



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 09/25/18

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.

nb0827/0919

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

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: CIV DS1722271

CASE NAME: TUMANG VS BEAUMONT

HEARING:
Hearing Re: STATUS OF PROBATE CASE

COUNSEL:
ALL PERSONS UNKNOWN, CLAIMING ()...
BARBARA A BEAUMONT (DEF)...
DEBRA M RAYNOR ()...
MIMOSA TIU TUMANG (PLA)...ZIPRICK & CRAMER
NANCY HAVEY ()...
ROBERT WILLIAM HAVEY ()...

No notes – Status.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500701

CASE NAME: FRANK PELLEGRINO JR

SEE ALSO 3, 4, 5

HEARING:

Hearing Re: OSC RE DISMISSAL

COUNSEL:

DORIS NEUHAUS	(OBJ)...J PATRICK RAGAN
FRANK PELLEGRINO	(PET)...PRO/PER
FRANK PELLEGRINO JR	(DEC)...
MARY LOUISE PELLEGRINO	(PET)...PRICE LAW FIRM, APC

XREF: FAMSS1703685 (Mary L Pellegrino-n-Frank Pellegrino Jr)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Dismissal

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

1. Matter set at 04/24/18 hearing on Courts motion as counsel reports a settlement has been reached.
2. Settlement and Mutual Release Agreement filed.
3. Request for Dismissal received.

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: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500701

CASE NAME: FRANK PELLEGRINO JR

SEE ALSO 2, 4, 5

HEARING:

Hearing Re: PTN BY D. NEUHAUS FOR ORDER TERM INSOLV TRUST

COUNSEL:

DORIS NEUHAUS	(OBJ)...J PATRICK RAGAN
FRANK PELLEGRINO	(PET)...PRO/PER
FRANK PELLEGRINO JR	(DEC)...
MARY LOUISE PELLEGRINO	(PET)...PRICE LAW FIRM, APC

XREF: FAMSS1703685 (Mary L Pellegrino-n-Frank Pellegrino Jr)

Currently under review by Legal Research.
(LR)

Continued matter – notice not re-reviewed.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500701

CASE NAME: FRANK PELLEGRINO JR

SEE ALSO 2, 3, 5

HEARING:

Hearing Re: VERIFIED PTN FOR JUDGMENT ON CREDITOR'S CLAIM

COUNSEL:

DORIS NEUHAUS	(OBJ)...J PATRICK RAGAN
FRANK PELLEGRINO	(PET)...PRO/PER
FRANK PELLEGRINO JR	(DEC)...
MARY LOUISE PELLEGRINO	(PET)...PRICE LAW FIRM, APC

XREF: FAMSS1703685 (Mary L Pellegrino-n-Frank Pellegrino Jr)

GENERAL INFORMATION

Matter set on 01/10/18 for issues conference to determine which issues will be addressed at contested hearing. Court set mediation date for 03/07/18; vacated trial dates and pretrial orders.

Continued from **02/28/18**. Off the record, court and counsel hold discussions re issues that may be addressed at a trial, if the trial is held. Counsels agree to continue these discussions on the date of March 27, 2018 at 1:30pm.

Continued from 04/24/18.

THIS CASE IS SET FOR HEARING ON Petition [filed 07/25/17] for Judgment on Creditor's Claim by Mary Louise Pellegrino (former spouse of decedent)

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

1. Petitioner, Mary Lourise Pellegrino (former spouse of decedent), seeks enforcement of judgment against Respondent, Doris Neuhaus (successor trustee of Frank Paul Pellegrino Revocable Trust) for \$182,693 in child support arrearages accrued by decedent.
2. Petitioner, Mary Lourise Pellegrino, presented a creditor's claim on 08/16/16 setting forth matters on which action is based. Said claim was rejected by Respondent, Doris Neuhaus, on 05/01/17. [See petition, 07/25/17, LF, pgs. 20-33; 73].

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. Petitioner, Mary Pellegrino, alleges Respondent, Doris Neuhaus, as Trustee has violated her fiduciary duty owed to Petitioner as a potential creditor as Respondent has engaged in the improper transfer of trust assets to avoid payment of creditor's claim. Respondent continues to operate the business known as "Crazy Frank's Carpets" at a profit and has failed to render a true verified accounting. Petitioner Mary Pellegrino has requested a true and correct accounting to which Respondent Doris Neuhaus refuses to respond.
4. Petitioner Mary Pellegrino seeks instruction of the Court related to Respondent's actions as successor trustee of the Trust and Respondent's refusal to pay sum of \$182,693 in arrearages accrued by Decedent.
5. Petitioner seeks judicial determination of her rights and duties as a creditor, and declaration as to whether Respondent must pay sum of \$182,693.
6. **Need** Notice of Hearing and proof of service.
7. No proposed Order submitted.

RECOMMENDATION

Need notice, then Court's discretion.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500701

CASE NAME: FRANK PELLEGRINO JR

SEE ALSO 2, 3, 4

HEARING:

Second Amended Account and Report of DORIS NEUHAUS and Petition for allowance of fees filed.

COUNSEL:

DORIS NEUHAUS	(OBJ)...J PATRICK RAGAN
FRANK PELLEGRINO	(PET)...PRO/PER
FRANK PELLEGRINO JR	(DEC)...
MARY LOUISE PELLEGRINO	(PET)...PRICE LAW FIRM, APC

Request for Waiver of Court Fees and Costs filed by FRANK PELLEGRINO is GRANTED
Request for Waiver of Court Fees and Costs filed by MARY LOUISE PELLEGRINO is GRANTED
Request for Waiver of Court Fees and Costs filed by DORIS NEUHAUS is GRANTED

XREF: FAMSS1703685 (Mary L Pellegrino-n-Frank Pellegrino Jr)

GENERAL INFORMATION

Continued from **08/30/17**. Court orders Doris Neuhaus to serve and file a complete accounting by 4:00pm on 12/11/17.

Continued from **01/10/18**. Register of actions reflects 2nd acct set 3/20/18

Continued from **03/20/18** on courts motion. Matters currently set for March 27, 2018 are ordered to be heard on April 24, 2018 along with a post-mediation status hearing at 8:30am in Department S35. J Patrick Ragan to notify counsel of the change of the dates.

Continued from 04/24/18.

THIS CASE SET FOR HEARING ON **Second Amended Trust Account** (12/11/17) and Report by Doris Neuhaus, Successor Trustee.

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

1. Accounting period 06/08/15 – 12/11/17.
2. Assets on Hand \$0.00.
3. Current bond of \$100,000.

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. Petition alleges that all vehicles set forth in the Trust Instrument were repossessed by lienholders and the mobile home was sold prior to Decedent's death. As such, these are not assets of the Trust subject to administration.
5. The accounting does not appear to properly comply with Pr.C. §16063 and Pr.C. §1060 et. seq.
 - a. Need a proper summary of account and additional accounting schedules under Pr.C. § 1063 [liabilities etc].
 - b. Beginning assets do not coincide with any assets listed in the report [Acct. 05/10/17 LFpg3].
6. **Need** Notice of Hearing and proof of service.
7. **Objections and response filed by Mary Pellegrino on 06/29/17.** Proof of Service filed 08/21/17.
8. **Response to Objections filed by Doris Newhaus on 12/11/17.**
9. **Points & Authorities in Response to Objections by Mary Louise Pellegrino to First Amended Report filed 12/11/17.**
10. **Objections filed by Mary Louise Pellegrino on 01/03/18.**
11. **Objections and Response to Second Amended Accounting with p's & a's in support filed 02/28/18 by Mary Louise Pellegrino.**

RECOMMENDATION

Need amended accounting to be set on first check calendar no sooner than **11/06/18**. Summary of Account does not balance. In addition, charges and credits do not appear to be properly presented per Pr. C. § 1061(b). It cannot be determined whether or not this accounting balances. Need to file proper accounting to comply with Pr.C. §1060. (lc/lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500810

CASE NAME: MTR OF MILDRED B SHAW

SEE ALSO 7

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$5,000.00 ON CHERYL TRAYLOR

COUNSEL:

CHERYL TRAYLOR

(PET)...DENISE ADIGUN

MILDRED B SHAW

(DEC)...

GENERAL INFORMATION

Continued from 12/06/17. Court sets OSC re Surcharge of \$500 for FTA.

Continued from 01/17/18. Court denies Counsel's oral request to be relieved as Counsel and Court indicates that the Court will not permit Counsel to be relieved any earlier than 03/07/18. Court orders Counsel and Administrator to be present in Court on 03/07/18 at 8:#0 AM in Dept S35P as Court has set OSC re sanctions for \$500 on both Counsel and Administrator for failure to file.

Continued from 03/07/18. Court does not impose sanctions/surcharge on Denise Adigun. Court notes that it is imposing surcharge of \$500.00 on Cheryl Traylor for failure to appear as ordered by the court. Court orders Cheryl Traylor to be personally present in court. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON **OSC Re Surcharge of \$500/Accounting Review**

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

1. Letters of Administration issued to Winda Morford on 09/27/16 with full authority and no bond.
2. **Need Final Inventory and Appraisal** to include real property which was purportedly lost to foreclosure on 04/24/17.
3. **First and Final Account filed 02/20/18.**

RECOMMENDATION

Court's discretion.

(lh/nb)

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

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

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500810

CASE NAME: MTR OF MILDRED B SHAW

SEE ALSO 6

HEARING:

First and Final Account and Report of CHERYL TRAYLOR and
Petition for allowance of fees filed.

COUNSEL:

CHERYL TRAYLOR (PET)...DENISE ADIGUN
MILDRED B SHAW (DEC)...

