition was dismissed with prejudice.

(ww)

Future Hearing: 5/13/19 Hearing Re: Final Discharge

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

DATE: 09/10/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601123

CASE NAME: MTR OF LINDA MARIE SMITH

HEARING:

First Account and Report of CHANEEN SMITH, CARA SMITH and
Petition for allowance of fees filed.

COUNSEL:

CHANEEN SMITH (PET)...CANDICE A GARCIA-RODRIGO
CARA SMITH (PET)...CANDICE A GARCIA-RODRIGO
LINDA MARIE SMITH (DEC)...
DEPT OF HEALTH CARE SRVCS (TP)...PRO/PER

GENERAL INFORMATION:

Continued from 04/30/18.

THIS CASE IS SET FOR HEARING ON First and Current Account by Chaneen and Cara
Smith, daughters

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

- 1 Accounting period: 01/18/17-02/28/18
- 2 Assets on hand: \$256,006.58 of which \$253,156.58 is cash and the balance in a
vehicle and household furnishings.
- 3 Petitioners are sole heirs and waive the accounting, however, accounting has not
been amended to reflect that it is a waiver of accounting.
- 4 Petitioners waive statutory commissions.
- 5 Attorney requests reduced statutory fee of \$2,500.00.
- 6 Proposed Order: 03/19/18 estate not in a condition to close. Need corrected order
as supplement filed 07/30/18.

RECOMMENDATION:

Need to clear note 6 then Court's discretion. If approved, Court to set hearing on final
discharge on **09/23/19**.

(ww/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700351

CASE NAME: MTR OF ARLENE MILROT

HEARING:

Accounting Review by ***

COUNSEL:

RONALD MILROT (PET)...LAW OFFICES OF CHARLES A LARSO
ARLENE MILROT (DEC)...
INHERITANCE FUNDING (TP)...STEVEN D SCHROEDER

VACATE – Status Report filed and set for 10/22/18.

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PUBLIC GUARDIAN

DATE: 09/10/18 TIME: 10:00 DEPT: S35P

CASE#: CON DS1100019

CASE NAME: GILBERT GARCIA-PENA

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

GILBERT GARCIA-PENA

(CEP)...

GENERAL INFORMATION

Conservatee died 12/10/15.

Continued from 07/11/16, 03/06/17, 10/30/17 and 02/05/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. 2nd Account by PG approved on 07/14/14.
2. Conservatee died 12/10/15.
3. **Need** pre-death and post-death accounting beginning with date of 02/27/14.

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.

(dl/nb/ww)

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

DATE: 09/10/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS0800185

CASE NAME: JUNE ELIZABETH HALL

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
JUNE ELIZABETH HALL (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired 06/19/16

Continued from 01/25/16, 03/21/16, 06/27/16, 11/07/16, 03/06/17 and 01/22/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present 4th Account by PG approved on 01/05/15.
2. Notice of Termination of Conservatorship filed 03/30/16.
3. Conservatorship has not been reestablished since letters expired on 06/19/16.
 - a. Does Court wish for a final accounting to be filed as the conservatorship has not been reestablished? **JTD**
 - b. **If** Court required final accounting then **need** 5th and final accounting beginning with date of 07/01/14.

RECOMMENDATION

Inquire status of accounting. When documents are not filed as ordered, court may set a hearing in accord with Pr.C. §2655.

(dl/lc/nb/cs/ww)

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

DATE: 09/10/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1100236

CASE NAME: IN MATTER RE MAURO RESENO

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (PET)...COUNTY COUNSEL
MAURO RESENO (CEP)...

GENERAL INFORMATION

Continued from 06/19/17 and 01/22/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 2nd Accounting by PG approved on 06/06/16.
2. Notice of Conservatee's Death filed 11/07/17 indicating conservatee passed away 10/30/17.
3. **Need** Third and Final Account for pre-death and post-death accounting periods per Pr. C. §2620 beginning with date of 05/01/15.
 - a. Request to waive accounting filed 09/04/18 as Public Guardian did not receive any income on the conservatee's behalf. JTD

RECOMMENDATION:

Inquire status of accounting.

(nb/cs/ww/cs)

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

DATE: 09/10/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1200117

CASE NAME: TERRY FRANKO

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
TERRY FRANKO (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Continued from **11/9/16, 07/11/16, 11/07/16 04/03/17, 10/30/17 and 02/05/18.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. On 11/10/14 Court approved the 1st Account Current for the period ending 8/26/13.
2. LPS Letters expired 6/13/15 and petition to reestablish was withdrawn on 7/10/15.
3. Need a final accounting.

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/lc/nb/cs)

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

DATE: 09/10/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300162

CASE NAME: DARIN J. WEBER

VACATED

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DARIN JOHN WEBER (CEP)...HARTNELL LAW GROUP

XREF: PROPS1700383 GEORGIA ALLEN

Ex Parte Order that Conservator need not present 4th Account by PG approved and forwarded to Clerk's office for processing. Next Accounting Review date to be set on **07/29/19**.

(ww)

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

DATE: 09/10/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400013

CASE NAME: JAMES R BRENNAN

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN
JAMES R. BRENNAN

(CPE)...COUNTY COUNSEL
(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 03/23/19.