Request for Waiver of Court Fees and Costs filed by CHERYL TRAYLOR is GRANTED
\$465.00 for petition for letters of admin on 11/12/15
\$465.00 for petition for first and final on 02/20/18

GENERAL INFORMATION:

Cheryl Traylor appointed Special Administrator on 11/19/15 to handle matters related
to the real property owned by the decedent and communicate with the mortgage
company.

General appointment on 12/02/15 to administer estate, full authority, no bond.

Continued from 04/24/18. No appearance. Notice by Judicial Assistant.

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

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

1. **Need** final Inventory and Appraisal with supporting bank/financial statements to
support date of death and closing balances per Local Rule 20-908.
2. Attorney declaration [LF, p. 7] indicates petition is not verified by administrator
as a new moving address was not provided to counsel. **JTD.**
3. **Need** Summary of Account and supporting schedules.
4. Assets on Hand \$0.00. Real property was foreclosed on 04/24/17. Trustee's
Deed Upon Sale affixed [LF, pgs. 8-9].
5. Petition alleges all heirs have waived interest in the property except Cheryl
Traylor. **Need** same via verified supplement.
6. **Need** findings re: sole and separate property via verified supplement.

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.

7. **Need** statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).
8. Prayer requests authorization and direction to transfer the title of the timeshares into Petitioner's name. **Need** status of same via verified supplement.
9. **Need** Notice of Hearing with proof of service.
10. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need amended accounting to be placed on first check calendar no sooner than **11/13/18**. This accounting does not appear to be a true and complete accounting and should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500892

CASE NAME: ELIZABETH J WALDON

HEARING:

Hearing re Final Discharge

COUNSEL:

ELIZABETH J WALDON

(DEC)...

HEIDI KOCALIS

(PET)...ROSE C ROSADO

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order on Waiver of Account and Final Report entered 09/20/18. .
2. Receipt filed.
3. **Need** informal account for \$10,000 reserve per Local Rule 20-911.
4. **Need** Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501151

CASE NAME: ROY AND PATRICIA HILL LIVING TRUST

HEARING:

Hearing Re: STATUS

COUNSEL:

EARL BATES

ROY HILL

TAWNIA BATES

THE ROY & PATRICIA HILL

TRACY J HILL

(FULLERTON LEMANN SCHAEFER &

(PET)...MICHAEL L ABERNATHY

(OBJ)...FULLERTON LEMANN SCHAEFER

(TRU)...PRO/PER

(PET)...BENJAMIN HAMPTON

Request for Waiver of Court Fees and Costs filed by TRACY J HILL is GRANTED

No notes – Status.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600222

CASE NAME: MTR OF RONALD WILLIAM ZECH

HEARING:

First and final account and report by Brandon Vincent and Petition for allowance of fees

COUNSEL:

BRANDON VINCENT (PET)...JAMES B CHURCH
RONALD WILLIAM ZECH (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Administrator, Brandon Vincent ["Petitioner"-pecuniary son].

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

1. Accounting period 04/03/10 to 07/31/18.
2. Assets on Hand \$49,602.49 in cash.
3. Statutory fees of \$5,551.74 requested. Calculated.
4. Attorney requests extraordinary fees of \$3,293.75 for services rendered in connection with the sale of real property. Billed at \$375-\$395/hour for a total of 9.15 hours' attorney time. Itemized [LF. p. 33]. **JTD.**
5. Petitioner requests reimbursement of costs advanced of \$1,500.00. **Need itemization via verified supplement.**
6. Attorney requests reimbursement of costs advanced of \$85.50. Itemized [LF, p. 35].
7. **Need** statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).
8. Assignments of Interest in favor of petitioner affixed to petition [LF, pgs. 37-45] except for LaVerne Zech.
9. Petition indicates that the real property located Mentone, CA was sold to Brandon C. Vincent. Question if Brandon C. Vincent is the same as Petitioner? If so, it does not appear prior court approval was received per Pr. C. §9883. **JTD.**
10. Petitioner requests authority to withhold the sum of \$500 as a reserve. **JTD.**
11. ~Proposed Order 08/24/18.

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.**

RECOMMENDATION:

Need to clear notes 5 & 7 then Courts discretion. If approved, set next hearing for receipts and final discharge for **10/08/19**.

(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: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600951

CASE NAME: YVONNE KAREN RAMOS-MOYA

HEARING:

Accounting Review by ***

COUNSEL:

CRYSTAL TORRES	(PET)...PRO/PER
EDWARD RAMOS JR	(PET)...PRO/PER
NOREENA RAMOS	(OBJ)...PRO/PER
YVONNE KAREN RAMOS-MOYA	(DEC)...

GENERAL INFORMATION:

Continued from 07/03/18. Court orders that the inventory and appraisal be filed.

THIS CASE IS SET FOR HEARING ON Accounting Review of Edward Ramos, Jr.

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

1. Letters Testamentary issued to Edward Ramos, Jr. on 04/25/17, full authority, no bond.
2. Inventory and Appraisal filed 08/24/18 affixes appraisal by Appraisal Management Company, LLC instead of by Probate Referee. Does Court wish to allow this appraisal in lieu of an appraisal by Probate Referee? **JTD.**
3. No accounting or 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: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601212

CASE NAME: JOSEPH ANTHONY SANCHEZ

HEARING:

Accounting Review by ***

COUNSEL:

JOSEPH ANTHONY SANCHEZ (DEC)...

SHYAN SANCHEZ (PET)...JOHN F WEBER

VACATE – Status Report filed and set for 10/31/18.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700463

CASE NAME: MTR OF ROBERT WARREN HAVEY

SEE ALSO 15, 16

HEARING:

Hearing Re: STATUS

COUNSEL:

BARBARA A BEAUMONT (PET)...ALBREKTSON & SHUMATE, LLP

ROBERT WARREN HAVEY (DEC)...

No notes - Status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700463

CASE NAME: MTR OF ROBERT WARREN HAVEY

SEE ALSO 14, 16

HEARING:

Hearing Re: PETITION FOR LETTERS OF ADMINISTRATION

COUNSEL:

BARBARA A BEAUMONT (PET)...ALBREKTSON & SHUMATE, LLP

ROBERT WARREN HAVEY (DEC)...

GENERAL INFORMATION

Continued from 08/08/17. Counsel indicates a supplemental has been filed and states his client is seeking limited powers due to adjacent property owner seeking a quiet title. Counsel also informs the Court that there is a surviving spouse they have been trying to contact with no luck. Court orders petition to be served and filed by 08/29/17.

Robert Harvey ordered to appear in court. Appearance by CourtCall approved.

Continued from **09/05/17 and 11/09/17.**

Continued from 01/11/18. Court sets OSC re sanctions in the amount of 500.00 for failure to appear. Court orders Robert Havey to be personally present on 03/19/18. Court notes if Robert Havey does not appear, Court will deem objections of Robert Havey waived permanently. OSC re Wavier of Objections set.

Continued from 07/30/18 at request of counsel. Counsel had reported to the court that the hearing date on the petition for termination of estate was September 24, 2018; however the register of actions reflects a date of September 25, 2018. Office staff of Christopher Shumate request the date be changed to September 25, 2018.

THIS CASE SET FOR HEARING ON Petition for **Ancillary** Letters of Administration with full authority under IAEA by Barbara Beaumont, daughter.

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

1. Petitioner seeks no bond; as there will be an adverse possession claim. Estate value is \$1,000 in real property. Alternatively, petitioner requests limited authority.

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2. Petitioner appears to be step-daughter; however; **Supp. (08/07/17)** petitioner alleges she is a child under the Family Code §§7630, 7611(d) and Pr. C. § 6453.
3. Spouse appears to have higher priority; however, no objections or competing petitions filed. Petitioner alleges that spouse has not returned any of her phone calls.
4. Objections filed in the form of declarations by Robert Havey, decedent's son on 07/28/17. Supp. (08/07/17) indicates objections deal with title to property and a contested hearing should not be necessary. Alternatively, the Court could limit Petitioner's powers to some extent so that a contested hearing would not be necessary.
 - a. 2nd Declaration/objection filed 08/24/17 appears to be an objection to Petition for Letters.
 - b. 3rd Declaration/objection filed 10/13/17; which appears to be objection to petition for instructions/property easement issues.
 - c. 4th Declaration filed 01/05/18 which appears to be another objection as he is alleged owner of easement.
5. **Notice of Withdrawal of Objections by Robert W. Harvey filed 03/27/18.**
6. ~Proposed Form Order: 05/12/17.

RECOMMENDATION:

Court's discretion re bond. If approved, set Accounting/Status Review for **12/05/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

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

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700463

CASE NAME: MTR OF ROBERT WARREN HAVEY

SEE ALSO 14, 15

HEARING:

Petition for TERMINATION OF ESTATE

COUNSEL:

BARBARA A BEAUMONT (PET)...ALBREKTSON & SHUMATE, LLP
ROBERT WARREN HAVEY (DEC)...

X-REF: CIVDS 1722271

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Termination of Estate by Special Administrator of the Estate, Barbara A. Beaumont ["Petitioner"]. Pr. C.§12251.

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

1. Petitioner was appointed to administer the Decedent's estate because Mimosa Tiu Tumang needed to bring a quiet title against Decedent for the property located at 25460 Cole Street, Loma Linda. CA 92354. The purpose of the special administration was so that Petitioner could act as a place holder so that Ms. Tumang could provide adequate notice to the estate.
2. On May 11, 2018, Default Judgement Against Defendants was ordered by the Court vesting title of the Loma Linda Parcel to Ms. Tumang.
3. There are no assets in the estate to administer .
4. Petitioner prays that since there are no assets in the Estate, the Estate should be terminated according Probate Code §12251 and Petitioner be discharged as special administrator with no further proceedings necessary.
5. ~Proposed Order 08/02/18.

RECOMMENDATION:

Court's discretion.

(nb)

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Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800472

CASE NAME: Sheldon E Nevens

HEARING:

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

COUNSEL:

FRANKIE NEVENS (PET)...SERGIO RODRIGUEZ
SHELDON E NEVENS (DEC)...

GENERAL INFORMATION:

Ex Parte orders granted, as modified, and Letters of Special Administration issued to Frankie Nevens on 06/13/18, no bond. Funds to be placed into a blocked account.

Continued from 06/26/18 to clear notes.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Frankie Nevens ["Petitioner"].

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

1. Petitioner is the purported nominee of a person entitled to Letters. **Need** nominations by decedent's three issues.
2. Petitioner requests a bond of \$300,000 be fixed. Appears sufficient. **JTD.**
3. ~Proposed Form Order 06/06/18

RECOMMENDATION:

Need to clear note 1 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **12/03/19**. 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

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800701

CASE NAME: MTR OF DIANA L ROMAN

HEARING:

Hearing re: Petition for Probate of Will and Letters with limited authority IAEA.

COUNSEL:

DIANA L ROMAN

(DEC)...

KRISTINA M ROMAN

(PET)...BEZAIRE & LEATHERS

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Testamentary with Limited authority under IAEA by Executrix, Kristina M. Roman ["Petitioner"- daughter].

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

1. Petitioner requests bond be fixed in the sum of \$212,000. Appears sufficient.
2. ~Proposed Form Order 08/02/18.

RECOMMENDATION:

RFA, \$212,000 bond. If approved, set future hearing for Accounting Review on **12/03/19**. 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

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800730

CASE NAME: Mtr of Anthony Edward Sprague

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ANTHONY EDWARD SPRAGUE

(DEC)...

JOHN F WEBER

(PET)...JOHN F WEBER

GENERAL INFORMATION:

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

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

1. Decedent died testate and a copy of the will is affixed to petition [LF, p.4].
2. Petitioner requests a determination that Decedent's real property located at Barstow, CA in San Bernardino County, pass to petitioner without administration. Petitioner is Decedent's surviving spouse and primary beneficiary in Decedent's will.
3. ~Proposed Order 08/02/18

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: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800773

CASE NAME: JOSE H SANCHEZ

HEARING:

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

COUNSEL:

JOSE H SANCHEZ (DEC)...
JOSE SANCHEZ JR (PET)...PRO/PER

GENERAL INFORMATION:

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

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

1. Heirs waive bond. Estimated estate valued at \$198,400. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
2. **Need** proof of publication.
3. Section 5a(7) indicates there is issue of a predeceased child. However, Section 8 does not include same. **Need** further clarification via verified supplement **and** notice to issue of predeceased child.
4. ~Proposed Form Orders/Letters 08/15/18

RECOMMENDATION:

Need to clear notes 2-3 then Court's discretion re: bond. If approved, set future hearing for Accounting Review on **12/03/19**. 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 **TRUSTS AND MOTIONS**

DATE: 09/25/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701261

CASE NAME: IN RE TRUST OF OFELIA CABRAL

SEE ALSO 22

HEARING:

Motion Re: demurrer to petition of Ofelia Cabral; memo of points
and auth Filed by Respondent ARTHUR ROY CABRAL

COUNSEL:

ARTHUR ROY CABRAL	(RES)...HARTNELL LAW GROUP
OFELIA CABRAL	(PET)...MARK W REGUS
TRUST OF OFELIA CABRAL	(TRU)...

Request for Waiver of Court Fees and Costs filed by OFELIA CABRAL is GRANTED

XREF: CIVDS1721641 (Cabral-v-Cabral)

Currently under review by Legal Research.
(LR)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701261

CASE NAME: IN RE TRUST OF OFELIA CABRAL

SEE ALSO 21

HEARING:

Motion Re: motion for order expunging notice of pending action
Filed by Respondent ARTHUR ROY CABRAL

COUNSEL:

ARTHUR ROY CABRAL	(RES)...HARTNELL LAW GROUP
OFELIA CABRAL	(PET)...MARK W REGUS
TRUST OF OFELIA CABRAL	(TRU)...

Request for Waiver of Court Fees and Costs filed by OFELIA CABRAL is GRANTED

XREF: CIVDS1721641 (Cabral-v-Cabral)

Currently under review by Legal Research.
(LR)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800010

CASE NAME: THE BRUCE A BACON FAMILY TRUST

SEE ALSO 24

HEARING:

Hearing Re: Trial Setting Conference/Return from Mediation

COUNSEL:

BRUCE A. BACON FAMILY TRUST

(TRU)...

GERARD KIEMENEY

(PET)...HARTNELL LAW GROUP

GRACIELA BACON

(LEE GREEN STEWART & PAUL

JANET FRYER

(PET)...KEYSTONE LAW GROUP

PENNY GESLIN

(OBJ)...SCOTT GROSSMAN

PENNY GESLIN

(PET)...SCOTT GROSSMAN

No notes – TSC/Return from Mediation

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800010

CASE NAME: THE BRUCE A BACON FAMILY TRUST

SEE ALSO 23

HEARING:

Petition for Reformation of Trust

COUNSEL:

BRUCE A. BACON FAMILY TRUST

(TRU)...

GERARD KIEMENEY

(PET)...HARTNELL LAW GROUP

GRACIELA BACON

(LEE GREEN STEWART & PAUL

JANET FRYER

(PET)...KEYSTONE LAW GROUP

PENNY GESLIN

(OBJ)...SCOTT GROSSMAN

PENNY GESLIN

(PET)...SCOTT GROSSMAN

Currently under review by Legal Research.

(LR)

Notice given.

(nb)

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

DATE: 09/25/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500362

CASE NAME: BARBARA JEAN HIRSCHMANN

HEARING:

First and Final Account and Report of MICHELE GIBBONS and
Petition for allowance of fees filed.

COUNSEL:

BARBARA JEAN HIRSCHMANN	(CEP)...WALTER T. MOORE
CHRISTIE M. DAVIDSON	(CPE)...HORSPOOL & HORSPOOL
MICHELE GIBBONS	(PET)...CRAIG M PARKER
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL

X-REF: CIVDS 1304431 (BARBARA HIRSCHMANN -v- INDYMAC MOR)

GENERAL INFORMATION:

Conservatee passed away on 06/08/17.

THIS CASE IS SET FOR HEARING ON First and Final Account; Petition for Fees; and
Petition for Instructions by Conservator of the person and estate by Barbara J.
Hirschmann ["Petitioner"].

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

1. Accounting period 03/15/16 to 06/08/17 (pre-death) and 06/09/17 to 02/28/18 (post-death).
2. Accounting period \$3,627.60 in cash.
3. Current bond of \$70,000.
4. Petitioner waives compensation.
5. Petitioner does not request reimbursement for advancements to cover conservatee's expenses.
6. Attorney requests fees of \$9,222.50. Billed at \$350/hour for 26.35 hours' attorney time. Itemized [LF, pgs.46 -47]. **JTD**.
7. Attorney requests reimbursement of costs advanced of \$149.00. Itemized.
8. **Need** residential facility statements and/or written verification of rent for Highland Care Center; La Posadas; and Plymouth Village, per Pr.C. §2620(c) (5).

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. Final Inventory and Appraisal does not include real property that was purportedly lost to foreclosure per minute order dated 03/21/17. Further, accounting does not address the real property or include a schedule reflecting a loss. **Need** amended final inventory; supporting schedule(s); and Trustee's Deed upon Sale.
10. Schedule C – Disbursements include residential Expenses. However, Inventory and Appraisal does not include real property. **Need** verified supplement.
11. During the accounting period, petitioner paid to Consuelo Garcia; Laura Ibarra; Lisette Macias; Marie Ann Bereilla; Rene Stahl; Rosaura Mendez; Margaret Githaige; Tiffany; and Paola for Caregiver Expenses of \$3,650.00; \$1,150.00; \$16,960.00; \$3,895.00; \$6,055.00; \$4,930.00; \$300; \$420; \$100, respectively. **Need** verified declarations for acknowledgment of receipt of fees per Local Rule 20-1406(c).
 - a. Dates of service by care providers overlap. **Need** further clarification via verified supplement.
12. **Need** further clarification as to overdraft fees and Subway Charge Back fees via verified supplement.
13. Petitioner, as Conservator of the Estate, has information suggesting that the Conservatee loaned \$50,000 to Ali Maheri. Petitioner has attempted to collect repayment of the loan from Ali Maheri or obtain proof that said loan was paid off. However, Ali Maheri has failed to neither make payments nor provide any proof of payment.
14. In addition, the Conservatee had invested in two "Subway" stores with Daryl Buck for which she was receiving income as shown in the accounting. The Conservator has requested numerous times for information regarding the Conservatee's interest, but Daryl Buck has failed to provide it. It seems that Daryl Buck assumed the interest owned by the Conservatee in said "Subway" stores without compensating the Conservatee or her estate for said interest.
15. Accordingly, Petitioner requests authority to bring a petition under Probate Code Section 850 on behalf of the Conservatee to recover the \$50,000.00 from Ali Maheri and to recover the value of the Conservatee's interest in the "Subway" stores from Daryl Buck. **JTD.**
16. ~Proposed Order 07/31/18.