Continued from 06/05/17 and 02/05/18.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 1st Account by PG approved on 11/28/16.
2. **Need** 2nd account or waiver of account beginning with date of 05/01/15.

RECOMMENDATION:

Inquire status of accounting.

(nb/ww)

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

DATE: 09/10/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400198
CASE NAME: Michelle Allen

HEARING: First Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MICHELLE JONES (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:
Letters expired: 08/24/19

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Conservator of the Person and Estate, Public Guardian ["Petitioner"].

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

1. Accounting period: 07/03/14-08/31/15
2. Assets on Hand \$381.93 in cash.
3. Public Guardian requests compensation in the amount of \$2,400.00, deferred until such time as the conservatorship estate has sufficient funds for such purpose.
4. County Counsel request fees in the amount of \$1,200.00, deferred until such time as the conservatorship estate has sufficient funds for such purpose.
5. Petitioner indicated that a Petition for Authority to Establish a Single Premium Insurance Policy as an Irrevocable Burial Trust was granted, however, no such petition or order is found in the file and no such policy is listed as an asset in the report or proposed order. Court may wish to inquire, or in alternative, need verified supplement. [LF pg. 6] **JTD**
6. Notice given.
7. **Need** to file Post-Move Notice of Change of Address per Pr.C. §2352, CRC 7.1013(c) and Local Rule 20-1408.
8. ~Proposed Order 12/04/17

RECOMMENDATION:

Need to clear note 7 then Court's discretion re note 5. If approved, set for next Accounting Review in 60 days as second account current is overdue.

(ww)

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

DATE: 09/10/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS4153

VACATE

CASE NAME: IN THE MATTER OF JOSEPH CAMP

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN
JOSEPH CAMP

(CPE)...COUNTY COUNSEL
(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Letters expire: 04/09/19

Continued from 03/26/18 and 04/30/18 to file accounting.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Amended Petition for Order that Conservator need not present 19th Account filed 06/05/18.
2. Order that Conservator need not present 19th Account routed to Dept. for signature on 08/20/18. Next accounting review to be set on 06/24/19

RECOMMENDATION:

None.

(cs)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 09/10/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700264

CASE NAME: MTR OF MARGERY DE HELSBY

SEE ALSO 14

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JANE WALTERS

COUNSEL:

JANE WALTERS

(CP)...PRO/PER

MARGERY DE HELSBY

(CTP)...SHERRI L KASTILAHN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. PG appointed as temporary conservator of the person and estate on 10/16/17, no bond then as general conservator of the person and estate on 02/05/18, no bond.
 - a. Temporary order and letters were never submitted. Does Court wish to require them now as they were ordered to do so on 10/16/17? **JTD**
2. **Need** Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
Need
4. **Need** Final Inventory & Appraisal per Pr.C.§2610.
5. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
6. If the conservatorship estate holds interest in real property, **need** proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear notes 2-6 then Court's discretion re note 1a.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/10/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1700264

CASE NAME: MTR OF MARGERY DE HELSBY

SEE ALSO 13

HEARING:

Hearing Re: Status re Disposition to trust funds

COUNSEL:

JANE WALTERS

(CP)...PRO/PER

MARGERY DE HELSBY

(CTP)...SHERRI L KASTILAHN

No Notes- Status-JTD.

(ww)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1401080

CASE NAME: HOLLEY GRAHAM

VACATED

HEARING:

Hearing re Final Discharge

COUNSEL:

JOHNIE SEALS

(PET)...MITCHELL I ROTH

HOLLEY GRAHAM

(DEC)...

HUNTLEY GRAHAM

(PET)...MARK MOKTARIAN

XREF: CONPS1200270 HOLLEY GRAHAM

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Final Distribution on Wavier of Account approved on 04/09/18.
2. Receipts filed.
3. Ex Parte Petition for Final Discharge and Order forwarded to Department for signature on 08/08/18.

RECOMMENDATION:

None.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500764

CASE NAME: JASON DAVIS SPECIAL NEEDS TRUST

SEE ALSO 2A, 23

HEARING:

Amended Trustee's Second Current Account and Report of CAROL ROBERTS and Petition for allowance of fees filed.

COUNSEL:

JASON DAVIS SPECIAL NEEDS TRUST	(TRU)...
JASON DAVIS	(BEN)...
CAROL ROBERTS	(PET/TEE)...GOMEZ LAW GROUP
J. DAVID HORSPOOL	(PET)...HORSPOOL & HORSPOOL

XREF: CONPS1600318 MTR OF JASON DEAN DAVIS

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON [**Amended filed 07/27/18**]^{1st} Account Current by Carol Roberts, mother.

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

1. 1st accounting approved on 09/20/17 for period of 03/29/16-02/14/17.
 - a. Order on 1st accounting rejected on 08/14/18 as period of account is incorrect. **Need** Order on 1st accounting.
2. Accounting period **02/14/17-05/16/18**; however, accounting period should begin with **02/15/17** as 1st accounting ended with 02/14/17.
 - a. **Need** amended accounting beginning with date of 02/15/17.
3. **Need** Assets on hand.
4. **Need** financial statement per Local Rule 20-908.
5. Petitioner indicates purchases made for beneficiary as follows:
 - a. Winter clothes of \$300.00;
 - b. Chair \$487.94;
 - c. Attorney's fees paid of \$1,932.00; and
 - d. Bond payment of \$345.00.
6. Petitioner requests requirements of a bond of \$59,000 be removed as funds are in a blocked account.

a. Application and Order for Approval of Termination of bond filed 05/11/18.