RECOMMENDATION:

Need amended accounting; to clear notes; to be set on first check calendar no sooner than **11/13/18**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800120

CASE NAME: BRANDYN BURCHELL HARMON

HEARING:

Petition for substituted judgment to create a Special Need Trust for Brandyn Burchell-Harmon

COUNSEL:

BRANDYN BURCHELL HARMON

(CEE)...MELVIN L FRIEDLAND

DENNIS SHOGREN

(PET)...JAMES B CHURCH

DONNA K WASHINGTON HARMON

(PET)...PRO/PER

XREF: PROPS1400685 (Betteanne Burchell)

Currently under review by Legal Research.
(LR)

Notice given.
(nb)

Future Hearing:
09/27/18 Petition for appointment of conservator

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

DATE: 09/25/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800181

CASE NAME: NESA E WELLS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

DEBORA A BOSTON (CP)...PRO/PER
NESA A WELLS (CTP)...MITCHELL I ROTH
NESA A WELLS (CTP)...PRO/PER

GENERAL INFORMATION

Ex Parte Orders granted on 07/02/18.

Continued from 07/24/18. Attorney Mitchell I Roth is appointed. Court indicates it does not require IRC Report. Court dispenses with notice to paternal grandparents and court notes citation has been filed. Notice by Judicial Assistant

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person, by maternal grandmother, Debora A. Boston ["Petitioner"].

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

- 1 Petitioner is the nominee of proposed conservatee.
- 2 No bond – person only.
- 3 Petitioner seeks medical powers. Medical Capacity Declaration filed.
- 4 Proposed Conservatee is developmentally disabled. **Need** report by court-appointed counsel, Mitchell Roth.
- 5 Court Investigator's Report filed.
- 6 Citation returned served.
- 7 Certificate of Completion re Conservatorship Class filed.
- 8 ~Proposed Order/Letters 06/14/18.

RECOMMENDATION:

Need to clear note 4 then Court's discretion. If approved, set hearing for Compliance Review for **04/30/19** 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

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.**

Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(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.**

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800201

CASE NAME: RACHEL CASIAN

HEARING:
Petition for Appointment of Conservator

COUNSEL:
JOSE GUADALUPE CASIAN (CPE)...ENRIQUE PEREZ
RACHEL CASIAN (CEP)...SANDY L. TURNER
ROSA LILIAN CASIAN (CPE)...ENRIQUE PEREZ

GENERAL INFORMATION

Continued from 08/14/18. Supplemental regarding real property received. Medical capacity declaration deem dated as of date of filing. Duties of Conservator form is deemed dated as of date of filing. Return of citation is not needed since Rachel Casian is present in court. Attorney Sandy I. Turner is appointed.

THIS CASE IS SET FOR HEARING ON Petition for appointment of Conservatorship of person and estate by parents, Jose and Rosa Casian ["Petitioners"].

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

1. Petitioner requests monies to be placed in a blocked account. Estimated value of personal property is \$300,000. **JTD.**
2. Proposed conservatee is developmentally disabled. Report by court-appointed counsel, Sandy Turner, filed.
3. Petitioner seeks medical powers. Medical Capacity Declaration filed.
4. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
5. Petitioner requests to limit civil and legal rights of proposed conservatee to consent or withhold consent to marriage of, or entrance into a registered

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.**

domestic partnership by limited conservatorship; to exercise limited conservatee's right to control his or her social and sexual contacts and relationships.

6. Court Investigator Report filed.
7. Certificates of Completion re Conservatorship Class filed.
8. This petition is for general, and not limited, conservatorship. An IRC report is therefore optional per Pr.C. 1827.5(b). Does court wish to require? **JTD.**
9. ~Proposed Form Order/Letters 07/05/18

RECOMMENDATION:

Court's discretion. If approved, set hearing for Compliance Review for **04/30/19** 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); and Care Plan per Pr.C.§2352.5.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800241

CASE NAME: JEFFREY LEE CRUELL

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CHARLA NICHOLSON (PET)...PRO/PER
JEFFREY LEE CRUELL (CEE)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person, only, by mother, Charla Nicholson ["Petitioner"].

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

1. No bond – person only.
2. Petitioner seeks medical powers. Medical Capacity Declaration filed.
3. Court Investigator's Report filed.
4. **Need** return of Citation
5. **Need** Certificate of Completion re Conservatorship Class.
6. **Need** Notice of Hearing with proof of service.
7. ~Proposed Form Order/Letters 08/09/18.

RECOMMENDATION:

Need to clear notes. If approved, set hearing for Compliance Review for **04/30/19** 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); and Care Plan per Pr.C.§2352.5.

(nb)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS02388

CASE NAME: MTTR OF DAVID RYAN CAMAIONI

SEE ALSO 31, 32, 33

HEARING:

Hearing Re: REQUEST TO MOVE

COUNSEL:

DAVID RYAN CAMAIONI

(CTE)...DONNASUE ORTIZ

FOREST FOX

(CE)...MAUREEN MURATORE

RON B OLUND

(SC)...J. DAVID HORSPOOL

XREF: SPR01021 (David Ryan Camaioni)

No moving documents.

(nb)

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

DATE: 09/25/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS02388

CASE NAME: MTTR OF DAVID RYAN CAMAIONI

SEE ALSO 30, 32, 33

HEARING:

Hearing Re: STATUS RE FEES

COUNSEL:

DAVID RYAN CAMAIONI	(CTE)...DONNASUE ORTIZ
FOREST FOX	(CE)...MAUREEN MURATORE
RON B OLUND	(SC)...J. DAVID HORSPOOL

XREF: SPR01021 (David Ryan Camaioni)

No notes – Status.

(nb)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS02388

CASE NAME: MTTR OF DAVID RYAN CAMAIONI

SEE ALSO 30, 31, 33

HEARING:

Hearing Re: POSSIBLE APPOINTMENT OF GUARDIAN AD LITEM

COUNSEL:

DAVID RYAN CAMAIONI

(CTE)...DONNASUE ORTIZ

FOREST FOX

(CE)...MAUREEN MURATORE

RON B OLUND

(SC)...J. DAVID HORSPOOL

XREF: SPR01021 (David Ryan Camaioni)

No notes – Judge to decide.

(nb)

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

DATE: 09/25/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS02388

CASE NAME: MTTR OF DAVID RYAN CAMAIONI
SEE ALSO 30, 31, 32

HEARING:
Accounting Review by ***

COUNSEL:
DAVID RYAN CAMAIONI (CTE)...DONNASUE ORTIZ
FOREST FOX (CE)...MAUREEN MURATORE
RON B OLUND (SC)...J. DAVID HORSPOOL

XREF: SPR01021 (David Ryan Camaioni)

GENERAL INFORMATION:
Continued from 04/10/18 and 05/08/18.

THIS CASE IS SET FOR HEARING ON Accounting Review by Ron Olund,
Conservator of the person and estate.

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

1. Ex Parte Petition to Dispense with Accounting and Order entered 05/22/17 for period through 12/01/16.
2. Assets are held in related case – trust.
3. No accounting or waiver of account. **Need same.**

RECOMMENDATION:
Inquire status.
(nb)

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

DATE: 09/25/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1400732

CASE NAME: Donalda Lure Nimmo

HEARING:
Accounting Review by ***

COUNSEL:

CYNTHIA R. TILLER	(PET)...MARGARET HELEN ARTER
DONALDA LURE NIMMO	(DEC)...
PUBLIC ADMINISTRATOR	(CRAIG M PARKER
W.C. COX AND COMPANY	(LAYNE A BARTHOLOMEW

GENERAL INFORMATION

Continued from 01/18/18 and 05/08/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status.

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

1. Letters of Administration issued to Public Administrator on 11/18/14, no bond.
2. Final Inventory and Appraisal filed 12/12/16.
3. Previous status report approved on 02/07/17.
4. **Need** accounting or next status report.

RECOMMENDATION

Inquire Status of accounting.
(lc/nb)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1600436

CASE NAME: DELORES TANNER

SEE ALSO 36

HEARING:

Hearing Re: OSC RE WAIVER OF REIMBURSEMENT TO KURT A BENION

COUNSEL:

DELORES TANNER	(DEC)...
KURT ANDRA BENION	(PET)...PRO/PER
LESLIE TANNER	(MIN)...
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
PUBLIC ADMINISTRATOR	(TA)...CRAIG M PARKER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Waiver of Reimbursement to Kurt Benion.

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

1. Matter set at 07/24/18 hearing, wherein, the Court ordered Kurt Andra Benion to be personally present in court on September 25, 2018. Court noted that if Kurt Andra Benion is not present on September 25, 2018, the court will deem the reimbursement to Kurt Andra Benion waived.
2. Notice by Judicial Assistant.

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: STANFORD E. REICHERT

DATE: 09/25/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1600436

CASE NAME: DELORES TANNER
SEE ALSO 35

HEARING:
FIRST AND FINAL Account and Report of PUBLIC ADMINISTRATOR and
Petition for allowance of fees filed.

COUNSEL:

DELORES TANNER	(DEC)...
KURT ANDRA BENION	(PET)...PRO/PER
LESLIE TANNER	(MIN)...
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
PUBLIC ADMINISTRATOR	(TA)...CRAIG M PARKER

Request for Waiver of Court Fees and Costs filed by KURT ANDRA BENION is GRANTED
Fee waiver amount due \$465.00 for petition on 05/04/16

GENERAL INFORMATION:

Continued from 07/24/18. Objections & request to the court must be in writing and filed by 4PM on September 7, 2018. If the objections are not served and filed by that date and time, then pursuant to California Rule of Court 7.801, they will be waived permanently. Other pre-trial orders made.

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

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

1. Accounting period 01/26/14 to 05/06/18.
2. Assets on Hand \$51,631.16 consisting of cash.
3. Statutory fees of \$6,110.30 requested. Calculated.
4. Petitioner requests reimbursement of costs advanced of \$19,492.69 for mortgage payments, by Kurt A. Benion. Itemized.
 - a. Question whether rental income was received? **Need** verified supplement.
5. Petitioner requests authority to deposit funds of this estate belonging to James Tanner, V, with the San Bernardino County Treasurer.
6. Petitioner requests authority to withhold the sum of \$1,475.00 as a reserve.
7. Declaration re: real property fair rental value 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.

8. No objections as of the review of this matter.
9. ~Proposed Order 06/05/18.

RECOMMENDATION:

Need to clear note 4a then Court's discretion. If approved, set next hearing for receipts and final discharge for **10/08/19**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC

DATE: 09/25/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1500912

CASE NAME: LOUIA E REICHMUTH

HEARING:

Hearing Re: COURT TRIAL (SECOND DAY)

COUNSEL:

JOSEPH REICHMUTH

(PET)...ANDERSON LEBLANCE

JOSEPH REICHMUTH

(PET)...RICHARD G ANDERSON

JOSEPHINE HUNTER

(PET)...AL MARCHETTI

LOUIA E REICHMUTH

(DEC)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

No notes – Court Trial.

(nb)

Future Hearing:

09/26/18 Court Trial

09/27/18 Court Trial

09/28/18 Court Trial

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 **PROBATE**

DATE: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300285

CASE NAME: ROBERT LYLE MEE

HEARING:
Hearing Re: PTNRS AMENDED FIRST & FINAL

COUNSEL:

DIANE C OSTRANDER	(PET)...H. R. TOPALIAN
DIANE OSTRANDER	(PET)...DAVIT TOPALIAN
GINGER JACOBSON	(PET)...PRO/PER
GINGER JACOBSON	(TP)...PRO/PER
JULIE STEWART	(PET)...LAW OFFICE OF ROSE SPELLMAN,
ROBERT LYLE MEE	(DEC)...
RYAN R MEE	(MIN)...

Request for Waiver of Court Fees and Costs filed by GINGER JACOBSON is GRANTED
Fee waiver amount due \$1,160.00
\$695.00 for petitions on 01/21/14
\$465.00 for petition on 06/12/15

XREF: PROPS1400042 (Carolyn Jacobson)

GENERAL INFORMATION:

Continued from **06/13/17** to clear probate notes.

Continued from **08/22/17**. Parties state that the amended first account is almost completed and will be filed.

Continued from **11/07/17, 01/09/18, 02/27/18 and 04/10/18**. Counsel reports that the second amended accounting will be filed today. Court reserves the date of 06/12/18 for the 2nd amended accounting.

Continued from **06/12/18** for Attorney Topalian to file written objections by 07/17/18.

Continued from 08/14/18. Court will not require itemization as to note 8. Court will clear note 9,10,11,12 and 13. Attorney Craig Parker will submit order for signature.

THIS CASE IS SET FOR HEARING ON **SECOND AMENDED** (04/10/18) First and Final Account and Petition for Fees **by Successor Administrator, Julie Stewart** ["Petitioner"- maternal aunt-GAL-guardian of the person and estate in Oklahoma].

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.**

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

1. Final Inventory and Appraisal filed on 03/15/17, Attachment No. 1 includes real and personal property that should be on Attachment No. 2 and appraised by the Probate Referee. **Need** corrected inventory.
2. Accounting period 05/12/12 to 01/31/18.
3. Assets on Hand \$176,484.66 consisting of \$147,734.66 cash of which \$143,225 is held in attorney's IOLTA account and remaining in personal and real property.
4. Petitioner waives statutory compensation of \$8,578.88.
5. Former Administrator, Diane C. Ostrander and her counsel, H.R. Topalian have agreed to reduced statutory fees, each, in the amount of \$3,901.27.
 - a. Topalian further agrees to credit the estate with \$3,316.93 for the monies previously withdrawn by Ostrander from Decedent's Bank of America Account XXX5568.
6. The sum of \$3,901.27 was previously approved in full in the Mutual Release and Settlement Agreement [LF, pgs. 15-20] as partial payment of the statutory fees for the prior Administrator's Attorney, H. R. Topalian, leaving a balance of statutory fees to be paid to Rose Spellman in the **amount of \$4,677.61**.
7. Attorney Rose Spellman requests extraordinary fees of \$12,603.72 and costs of \$1,279.72 for services rendered in connection with recovering \$177,925 in estate assets. Previous payments have been made by petitioner, leaving a **balance of \$3,043.22**. Billed at \$325/hour for a total of 32.3 hours' attorney time and \$95/hour for 8.7 hours' paralegal time. Generally described [LF, p. 26]. **Need itemization** per CRC 7.702 via verified supplement.
8. Petitioner requests authority to withhold the sum of \$5,000 as a reserve. **JTD**.
9. **Objections by Successor Administrator, Diane Ostrander, filed. Declaration in support filed 09/13/18.**
10. **Reply and supplemental filed on 08/03/18.**
11. Notice filed on 08/03/18 does not give 15 days' notice. **Need** proper service.
12. Notice of Non-Payment of Bond Premium filed.
13. Proposed Order 03/15/17. All judgments must be complete in themselves without reference to the petition on which they are based (Local Rule 20-614). Please have opposing counsel approve as to form and content.

RECOMMENDATION: Matter is contested.

Need to clear notes 1, 7 & 11 then Court's discretion. If approved, set next hearing for receipts and final discharge for **10/08/19**.

(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: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600500

CASE NAME: MTR OF ORAN WALKER PALMER

HEARING:

Accounting Review by ***

COUNSEL:

DEBORAH PALMER MCCAIN	(PET)...PRO/PER
ORAN WALKER PALMER JR	(DEC)...
STATE OF CALIFORNIA FRANCHISE	(TP)...

GENERAL INFORMATION

Continued from **09/19/17**. No appearance. Court orders Deborah Palmer McCain to personally be present at the next hearing. Notice by Judicial Assistant.

Continued from **11/21/17** for petitioner to file I & A and an accounting or status report.

Continued from **06/12/18**. No appearance by administrator nor has an accounting been filed. Court orders Deborah Palmer McCain personally to be present. Notice by Judicial Assistant.

Continued from 08/07/18. Deborah Palmer McCain failed to appear as ordered nor has an accounting been filed. Citation issued.

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 Deborah Palmer McCain, daughter, on 07/12/17; full authority, no bond.
2. **Need** Final Inventory and Appraisal.
3. **Need** accounting or status report.
4. Proof of Personal Service re Citation filed. However, caption is incomplete and form is not conformed. **Need** correction and filing of 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.

(cs/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: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600525

CASE NAME: KARL PROBERT-ENBORG SPECIAL NEEDS TRUST

HEARING:

Petition for Guardian Ad Litem's Fees For Compensation For
Services Rendered To Karl Probert-Enborg

COUNSEL:

JENNIFER PROBERT	(PET)...RODNUSKY & ASSOCIATES
JENNIFER PROBERT	(TEE)...RODNUSKY & ASSOCIATES
KARL PROBERT SR	(RODNUSKY & ASSOCIATES
KARL PROBERT-ENBORG 2016 SPECI	(BEN)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Guardian ad Litem's Fees for
Compensation for Services Rendered to Karl Probert-Enborg by Jeanne E. Kennedy
["Petitioner"].

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

- 1 Petitioner was appointed GAL for beneficiary, Karl Probert-Enborg, Jr. on
12/06/17. Petitioner alleges that services have been rendered from 12/06/17
through 09/25/18, for which, counsel has not been compensated.
- 2 Attorney requests fees of \$5,200.00. Billed at \$350-\$375/hour for 11.75
hours' attorney time and \$150/hour for 7 hours' paralegal time. Itemized [LF,
pgs. 5-7]. **JTD.**
- 3 ~Proposed Order 07/25/18

RECOMMENDATION:

Court's discretion.

(nb)

Future Hearing:

11/28/18 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: JAMES MICHAEL WELCH

DATE: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600725

CASE NAME: MTR OF JOSEPH JOHN DUBNICKA

HEARING:

Petition for surcharge the estate administrator's surety bond

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (PET)...PRO/PER	
JOSEPH JOHN DUBNICKA	(DEC)...
MICHAEL J DUBNICKA	(PET)...DARLING LAW OFFICES
RYAN MICHAEL DARLING	(PET)...RYAN MICHAEL DARLING
SURTEC	(TP)...WOLKIN CURRAN LLP

GENERAL INFORMATION:

Continued from **05/08/18** for possible resolution of issues.

Continued from 08/21/18. Settlement is drafted – out for signature. Notice waived.

THIS CASE IS SET FOR HEARING ON Petition to Surcharge the Estate Administrator's Surety Bond by Creditor, California Department of Health Care Services ["Petitioner"].

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

1. Petitioner is a creditor of the Estate of Joseph John Dubnicka. Michael J. Dubnicka, is decedent's son and former Administer of the Estate. Suretec Insurance Company is the surety on the \$300,000 bond for the Estate of Joseph John Dubnicka.
2. Petition indicates DHS is required to seek reimbursement for Medi-Cal services received by Medi-Cal beneficiaries against the estate of the decedent or against any recipient of the property of that decedent by distribution or survival, in an amount equal to the payments for the health care services and health care benefits received.
3. Decedent, Lydianna Dubnicka, was a Medi-Cal beneficiary and recipient of health care benefits and services rendered through the Medi-Cal Program from about 04/01/99 to 05/01/02. Petition indicates during that period of time, DHS paid the sum of \$369,416.92 for health care services provided to decedent

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.**

Lydianna Dubnicka. She died on 05/01/02. Upon her death, her property passed to her husband, Joseph John Dubnicka.