JTD

7. **Need** Summary of Account GC-400/405.

8. There is no report per Pr.C.§16063. **Need** same.

RECOMMENDATION:

Need to clear notes. If approved, set Accounting/Status Review for **08/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500764

CASE NAME: JASON DAVIS SPECIAL NEEDS TRUST

SEE ALSO 2, 23

HEARING:

Trustee's Second Current Account and Report of CAROL ROBERTS and Petition for allowance of fees filed.

COUNSEL:

JASON DAVIS SPECIAL NEEDS TRUST	(TRU)...
JASON DAVIS	(BEN)...
CAROL ROBERTS	(PET/TEE)...GOMEZ LAW GROUP
J. DAVID HORSPOOL	(PET)...HORSPOOL & HORSPOOL

XREF: CONPS1600318 MTR OF JASON DEAN DAVIS

GENERAL INFORMATION

Continued from **06/18/18**. An amended accounting needs to be filed.

Continued from 08/13/18 to be heard with the amended account.

THIS CASE SET FOR HEARING ON 1st Account Current by Carol Roberts, mother.

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

- 1st accounting approved on 09/20/17 for period of 03/29/16-02/14/17.
 - Need** Order on 1st accounting submitted for signature.
- Accounting period: **06/01/17**-04/30/18; however, accounting period should begin with **02/15/17** as 1st accounting ended with 02/14/17.
 - Need** amended accounting beginning with date of 02/15/17.
- Assets on hand \$50,588.39
- Current bond is \$59,000. Ok.
- Summary of Account GC-400/405 has the following issues:
 - It indicates that it is the "First" account instead of the 2nd.
 - It does not indicate the accounting period.
 - The beginning assets on hand of \$53,648.69 are incorrect as they do not match the end assets on hand of \$53,647.34 at the close of the 1st account.
Need corrected Summary of Account.
- There is no report per Pr.C.§16063. **Need** same.
- Wells Fargo Bank statement for period 04/01/18-04/30/18 is attached; however, page 3 is missing. **Need** verified supplement to include page 3.
- Amended 2nd accounting filed 07/27/18 and is set for 09/10/18.**

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.

9. **Proposed order: 07/27/18 accounting period does not match report.**

RECOMMENDATION

Court may wish to take matter off calendar as amended accounting is filed and set for **09/10/18**. Need to clear notes 1, 3, and 5-7. If approved, set Accounting/Status Review for **08/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/ww/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600640

CASE NAME: MTR OF FRED AUSTIN YATES

HEARING:

Accounting Review by ***

COUNSEL:

JAMIE WALDIE	(PET)...BRYAN NADDAFI
FRED AUSTIN YATES	(DEC)...
BRYAN NADDAFI	(PET)...OLYMPIA LAW, P.C.
DEPT OF HEALTH CARE SRVCS	(TP)...

GENERAL INFORMATION

Continued from **10/24/17**. No appearances. Notice by Judicial Assistant.

Matter set on **12/05/17** due to non-appearances and failure to file accounting.

Continued from **01/30/18**. Administrator to file the accounting..

Continued from **03/19/18** at request of counsel to file motion to withdraw.

Continued from 05/07/18. Jamie Waldie is not present in court today. The court issues citation as to Jamie Waldie for failure to appear and failure to file accounting. Citation issued to: Jamie Waldie who is cited and required to appear on 07/02/18 at 8:30 in department S36P and show cause why fta/failure to file accounting.

Continued from 07/02/18 no appearance. Court has received the return of citation from Jamie Waldie.—No appearance. Court will attempt to recite Jamie Waldie again. Court determines citation was not served as the administrator no longer resides at this address. Court vacates the order of issuing another citation. Court directs the clerk's office to notice the Public Administrator for possible appointment. Clerk's office to send a copy of the file to the Public Administrator.

THIS CASE IS SET FOR HEARING ON **OSC re Sanctions** on Accounting Review

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

1. Letters of Administration issued to Jamie Waldie, step-daughter, on 08/16/16, full authority, no bond.
2. Final Inventory and Appraisal filed 01/05/17.
3. **Notice of non-payment of statutory fees and expenses by Probate Referee Burdette Garvin filed 02/09/18.**

4. **Need** accounting or status report.
5. **Need** proof of service of Citation as to Jamie Waldie, step-daughter.

RECOMMENDATION:

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

(nb/ww/cs/ww/cs)

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600650

CASE NAME: DOUGLAS ELROY WAAS
HEARING: Probate status report filed.

COUNSEL:

PAULINA WAAS (PET)...PETER M BOCHNEWICH
PAUL MESSNER (PET)...PETER M BOCHNEWICH
MARK P LYONS (PET)...PETER M BOCHNEWICH
DOUGLAS ELROY WAAS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Paulina Waas (spouse), Paul Messner (co-executor), and Mark Lyons (step-son) [Co-Executors/Petitioners]

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

1. Letters of Testamentary issued to co-executors Paulina Waas, spouse; Paul Messner, named co-executor and Mark Lyons, step-son, on 08/31/16; full authority, \$820,400 bond.
2. Previous Status report approved on 01/08/18.
3. Petitioner requests an additional 6 months to close the estate.
4. Estate is not in a condition to close due to trust matters currently being litigated in a number of cases in the Los Angeles County Superior Court. BP172158. After trial a Statement of Decision was issued, and thereafter, Objections and a response to Statement of Decision were filed. Case is still active. Also litigation is still active in "Collections Case" ECO66706.
5. Petitioners also indicate that the Final Inventory and Appraisal is delayed due to the litigation, but that a preliminary inventory will be filed within approx. 60 days.
 - a. **Need** Final Inventory and Appraisal.
6. **Need** Notice of Hearing and proof of service in accord with Pr.C. § 12201(b) advising the recipients of the right to petition for an account in accord with Pr.C. § 10950. **This form of notice is mandatory.**
7. No proposed order. Submit order after hearing.

RECOMMENDATION:

Need to clear notes 5 & 6, then Court's discretion. If approved, set next hearing for Accounting Review for **02/04/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules. (cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600774

CASE NAME: JANET LOUISE LAROCQUE

HEARING:
Hearing re Final Discharge

COUNSEL:
CHRISTINA POE (PET)...JOSEPH HUNSUNG LEE
JANET LOUISE LAROCQUE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge.

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

4. First and Final Account was approved on 08/28/17.
5. **Need** receipt for Christina Poe, James LaRocque, Jr and attorney Joseph Lee.
6. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION:

Inquire status.
(cs)

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601015

CASE NAME: THE SPECIAL NEEDS TRUST OF WILLIAM HUNT

HEARING: Second Account and Report of INLAND COUNTIES REGIONAL
CENTER, INC. and Petition for allowance of fees filed.

COUNSEL:
INLAND COUNTIES REG CNTR (PET)...LAYNE A BARTHOLOMEW
THE SPECIAL NEEDS TRUST OF WILLIAM HUNT (TRU)...

Currently under review by Legal Research as to Amendment to Trust.
(LR)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Second Account and Report of IRC and Petition
for Approval of Trustee's Fees and for Attorney's Fees

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

1. Accounting covers period: 06/01/16 – 05/31/18.
2. Assets on hand: \$68,228.00 cash.
3. Petitioner requests to increase current bond of \$73,000 by \$2,000 for a total of \$75,000.00. Appears sufficient. **JTD**
4. Petitioner requests approval and ratification of trustee fees by Master Trust of California in the amount of \$2,041.56. Billed at \$1,000 for the first \$50,000; 2% of the next \$250,000; 1.65% of the next \$450,000 and 1.50% of the next \$250,000.
5. Petitioner requests authority to allow Master Trust to continue taking its annual fee in quarterly payments according to revised fee schedule dated 06/13/17. **JTD**
6. Attorney requests fees of \$750 for 5.1 hours of paralegal and attorney services at \$100/250 per hour. Itemized [LFpg 41-42].
7. Petitioner request to amend the trust to include language required by Social Security [LFp 7-8]. A copy of the trust attached [LF p. 55-82]. **JTD.**
8. ~Proposed Order: 07/26/18

RECOMMENDATION:

Court's discretion. If approved, set hearing on the next accounting review for **08/05/19**.
Accounting to be filed 30 days in advance.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700074

CASE NAME: MARY MARGURETTE HALE

HEARING:

Accounting Review by ***

COUNSEL:

KEITH W HALE	(PET)...RICH HARRIS
PAMELA R NUNN	(PET)...RICH HARRIS
MARY MARGURETTE HALE	(DEC)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. *Letters Testamentary* issued to Keith Hale and Pamela Nunn, son/daughter, on 04/03/17; full authority, no bond.
2. Previous Status report approved on 06/11/18.
3. **Need** Final Inventory and Appraisal.
4. **Need** accounting or status report.

RECOMMENDATION

Inquire status.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700204

CASE NAME: MTR OF FIDENCIO SALAZAR

HEARING:

Accounting Review by ***

COUNSEL:

ROSIE ADAME (PET)...PRO/PER
FIDENCIO SALAZAR (DEC)...

GENERAL INFORMATION

Continued from 07/16/18 Court orders Rosie Amade to be present at the next hearing as an accounting nor inventory and appraisal has been filed.

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 Rosie Adame, daughter, 06/13/17; full authority, \$20,000.00 bond.
2. **Need** Final Inventory and Appraisal
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting and Final Inventory and Appraisal.

(ww/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700294

CASE NAME: MTR OF ROBERT W ELLIS

HEARING:

Accounting Review by ***

COUNSEL:

JANICE WINEKE (PET)...EUGENE S ALKANA
ROBERT W ELLIS (DEC)...

GENERAL INFORMATION:

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 Janice Wineke, nominee, on 07/18/17; **limited** authority, \$205,000 bond.
2. Final Inventory and Appraisal filed 07/18/18; however, "Attachment 2" (rather than attachment 1) lists personal assets of decedent which do not indicate if separate property.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(cs)

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800525

CASE NAME: MTR OF TINA BROOKANN HARTE

HEARING:

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

COUNSEL:

KYLE HARTE	(PET)...MATTHEW DONAHUE
CORINA HARTE	(PET)...MATTHEW DONAHUE
ROBERT KELLY HARTE	(PET)...MATTHEW DONAHUE
TINA BROOKANN HARTE	(DEC)...