4. Decedent, Joseph John Dubnicka, was a Medi-Cal beneficiary and recipient of health care benefits and services rendered through the Medi-Cal Program from about 05/01/08 to 08/12/12. Petition indicates during that period of time, DHS paid the sum of \$194,670.84 for health care services provided to decedent Joseph John Dubnicka. He died on 08/12/12.
5. At the time of decedent, Joseph John Dubnicka's death, the estate consisted of real property located in Yucaipa, CA. Petitioner indicates creditor's claims were sent to heir Michael Dubnicka and his attorney, Ryan M. Darling and filed with court on 01/23/17, for both Lydianna Dubnicka and Joseph John Dubnicka.
6. About 08/10/17, Attorney Darling filed a Petition to Remove Administrator Michael Dubnicka and Appointment of a new Administrator because Mr. Dubnicka "had failed to perform the duties expected of him and may have absconded with the estate funds." The Petition to Remove Michael Dubnicka was granted and the Public Administrator was appointed Successor Administrator on 12/07/17.
7. Petitioner indicates DHS has not been reimbursed for any of the payments totaling \$564,087.76; former Administrator Michael Dubnicka sold the estate property without court approval; and absconded with the sale proceeds without reimbursing DHS for its Medi-Cal creditors' claims against decedent's estate.
8. Petitioner claims DHS is entitled to repayment from the \$300,000 surety bond, after payment of attorney fees, as partial satisfaction on its \$564,087.76 Medi-Cal creditor's claims and requests a Court order authorizing and directing the Administrator to pay DHS from the \$300,000.00 surety bond as partial satisfaction on its Medi-Cal creditor's claims.
9. Proposed Order 03/27/18: the top of the page does not contain the name, address and phone number of the person filing the document. See California Rule of Court, Rule 2.111; does not contain 3 lines of content before signature line and needs to be approved as to form and content by opposing party/counsel.
10. **Objections filed by Suretec Insurance Co on 04/27/18.**
11. **Reply by DHS filed on 05/04/18.**

RECOMMENDATION:

Matter is contested.

(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: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600725

CASE NAME: MTR OF JOSEPH JOHN DUBNICKA

HEARING:

FIRST Account and Report of MICHAEL J DUBNICKA and Petition for allowance of fees filed.

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV	(PET)...PRO/PER
JOSEPH JOHN DUBNICKA	(DEC)...
MICHAEL J DUBNICKA	(PET)...DARLING LAW OFFICES
RYAN MICHAEL DARLING	(PET)...RYAN MICHAEL DARLING
SURTEC	(TP)...WOLKIN CURRAN LLP

GENERAL INFORMATION:

Court granted Petition for Removal of Administrator, Michael Dubnicka, on 11/07/17.

Court appointed Public Administrator as successor administrator, no bond.

Continued from **02/21/18, 04/03/18 and 05/08/18** for possible resolution of issues.

Continued from 08/21/18. Counsel states that a settlement has been drafted and is out for signature. Notice waived.

THIS CASE IS SET FOR HEARING ON **Amended** (03/05/18) First and Final Account of Ryan Michael Darling on behalf of former administrator, Michael Dubnicka

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

1. Current bond: \$300,000
2. Accounting period: 08/12/12 to **12/04/17**
3. Assets on hand: \$511.90 cash. Petition alleges Michael J. Dubnicka has absconded with essentially all of the assets of Estate, for which, the PA will need to file a Surcharge against Michael J. Dubnicka, as creditors' claims and attorney fees are owed to Ryan Michael Darling with the remainder being distributed to the Estate's Creditors.
4. Attorney requests statutory fees of \$7,400.00. Calculated. Attorney requests PA be authorized and ordered to pay requested fees.
5. Attorney requests extraordinary fees of \$4,441.00 for services rendered in connection with the sale of real property. Billed at \$350/hour for a total of 10

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.**

- hours' attorney time. Itemized [see supp. 03/05/18-LF, pgs. 17-18]. Attorney requests PA be authorized and ordered to pay requested fees.
6. Attorney requests reimbursement of costs advanced of \$941.00. Itemized. Attorney requests PA be authorized and ordered to pay requested costs.
 7. Summary of Account and Schedule G indicates \$209,104.77 was previously distributed to administrator Michael Dubnicka without prior Court approval. [Acct, 12/04/17, LFpgs4, 8].
 - a. Note: in Petition for Removal filed 07/10/17, attorney alleged former administrator went unresponsive once he realized the estate may be insolvent due to multiple creditors and is believed to have absconded estate funds.
 8. It does not appear preliminary distribution was made to remaining heir, David Dubnicka, entitled to 50% distribution.
 9. There are two creditor's claims filed 01/23/17 from Department of Healthcare Services in the amount of \$564,087.76. **Supp. (03/05/18)** indicates claims remain outstanding.
 10. **Need** Notice of Hearing and Proof of Service to include Public Administrator and creditors.
 11. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear note 10 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **09/04/19**.

(lh/nb)

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

DATE: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800014

CASE NAME: TERRIE L. BISHER
HEARING:
FIRST AND FINAL Account and Report of SHERRI L TRAWEEK and
Petition for allowance of fees filed.

COUNSEL:
SHERRI L TRAWEEK (PET)...GERALD A WOLF
TERRIE L BISHER (DEC)...

GENERAL INFORMATION:

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

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

1. Accounting period 12/28/17 to 07/31/18.
2. Assets on Hand \$187,614.89 consisting of \$176,614.89 cash and \$11,000 in personal property.
3. Petitioner waives compensation.
4. Attorney requests \$9,977.55 as statutory fees. Calculated.
5. Attorney requests extraordinary fees of \$3,293.75 for services rendered in connection with the sale of real property. Billed at \$425/hour for a total of 7.75 hours' attorney time. Itemized [LF, pgs. 26-27]. **JTD.**
6. Notice does not include creditor, Sprint Solutions c/o DCM Services. **Need same. Supp. (09/11/18)** states "A notice to a potential creditor of the decedent cannot be mailed if the existence of the creditor is unknown." **JTD.**
7. Proposed Order 08/09/18 does not include findings re: sole and separate property; known creditors; or that all taxes have been paid.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for final discharge on **10/08/19**.
(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: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800160

CASE NAME: MTR OF JORDAN S FINKLER

HEARING:

Petition for Petition to Determine Title to Property

COUNSEL:

JORDAN S FINKLER

(DEC)...

SIV E FINKLER

(PET)...CUMMINS & WHITE LLP

Currently under review by Legal Research.
(LR)

Notice is not proper.

Probate Code section 851 was amended [eff. Jan. 1, 2018] and contains a new subdivision (c) which requires the Notice of Hearing to include:

- (1) a description of the property, and for real property mandates the notice state the street address or, if none, a description of the property's location and assessor's parcel number;
- (2) a description of relief sought pursuant to Section 859 if applicable; and
- (3) a statement advising any interested person that he or she may file a response.

The Notice of Hearing filed does not comply with one of more of these mandatory requirements. Waivers of Notice filed. **JTD.**

(nb)

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

DATE: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800226

CASE NAME: MTR OF MARIANO VASQUEZ RIOS

HEARING:

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

COUNSEL:

GARTH RIOS (PET)...PRO/PER
MARIANO VASQUEZ RIOS (DEC)...

GENERAL INFORMATION:

Continued from **04/10/18** on courts motion to clear notes.

Continued from **06/05/18** at request of petitioner to retain counsel.

Continued from 07/24/18 at request of petitioner to clear notes.

THIS CASE IS SET FOR HEARING ON Petition of Lost Will and for Letters of Administration WWA and full authority under IAEA by son, Garth Rios ["Petitioner"].

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

1. Decedent was survived by spouse, Josie Rios, who would appear to have higher priority. However, notice was given to Ms. Rios.
2. **Need** a copy of the purported Will and stated reasons why the presumption in Pr. C. §6124 does not apply via verified supplement.
3. Sections 2d and 3e to petition re: bond is incomplete. **Need** verified supplement.
4. Character and estimated value of the property of the estate reflected as "TBD." Does Court wish to require minimum bond of \$20,000 until such time as an estimated value can be determined? The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. §8481(b). **JTD.**
5. Section 9d is incomplete as to why other named executors will not act. **Need** verified supplement.
6. **Need** proof of publication.

7. Section 5 to Notice of Petition to Administer Estate filed on 06/13/18 is incomplete and proof of service does not include sibling, Marcos Perayda. **Need proper notice and service** or file Due Diligence as to Marcos.
8. ~Proposed Form Order/Letters 03/08/18.

RECOMMENDATION:

Need to clear notes then Court's discretion re: bond. If approved, set next hearing for Accounting Review on **12/03/19**.

(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: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800656

CASE NAME: MTR OF REBECCA MARIE PAULSEN

HEARING:

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

COUNSEL:

CATHERINE IRENE BARRY (PET)...PETER JOSSE RAND
REBECCA MARIE PAULSEN (DEC)...

GENERAL INFORMATION:

Continued from 08/21/18. Court clears all probate notes except the proof of subscribing witness. Matter is continued for this document to be filed.

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

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

1. Will waives bond. Estimated estate valued at \$200,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). JTD.
2. ~Proposed Form Order/Letters 07/09/18.

RECOMMENDATION:

Court's discretion re: bond. If approved, set future hearing for Accounting Review on **12/03/19**. 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: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800765

CASE NAME: WILLIAM RUSSELL WIST

HEARING:

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

COUNSEL:

ANTHONY SCOTT YEAGER (PET)...WILLIAM E EICK
WILLIAM RUSSELL WIST (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by Executor, Anthony S. Yeager ["Petitioner"].