GENERAL INFORMATION:

Continued from 07/16/18 at request of counsel to clear probate notes.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Kyle and Corina Harte (surviving issues) for Kyle and Robert Harte (ex-spouse and son) to be co-executors.

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

1. All beneficiaries waive bond. Net value of the estate consists of \$254,176.00 of which \$24,000.00 is personal property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. Decedent died 2 days after the will was signed.
3. The petition for probate is on an outdated form. **JTD**
4. ~Proposed Form Order: 05/31/18

RECOMMENDATION

Court's discretion re bond. If approved, set Accounting/Status Review for **11/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800534

CASE NAME: ROGER GONZALEZ SR

HEARING:

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

COUNSEL:

NENETTE GONZALEZ (PET)...PRO/PER
ROGER GONZALEZ SR (DEC)...

GENERAL INFORMATION

Continued from 07/16/18 at request of petitioner to clear probate notes.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by daughter, Nenette Gonzalez, [Administrator/Petitioner]

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

1. All heirs waive bond. The estate consists of \$123,951.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. Notice to Petition to Administer Estate and proof of service filed 08/14/18; however, section 1 indicates decedents as "Roger Gonzalez, Jr." rather than Roger Gonzalez, Sr. **JTD**
3. ~Proposed Form Order: 06/04/18

RECOMMENDATION

Court's discretion re bond and note 2. If approved, set Accounting/Status Review **11/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs)

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800684

CASE NAME: MTR OF PEARL LILLIAN SWINSON

HEARING:

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

COUNSEL:

SCOTT A SWINSON (PET)...PRO/PER
PEARL LILLIAN SWINSON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by son, Scott Swinson, [Executor/Petitioner]

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

1. Will waives bond. However, petitioner is a non-resident and the court may require bond if the proposed personal representative resides outside of California per Pr.C. §8571. Court also has discretion to require bond per Pr.C. §8481(b). Does court wish to require minimum bond of \$20,000, or alternatively, based on assets of \$664,400.00 of which \$14,400.00 are personal property. **JTD**
2. Petition does not indicate all of decedent's akas. Does court wish to require an amended petition listing all aka?. **JTD**.
3. The will conditionally incorporates decedent's Trust. **Need** Certification of Trust that meets the requirements in Pr. C. § 18100.5, to include a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? **JTD**
4. ~Proposed Form Order: 07/23/18

RECOMMENDATION:

Need to clear note 3, Court's discretion re bond. If approved, set Accounting/Status Review for **11/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

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

DATE: 09/10/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800706

CASE NAME: Mtr of Steven Clay Hayden

HEARING:

Petition for Letters of Admin w/ full IAEA

COUNSEL:

GORDEN E ADAMS (PET)...J. DAVID HORSPOOL
STEVEN CLAY HAYDEN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by unknown relation, Gordon Adams, (Administrator/Petitioner).

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

1. Petitioner is an out of state resident and requests bond of \$306.00.00. Estate value consists of \$306.00.00 in personal property. Bond appears sufficient.
2. Section 3(g)(2) re appointment administrator is incomplete. **Need** verified supplement.
3. Duties and Liabilities, item 2, does not include telephone number. **Need** complete form.
4. Petition, item #6, indicates decedent was survived by no known next of kin. It appears Public Administrator has priority of Appointment, and the State of California is entitled to escheat. **Need** notice to both.
5. **Need** notice to Bryan Hartnell who requested special notice.
6. **Need** proof of publication.
7. ~Proposed Form Order: 07/27/18

RECOMMENDATION:

Need to clear notes 2-6. Court's discretion re bond. If approved, set Accounting/Status Review for **11/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 09/10/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200075

CASE NAME: GRACE NAGATA

HEARING: Hearing re Final Discharge

COUNSEL:

MELODIE Z SCOTT (CPE)...HARTNELL LAW GROUP
GRACE NAGATA (CEP)...
WALTER T MOORE (PET)...
PACIFIC WESTERN BANK (TP)...HEMAR, ROUSSO & HEALD, LLP

GENERAL INFORMATION

Continued from **03/19/18**. Counsel states a notice of assignment is not required.

Continued from 06/04/18 at request of counsel to file required documents.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Melodie Scott, PPF, approved on 03/13/17.
2. **Need** receipt by personal representative of the estate of Grace Nagata of assets on hand remaining in conservatorship.
3. **Need** receipt by McKenzie Mortuary Services reflecting that \$8,981.82 fee was paid.
4. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b) if parcels of unimproved property were not sold or transferred.
5. **Notice of assignment order assigning Melodie Scott's rights to payment etc. filed 07/21/17 by Pacific Western Bank. Does Court wish to require a receipt by said bank for amount of \$3,360.00 that was due to Melodie Scott? JTD**
6. **Notice of non-payment of statutory fees and expenses in the amount of \$110.00 filed by Burdette Garvin, probate referee on 01/25/18.**

RECOMMENDATION

Inquire status.

(ww/cs)

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

DATE: 09/10/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400276

CASE NAME: Rita Sue Pesch
HEARING: re Final Discharge

COUNSEL:

JOHN PESCH (CPE)...PRO/PER
RITA SUE PESCH (CEP)...
KARIN E HORSPOOL (PET)...