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

1. Will waives bond. Estimated estate valued at \$231,000. However, petitioner is a non-resident and court has discretion to require bond per Pr. C. §8571. **JTD.**
2. 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. ~Proposed Form Letters 08/10/18

RECOMMENDATION:

Need to clear note 3 then Court's discretion re: bond. If approved, set future hearing for Accounting Review on **12/03/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

DATE: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800766

CASE NAME: John Richard Fuentes

HEARING:

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

COUNSEL:

JOHN RICHARD FUENTES Jr (PET)...YOLANDA FLORES-BURT
JOHN RICHARD FUENTES Sr (DEC)...

GENERAL INFORMATION:

Ex Parte orders denied on 08/27/18.

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by son, John R. Fuentes, Jr. ["Petitioner"].

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

1. **Need** receipt for "lodging" of original will.
2. Will names petitioner and sibling, Marcella Lynn Turiano Weimann, as Co-Trustees of any trust created under this Will, but does not specifically name anyone as executor. **Need** amended petition requesting Letters of Administration w/WA.
3. Beneficiaries waive bond. Estimated estate is unknown at \$0.00. However, petitioner is a non-resident and court has discretion to require bond per Pr. C. §8571. **JTD.**
 - a. **Need** Mandatory Waiver of Bond by Heir or Beneficiary, form DE-142/DE-11, by petitioner.
4. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
5. Section 5a(3)(4) is incomplete. **Need** verified supplement.
6. **Need** proof of publication.
7. **Need** Notice of Petition to Administer Estate with proof of service.
8. ~Proposed Form Order/Letters 08/14/18.

RECOMMENDATION:

Need to clear notes then Court's discretion. If approved, set future hearing for Accounting Review on **12/03/19**. 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: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800774

CASE NAME: MTR OF WANDA MAY RINALDO

HEARING:

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

COUNSEL:

FRANK HERRERA (PET)...PRO/PER
WANDA MAY RINALDO (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by grandson. Frank Herrera ["Petitioner"].

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

1. Decedent was survived by issue who has higher priority than petitioner and named in the will. **Need** Declination to Act and Nomination of this petitioner by daughter, Gina Frances Herrera.
2. **Need** amended petition requesting Letters of Administration with Will Annexed.
3. Will is not self-proving [not "signed under penalty of perjury under the laws of the State of California"]. **Need** Proof of Subscribing Witness.
4. Will does not waive bond as to this petitioner. Estimated estate valued at \$80,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD**.
5. Section 8 to petition does not include predeceased issue. **Need** same via verified supplement.
 - a. Question whether petitioner and Robert Hererra are the issue of predeceased issue? **Need** verified supplement.
6. **Need** proof of publication.
7. **Need** Notice of Petition to Administer Estate with proof of service to include son-in-law, Jesus Daniel Herrera, Sr., named in the Will.
8. No proposed order/letters. Submit after hearing.

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 re bond. If approved, set future hearing for Accounting Review on **12/03/19**. 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

DATE: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800794

CASE NAME: MTR OF PATSY ANN POLES

HEARING:

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

COUNSEL:

GARY ALAN POLES

(PET)...JT LEGAL GROUP, APC

PATSY ANN POLES

(DEC)...

GENERAL INFORMATION:

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

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

1. Heirs waive bond. Estimated estate valued at \$366,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
2. **Need** proof of publication.
3. **Need** Notice of Petition to Administer Estate with proof of service.
4. ~Proposed Form Order/Letters 08/20/18.

RECOMMENDATION:

Need to clear notes then Court's discretion re bond. If approved, set future hearing for Accounting Review on **12/03/19**. 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: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800815

CASE NAME: ROBERT J ELLIS

HEARING:

Petition to Determine Succession to Real Property

COUNSEL:

SHARON KAY ELLIS

(PET)...CANDICE A GARCIA-RODRIGO

ROBERT J ELLIS

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by wife, Sharon K. Ellis; and issue, Nicholas Ellis; Christopher Ellis; and Michelle Thygesen ["Petitioners"].

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

- 1 Statement About the Bond Section to Inventory & Appraisal, attached to petition, is incomplete. **Need** verified supplement.
- 2 Petitioners are the surviving spouse and issue of decedent. Petitioners request a determination that decedent's real property located at Rialto, CA in San Bernardino County pass to petitioners without administration. Decedent died intestate with three adult children who would also share a two-thirds distribution in the estate, per Pr.C. §6401, as the real property is the separate property of decedent.
- 3 ~Proposed Form Order 08/23/18.

RECOMMENDATION:

Need to clear note 1 then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: VPR VS01544

CASE NAME: ESTATE OF ISABEL ALEXANDER NIELSEN

HEARING:

Accounting Review by ***

COUNSEL:

BRENT K NIELSEN	(PET)...PRO/PER
DOROTHY I NIELSEN	(PET)... LAYNE A BARTHOLOMEW
DOROTHY I NIELSEN	(PET)...PRO/PER
GARY NIELSEN	(PET)...PRO/PER
ISABEL ALEXANDER NIELSEN	(DEC)...
PUBLIC ADMINISTRATOR	(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 on Report of Status entered 09/19/17.
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 **TRUSTS AND MOTIONS**

DATE: 09/25/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800115

CASE NAME: The Alice Erdeane Thompson 2013 Revocable Trust

HEARING:

Petition for an order to confirm two parcels of real property are assets of the trust

COUNSEL:

JIM F THOMPSON

(PET)...WILSON & WILSON

KIM B THOMPSON

(PET)...WILSON & WILSON

THE ALICE ERDEANE THOMPSON 201

(TRU)...

Currently under review by Legal Research.

(LR)

Notice is complete.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/25/18 TIME: 8:30 DEPT: S36P

CASE#: TRU PS1800140

CASE NAME: John Amador and Esther Amador Living Trust

HEARING:

Petition for (verified) to confirm: (1) Existence and Validity of Trust (2) Appt of Succ
Trustee

COUNSEL:

LILIA HERNANDEZ

(PET)...FULLERTON LEMANN

JOHN AMADOR AND ESTHER AMADOR (TRU)...

Currently under review by Legal Research.
(LR)

Notice given.
(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: 09/25/18 TIME: 8:35 DEPT: S36P

CASE#: SPR SS07154

CASE NAME: MTR OF ZACHARY MARTIN SETTLEMENT TRUST

HEARING:

Accounting Review by ***

COUNSEL:

MARJORIE MARTIN

(PET)...LAMB MORRIS & LOBELLO

MARJORIE MARTIN

(TEE)...LAMB MORRIS & LOBELLO

MITCHELL MARTIN

(PET)...LAMB MORRIS & LOBELLO

ZACHARY MARTIN SETTLEMENT TRUS (TRU)...

VACATE – Seventh Account filed and set for 10/18/18.

(nb)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/25/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800160

CASE NAME: THE GEORGE AND PATRICK R MATRANGA LIVING TRUST

VACATED

HEARING:

Petition for To Compel Production of Trust Instrument Accounting by Trustee

COUNSEL:

CYNTHIA MATRANGA (PET)...JASON L GAUDY
THE GEORGE AND PATRICK R MATRANGA (TRU)...PRO/PER

Request for dismissal filed – with prejudice.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 09/25/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS0700278

CASE NAME: MTR OF ANA GABRIELA ORTEGA

HEARING:

Hearing Re: TERMINATION OF CONSERVATORSHIP

COUNSEL:

ANA GABRIELA ORTEGA

(CTP)...JAMES B CHURCH

ANNA G ROMERO

(CP)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Termination of Conservatorship.

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

1. Matter set on Courts motion upon receipt and review of CI Report filed 05/23/18.
2. Court re-appoints Attorney James Church as attorney for conservatee. **Need** report.
3. Court places matter on calendar for hearing regarding the request of the conservatee to terminate the conservatorship. **Need** proper petition.
4. Notice by Judicial Assistant.

RECOMMENDATION:

Need Petition for Termination and report by court-appointed counsel, then Court's discretion.

(nb)

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

DATE: 09/25/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS0900204

CASE NAME: KYLE SCHUNKE

HEARING:
Accounting Review by ***

COUNSEL:

ANGELO SCHUNKE	(CPE)...DONNASUE ORTIZ
ANGELO SCHUNKE	(OBJ)...DONNASUE ORTIZ
ANGELO SCHUNKE	(PET)...SAMUEL R WASSERSON
E. JOAN NELMS	(PET)...E JOAN NELMS
J. DAVID HORSPOOL	(PET)...HORSPOOL & HORSPOOL
KYLE SCHUNKE	(CEP)...JOAN NELMS
KYLE SCHUNKE	(PET)...JACK B. OSBORN
NANCY S. SCHUNKE	(CP)...HORSPOOL & HORSPOOL
NANCY SLIMAK SCHUNKE	(CPE)...HORSPOOL & HORSPOOL

GENERAL INFORMATION:

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

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

1. Order Settling Seventh Account entered 03/13/18; eighth account now due.
2. No accounting or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status. Clerk to notice surety.

(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: 09/25/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200272

CASE NAME: MTR OF RONALD MALLINGER

HEARING:
Accounting Review by ***

COUNSEL:
RONALD MALLINGER (CEP)...WALTER T. MOORE
TAWNY LYNN COCKRUM (CPE)...FULLERTON LEMANN SCHAEFER &

XREF: PROPS1700880 (The Mallinger Family Trust)

GENERAL INFORMATION:
Continued from 06/19/18 and 08/21/18.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Settling Third Accounting entered 11/17/17; fourth account now due.
2. No accounting. **Need** same.