GENERAL INFORMATION

Continued from **06/01/17**. Petitioner reports he has filed an appeal of attorney fees and exhibits. Court set a hearing date on those issues. Petitioner advised he need to file a petition for final discharge and order.

Continued from **01/17/18**. Court orders John Pesch to be present at the next hearing. Court is in need of an order for the final account still.

Continued from **03/19/18**. Court is in need of final account order still then receipts and final discharge order.

Continued from **05/14/18**. No appearance. John Pesch called in stating he will not be able to appear due to car issues. Court continues matter and orders John Pesch to be present at the next hearing.

Continued from 07/02/18 Conservator needs to file an ex parte petition for final discharge and order after hearing waiving the final account.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Requirement for final account waived for, John Pesch, on 10/28/16. The court found that the reasonable fee for court-appointed counsel's work is \$12,356; from the sums on deposit, court appointed counsel is to be paid \$8,500; remainder to be submitted via voucher. The balance of the funds on deposit, \$4,600.77, is to be paid to the conservator. **Need** order for submitted matter.
2. Receipt for Karin Horspool filed 05/31/17.
3. Ex Parte Petition for Final Discharge and Order returned by Court on 06/14/17. **Need** corrected Ex Parte Petition for Final Discharge and Order after Order waiving final account is signed and filed.

RECOMMENDATION

Inquire status.

(lc/lh/ww/cs)

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

DATE: 09/10/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600284

CASE NAME: MTR OF JANICE ANNE PRAMSCHUFER

SEE ALSO 17

HEARING:

Hearing Re: PETITION TO TERMINATE CONSERVATORSHIP ETC

COUNSEL:

ANDREW PRAMSCHUFER	(CPE)...ROSA M MARQUEZ
SUSAN PRAMSCHUFER	(CPE)...PRO/PER
JANICE ANNE PRAMSCHUFER	(CEP)...DONNASUE ORTIZ
ANDREW PRAMSCHUFER	(PET)...ROSA M MARQUEZ
SUSAN PRAMSCHUFER	(PET/CPE)...ROSA M. MARQUEZ
LIBERTY MUTUAL INSURANCE	(TP)...
BARBARA PRAMSCHUFER	(MITCHELL I ROTH)

Waiver of Court Fees and Costs filed by JANICE ANNE PRAMSCHUFER is GRANTED

XREF: CONPS1600244 (Barbara Pramschufer)

FAMSS1706884 (Barbara Pramschufer-n-Tony Hameed Ullah)

CIFDS1700057 (Pramschufer vs Ullah)

GENERAL INFORMATION

Continued from **11/02/17** and **11/13/17**.

Continued from **04/16/18** to clear probate notes.

Continued from 06/25/18 Court orders Attorney Rosa Marquez and Andrew Pramschufer to be present at the next hearing.

THIS CASE SET FOR HEARING ON Petition to Terminate Conservatorship of Estate, Waiver of Accounting Pr.C. §§ 1860, 2628 by Susan and Andrew Pramschufer, co-Conservators.

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

1. Co-Conservators, Susan and Andrew Pramschufer [siblings], seek termination of estate. Conservatee's mother Barbara Pramschufer allegedly misappropriated conservatee's assets. Co-Conservators wish to retain conservatorship of person only.
2. Assets on hand \$8,074, cash.
3. Estate appears to qualify for a waiver under Pr.C. § 2628. Assets consist of public benefits.

4. **Need** amended letters if approved.
5. Notice given.
6. No proposed order. Submit after hearing.

RECOMMENDATION

If approved, set Accounting/Status Review for ***final accounting for 04/09/19***. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/cs/ww/cs)

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

DATE: 09/10/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600284

CASE NAME: MTR OF JANICE ANNE PRAMSCHUFER

SEE ALSO 16

HEARING:

First & Final Account and Report of ANDREW PRAMSCHUFER, SUSAN PRAMSCHUFER and Petition for allowance of fees filed.

COUNSEL:

ANDREW PRAMSCHUFER	(CPE)...ROSA M MARQUEZ
SUSAN PRAMSCHUFER	(CPE)...PRO/PER
JANICE ANNE PRAMSCHUFER	(CEP)...DONNASUE ORTIZ
ANDREW PRAMSCHUFER	(PET)...ROSA M MARQUEZ
SUSAN PRAMSCHUFER	(PET/CPE)...ROSA M. MARQUEZ
LIBERTY MUTUAL INSURANCE	(TP)...
BARBARA PRAMSCHUFER	(MITCHELL I ROTH)

Waiver of Court Fees and Costs filed by JANICE ANNE PRAMSCHUFER is GRANTED
TOTAL FEES WAIVED TO DATE: \$961.00

XREF: CONPS1600244 (Barbara Pramschufer)

FAMSS1706884 (Barbara Pramschufer-n-Tony Hameed Ullah)

CIFDS1700057 (Pramschufer vs Ullah)

GENERAL INFORMATION:

Continued from **04/03/18**. To trail matter with 04/16/18 hearing.

Continued from **04/16/18** to clear probate notes.

Continued from 06/25/18

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Conservators of the Person and Estate, Andrew Pramschufer and Susan Pramschufer ["Petitioners"-siblings].

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

1. Accounting period 02/13/17 to **03/21/18**.
2. Assets on Hand **\$6,474.61** consisting of cash.
3. Petitioners do not request compensation.
4. Petitioners request reimbursement in the sum of **\$3,770.56** for payments to attorney for services to the estate. Billed at \$150-\$250 for attorney time. Itemized [Acct., LF, pgs. 7-15]. **JTD**.

- a. Fees have been paid prior to obtaining court authority.
- b. Fees include costs that are normally considered overhead.
5. Accounting does not include proposed distribution. **Supp. (03/27/18) alleges if the court approves the Conservator's petition for reimbursement, the estate will have expended all Conservatee's assets and the estate will be ready to be terminated.**
6. Need residential facility statements and/or written verification of rent per Pr.C. §2620(c)(5). **Supp. 02/06/18 indicates Salem Christian Homes fee for 01/01/18 in the amount of \$1,039.37 not \$1,026.**
7. **Need** copies of investment/bank statements to support cash balances on hand per Local Rule 20-908. **Supp. 05/21/18 provides financial statement; however, statements do not reflect assets on hand [LF p. 18-.**
8. **Need** Notice of Hearing with proof of service to include Donnasue Ortiz and Mitchell Roth.
9. **Supp. (03/27/18) does not affix Exhibit A consisting of updated bank statement and receipt as alleged. Need same via verified supplement.**
10. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes then Court's discretion. If approved, set next hearing for receipts and final discharge on **09/23/19**.

(nb/ww/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700375

CASE NAME: MTR OF ZOLA CHEYENNE JACKSON

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of NICKI E LUTES

COUNSEL:

NICKI E LUTES (CP)...PRO/PER
ZOLA CHEYENNE JACKSON (CTP)...SHERRI L KASTILAHN

GENERAL INFORMATION:

Continued from 06/25/18 at request of court due to non-appearance by conservator, nor court appointed counsel. Court orders Nicki Lutes to personally be present at the next hearing.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Nicki Lutes, appointed limited conservator of the person on 11/20/18.
2. **Need** Notification of Conservatee's rights per Pr.C.§1830(c).
3. Determination of Conservatee's Appropriate Level of Care form GC-355 filed 12/14/17; however, section 4 is incomplete. **Need** completed form.
4. Care Plan filed 12/14/17; however, page 3 is incomplete. **Need** completed form.

RECOMMENDATION:

Need to clear notes 2-4. Inquire Status
(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700400

CASE NAME: MTR OF CYNTHIA OLIVO

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of SYLVIA GONZALEZ OLIVO

COUNSEL:

SYLVIA GONZALEZ OLIVO (CP)...PRO/PER
CYNTHIA OLIVO (CTP)...DONNASUE ORTIZ

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Sylvia Olivo, appointed conservator of the person and estate on 01/29/18, no bond.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 06/26/18.
3. **Determination of Conservatee's Appropriate Level of Care and General Care Plan filed 09/05/18; however, not in Laserfiche at time of review.**
4. Determination of Conservatee's Appropriate Level of Care form GC-355 filed 06/26/18; however, section 4 is incomplete. **Need** completed form.
5. Care Plan filed 06/26/18; however, top of page 3 is incomplete. **Need** complete form.
6. If the conservatorship estate holds interest in real property, **need** proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear notes 5-6. Inquire Status.
(cs)

Future Hearing: 4/08/19 Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700460

CASE NAME: MTR OF JAHAAN DAMANI ROSS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of DENIEKO ROSS

COUNSEL:

DENIEKO ROSS (CP)...PRO/PER
JAHAAN DAMANI ROSS (CTP)...

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Denieko Ross, appointed limited conservator of the person only on 01/29/18.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 02/16/18; however, **need** notice to Sandy Turner, court appointed attorney.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 filed 02/16/18.
4. Care Plan filed 02/16/18.

RECOMMENDATION

Need to clear notes 2. Inquire Status.

(cs)

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

DATE: 09/10/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800226

CASE NAME: Mtr of Charles Earl Richardson

HEARING: Petition for Appointment of Conservator

COUNSEL:

ELVIA D OSORIO (CPE)...CASSANDRA D JONES
STELLA M RICHARDSON (CPE)...CASSANDRA D JONES
CHARLES EARL RICHARDSON (CEP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator, of the person and estate by Elvia Osorio (spouse) and Stella Richardson (daughter), [Petitioners]

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

1. Petitioner seeks bond of \$4,686.00. Estate value consists of real property valued at \$200,000.00 and personal property of \$15,000.00. Suggest bond of \$48,860.00 (includes 10% recovery). JTD
2. Petitioner seeks Pr. C. § 2590 powers to sell real property of the estate and proceeds to be used for Conservatee's care and personal needs.
3. Petitioner seeks powers and duties under section 2351-2358 to have care, custody, and control, charge of education, and the authority to authorize all medical and dental treatment including psychiatric and psychological treatment. etc.
4. Petitioner seeks medical powers. **Need** Capacity Declaration.
5. Petitioner is not seeking dementia powers. **Need** clarification if seeking dementia powers.
6. **Need** List of Required Contacts (Local form SB-12224).
7. **Need** Notification of Court of Conservatorship Address (Local form SB-14522).
8. **Need** return of Citation.
9. **Need** notice of hearing and proof of service.
10. Certificate of Completion of the Conservatorship Training Class filed 08/02/18 for Elvia Osorio and Stella Richardson.
11. Court Investigator report filed 08/31/18.
12. Proposed Form Order: Not Submitted

RECOMMENDATION

Need to clear notes 4-9, then Court's discretion re Bond. If approved, set hearing for Compliance Review for **04/15/19** 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 and Appraisal, and Proof of service of I & A Instructions for Objection per Pr.C. §2610; and recordation of letters, if applicable, per Pr.C. § 2313.