RECOMMENDATION:
Inquire status. Clerk to notice surety.
(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: 09/25/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600166

CASE NAME: RODRIGO R ROMERO

HEARING:
Hearing Re: STATUS OF DELIVERY OF ORDER

COUNSEL:
ALEJANDRO QUIROGA (CP)...PRO/PER
RODRIGO R ROMERO (CEE)...SANDY L. TURNER

No notes – Status.
(nb)

Future Hearing:
01/15/19 Hearing re: Waiver of account/ Final etc.

Superior Court of Calif, County of San Bernardino

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

DATE: 09/25/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700435

CASE NAME: FERNANDO AYON

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of FERNANDO AYON

COUNSEL:

FERNANDO AYON	(CTP)...CRAIG M PARKER
GUSTAVO A AYON	(CP)...PRO/PER
LUZ ELENA AYON	(CP)...PRO/PER

GENERAL INFORMATION

Gustavo A. Ayon and Luz E. Ayon appointed Limited Conservators of the person on 02/20/18..

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Notification of Conservatee's Rights; Care Plan; including a Determination of Conservatee's Appropriate Level of Care filed.

RECOMMENDATION:

None.

(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: 09/25/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800245

CASE NAME: MTR OF MATTHEW DREW JOHNSON IV

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JULIA JOHNSON (CP)...PRO/PER
MATTHEW DREW JOHNSON III (CP)...PRO/PER
MATTHEW DREW JOHNSON IV (CTP)...

GENERAL INFORMATION

Julia Johnson, Matthew Drew Johnson III appointed Temporary Conservator on 08/29/18. The court designates Mr. Flory as guardian ad litem rather than as counsel. Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for appointment of Conservatorship of person only, by mother and father, Julia and Matthew D. Johnson III ["Petitioners].

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. **Need** appointment of counsel and report by same.
3. **Need** report by GAL, Attorney Flory.
4. **Need** Medical Capacity Declaration.
5. **Need** Citation .
6. **Need** Court Investigator Report.
7. This petition is for general, and not limited, conservatorship. An IRC report is therefore optional per Pr.C. 1827.5(b). Does court wish to require? **JTD.**
8. **Need** Certificates of Completion re Conservatorship Class.
9. **Need** Notice of Hearing with proof of service.
10. ~Proposed Form Order/Letters 08/15/18

RECOMMENDATION:

Court to appoint counsel then need to clear notes. If approved, set hearing for Compliance Review for **04/30/19** for the filing of the following: proof of service of Order

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.**

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); and Care Plan per Pr.C.§2352.5.

(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.**

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

DATE: 09/25/18 TIME: 9:30 DEPT: S36P

CASE#: RC RS00375

CASE NAME: SYLVIA HERNANDEZ

HEARING:
Hearing Re: CI REPORT/STATUS

COUNSEL:
ELAINE L HERNANDEZ (PET)...ALTHOUSE & MCDONOUGH
SYLVIA HERNANDEZ (CEP)...PATRICIA A LOBELLO
SYLVIA HERNANDEZ (PCE)...CANDICE A GARCIA-RODRIGO
XAVIER F HERNANDEZ (PET)...ALTHOUSE & MCDONOUGH

No notes – 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: 09/25/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS4456

CASE NAME: IN THE MATTER OF ROBERT ACEVES

HEARING:

Accounting Review by ***

COUNSEL:

EVA ACEVES

(CPE)...PRO/PER

ROBERT ACEVES

(CEP)...CRAIG M PARKER

GENERAL INFORMATION:

Continued from **05/15/18**. Court reappoints Attorney Craig Parker for the conservatee Robert Aceves. Counsel to make contact with the conservator and assist with the filing of an accounting. Notice by Judicial Assistant.

Continued from 07/17/18. Michael Gallegos states that the he has Power of Attorney of Eva Aceves as she is not able to handle her own affairs at this time. Michael Gallegos also states that the conservatee Robert Aceves passed away two years ago. Court directs Attorney Craig Parker to submit a status report/declaration regarding this and the prior waiver of accounts that have been filed. Court directs the Clerks' Office to allow Attorney Parker to get copies of documents in the file as he is the court appointed counsel for the now deceased conservatee.

THIS CASE IS SET FOR HEARING ON Accounting Review of Conservator of the Estate, Eva Aceves.

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

1. Ex Parte Petition to Dispense with Account and Order entered 07/22/16; account now due beginning 03/02/16.
2. No accounting or waiver of account. **Need** same.
3. **Need** report by Attorney Parker.

RECOMMENDATION:

Inquire status.

(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

PROBATE

DATE: 09/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500738

CASE NAME: MTR OF DORIS ANNE SUNDEEN

HEARING:

Hearing Re: Accounting Review for Donald Hempstead

COUNSEL:

DONALD HEMPSTEAD	(PET)...KATHRYN A FLANIGAN
DONALD HEMPSTEAD	(PET)...KATHRYN A FLANIGAN
DORIS ANNE SUNDEEN	(DEC)...
MARJORIE SUNDEEN HUMPSTEAD	(PET)...H. BROOKS TRAVIS
STATE OF CALIFORNIA FRANCHISE	(TP)...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. Donald Hempstead (nephew) appointed Successor Administrator on 11/08/16, full authority, no bond. Letters issued on 11/08/16.
2. **Need** final inventory and appraisal.
3. No accounting or 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: TARA REILLY

DATE: 09/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601229

CASE NAME: MTR OF JOHN BYRON JONES

HEARING:

Hearing re Final Discharge

COUNSEL:

BRANDON JONES (PET)...ROBERTA L. TAYLOR & ASSOCIATES
JOHN BYRON JONES (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling First and Final Account entered 09/20/17.
2. **Need** Ex-Parte Petition/Order for Final Discharge.

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: 09/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700409

CASE NAME: GILBERT BRIONES JR

HEARING:

Accounting Review by ***

COUNSEL:

ADVANCE INHERITANCE, LLC	(TP)...JAMES L LEESTMA
GILBERT BRIONES JR	(DEC)...
KRISTY BRIONES	(PET)...GAUDY LAW, INC
VALERIE BRIONES	(PET)...GAUDY LAW, INC

XREF: PROPS1700410 (Jeannie Briones)
PROPS1700834 (The Gilbert H Briones Living Trust)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Amended Letters of Administration issued to Valerie and Kristy Briones on 05/15/18, full authority, and \$155,000 bond.
2. No accounting or status report. **Need** same.

RECOMMENDATION:

Inquire status. Clerk to notice surety.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/25/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700417

CASE NAME: MTR OF DAVID BRIAN ROSS

HEARING:

Accounting Review by ***

COUNSEL:

DAVID BRIAN ROSS

(DEC)...

JESSEE D ROSS

(PET)...MEISSNER, JOSEPH & PALLEY

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 Administration issued to Jessee D. Ross on 08/31/17, full authority, and \$50,000 bond.
2. **Need** final inventory and appraisal.
3. No accounting or status report. **Need** same.

RECOMMENDATION:

Inquire status. Clerk to notice surety.

(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: 09/25/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700057

CASE NAME: LESSIE THOMAS PHILPOT

HEARING:

Accounting Review by ***

COUNSEL:

ALICE FAYE PHILPOT	(PET)...PRO/PER
EARNEST BURNES SR	(OBJ)...PRO/PER
LESSIE THOMAS PHILPOT	(CTP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator/Spouse of the Person and Estate, Alice F. Philpot.

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

1. Spouse, Alice F. Philpot, appointed Conservator of the Person and Estate on 07/18/17, with no bond
2. Final Inventory and Appraisal filed on 04/24/18 reflects \$0.00 assets. Question the need for estate powers? Court to inquire.

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: 09/25/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700148

CASE NAME: MTR OF MICHELLE HERNANDEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JUAN A HERNANDEZ

COUNSEL:

JUAN A HERNANDEZ (CPE)...PRO/PER
MARIA I HERNANDEZ (CPE)...PRO/PER
MICHELLE HERNANDEZ (CEP)...MARK J. FLORY

GENERAL INFORMATION

Juan and Maria Hernandez appointed Limited Co-Conservators of the Person on
09/26/17.

**Continued from 05/01/18 and 07/31/18 at request of Maria I Hernandez to clear
notes. Petitioner referred to legal aid. All temporary orders to remain in full
force and effect.**

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Notification of Conservatee's Rights filed.
2. Statement of Care Plan is not signed by counsel. **Need** same.
3. Determination of Conservatee's Appropriate Level of Care filed.

RECOMMENDATION:

Need to clear note 2.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 09/25/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800179

CASE NAME: STEPHANIE ARMENTA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

STEPHANIE ARMENTA (CEE)...JENNIFER M DANIEL

SUSANA ARMENTA (PET)...PRO/PER

GENERAL INFORMATION:

Continued from 07/31/18 at request of petition. Court clears probate note 3, report filed by Ms. Daniel. Court clears probate note 4, Court states medical capacity declaration is acceptable to the Court. Petitioner referred to Legal Aid.

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by mother ["Petitioner"].

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. Report filed by court-appointed counsel, Attorney Jennifer Daniel.
3. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
4. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
5. Citation returned served.
6. Court Investigator Report filed.
7. Inland Regional Center Report filed.
8. **Need** Certificate of Completion re Conservatorship Class.

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. Confidential Conservator Screening Form does not include father and brother, Edgar; and is not dated at signature line. **Need** complete form.
10. Request to Excuse Notice as to paternal grandmother. **JTD**.
11. ~Proposed Form Order/Letters 06/13/18.

RECOMMENDATION:

Need to clear notes 8-9. If approved, set hearing for Compliance Review for **04/30/19** 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); and Care Plan per Pr.C. §2352.5.

(nb)