Set hearing re Accounting Review for **11/18/19**. Any accounting to be filed 30 days in advance.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/10/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800235

CASE NAME: NICHOLAS RYAN MORRIS

VACATED

HEARING:

Petition for Appointment of Conservator

COUNSEL:

KENNETH MORRIS

(PET)...J. DAVID HORSPOOL

NICHOLAS RYAN MORRIS

(CEE)...

XREF: CONPS1800206 *Nicholas Morris*

VACATED. Per register of actions.

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600318

CASE NAME: MTR OF JASON DEAN DAVIS

SEE ALSO 2, 2A

HEARING:

Hearing Re: Status/CI Report/Amended Letters

COUNSEL:

JOHN D DAVIS	(CP)...J. DAVID HORSPOOL
CAROL J DAVIS	(CP)...PRO/PER
SABRINA WORTH	(CP)...PRO/PER
JASON DEAN DAVIS	(CTP)...J. DAVID HORSPOOL

XREF: PROPS1500764 JASON DAVIS SPECIAL NEEDS TRUST

GENERAL INFORMATION

Continued from **12/21/16**. Counsel reports that Judge Ludvigsen requested that this matter be heard with PROPS1500764 which is assigned to Judge Ludvigsen.

Continued from **01/09/17**. No appearance. Notice by Judicial Assistant.

Continued from **03/27/17**. Counsel to file notice of related case and amended letters. Referred to CI.

Continued from **05/10/17**. Court orders Carol Davis and Sabrina Worth to be present if the order and letters have not been filed/issued. John Davis is deceased.

Continued from 07/26/17. Court does not need an amended order for conservatorship, court needs an order stating Carol Davis has changed her name to Carol J Roberts. New letters to also issue.

Continued from **09/20/17**. Referred to Court Investigator for investigation and report.

Continued from 01/17/18 J David Horspool is relieved as counsel of record for John Davis. Remove attorney J. David Horspool from case.

THIS CASE SET FOR HEARING ON Status/ CI Report/Amended Letters

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

1. John & Carol Davis, Sabrina Worth; parents and sister, appointed limited co-Conservators on 11/08/90 in Orange County. John Davis passed away.
2. Case ordered transferred from Orange County on 10/17/16.
3. **CI Memo filed 08/21/18**. CI report filed 04/25/17 and 10/04/17.

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

4. Report of Court appointed counsel David Horspool filed on 08/01/17.
5. Amended letters issued on 07/31/17.

RECOMMENDATION

Court's discretion re note 3.

(lc/lh/nb/lc/lh/ww/lc/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/10/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800206

CASE NAME: Nicholas Morris

HEARING:

Hearing Re: PTN FOR TEMPORARY CONSERVATORSHIP BY K MORRIS

COUNSEL:

REGINA RIECK

(CPE)...JAMES L HEYWOOD AND ASSOCIATES

NICHOLAS MORRIS

(CEP)...

X-ref matters: PROPS1800434 (In Re Connie Morris)
TRUPS1800143 (In Re Nicholas Morris)

No Notes- Petition for Temporary Petition.- JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 09/10/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700058

CASE NAME: MTR OF WILLIAM CURTIS VAN WEY

HEARING:

Accounting Review by ***

COUNSEL:

JOHN SCANNELL

(PET)...PRO/PER

WILLIAM CURTIS VAN WEY

(DEC)...

GENERAL INFORMATION

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 John Scannell, brother, on 06/26/17, full authority, no bond.
2. **Need** Final Inventory and Appraisal
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting and Final Inventory and Appraisal.

(ww)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/10/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700337

CASE NAME: DANIEL JOSEPH O'DONNELL

HEARING:

Accounting Review by ***

COUNSEL:

DANIEL JOSEPH O'DONNELL JR (PET)...ROSE C ROSADO
DANIEL JOSEPH O'DONNELL (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Testamentary issued to Daniel J. O'Donnell Jr, son, on 06/26/17; full authority, \$174,900.00 bond.
2. Final Inventory and Appraisal filed 04/05/18.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 09/10/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700347

CASE NAME: MTR OF NATHAN BITNER CLARK

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CORDELL D CLARK

COUNSEL:

CORDELL D CLARK	(CP)...PEXTON LAW, APC
SRI S CLARK	(CP)...PEXTON LAW, APC
NATHAN BITNER CLARK	(CTP)...MARK J. FLORY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Cordell and Sri Clark, parents, appointed limited co-conservators of the person only on 01/29/18, no bond.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 02/08/18; however, section 5 is incomplete as to service of order and need service on all relatives listed in section 11 of the Petition for Conservatorship. **Need** corrected notice.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 02/08/18.

RECOMMENDATION

Need to clear note 2.

(ww)