



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 09/26/18

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.

09/20/18lh

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: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400663

CASE NAME: ERWIN B. KOWALSKI

HEARING:

Hearing Re: Report of 3rd Amended First Account

COUNSEL:

MICHAEL J. KOWALSKI

(PET)...PRO/PER

ERWIN B. KOWALSKI

(DEC)...

GENERAL INFORMATION:

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

Continued from 09/05/18 to clear probate notes.

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

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

1. Assets on hand of **\$34,308.94** consisting of \$31,258.39 in cash. **Need** account statements support ending balance per Local Rule 20-908.
2. Petitioner indicates known liabilities [LFp12] of the estate as follows :
 - a. Statutory fees of \$5,391.04. **Need** calculation. Pr.C. §10800.
 - b. Extraordinary fees and reimbursements in an amount to be determined. **Need itemization.**
 - c. Dish Network for \$176.63; however, Dish network does not have a record of this account.
 - d. Time Inc for \$65.72; however, Time, Inc. does not have a record of this account.
 - e. Waived Court fees of \$649.00.
3. Schedule C -Disbursements [LFp7] indicates disbursement of \$506.02 for miscellaneous charges and legal fees of \$1,348.59. **Need** verified supplement further clarifying disbursements.
4. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary (Pr. C. § 1064 (a)(4)). **Need** verified supplement.
5. **Need** findings re: all taxes have been paid, or reserve made for taxes.

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

6. **Need** Notice of Proposed Action regarding sale of real property.
7. Creditors' claims filed by Phillips and Cohen for \$2,736.40; Capital One for \$5,745.13; American Express for \$1,316.46. **Need satisfaction or release of claims, or proof of payment.**
8. **Need** proposed distribution per Local Rule 20-907(c).
9. Proposed order attached to report [LF p34]; however, need total assets on hand, proposed distribution and findings re notices given including Pr.C. §9202, sole separate property, creditors, all taxes paid.

RECOMMENDATION:

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 period. Need a complete amended accounting

(cs/lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500220

CASE NAME: MTR OF REYES GONZALES

HEARING:

Accounting Review

COUNSEL:

CANDELARIO PARTIDA	(PET)...MOISES A AVILES
REYES GONZALES	(DEC)...
REYLENE GONZALES	(PET)...HARTNELL LAW GROUP
PUBLIC ADMINISTRATOR	(ADM)...CRAIG M PARKER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Reylene Gonzalez

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

1. Letters of Administration issued to Reylene Gonzalez on 08/30/17 with full authority.
2. Court reset accounting review for 09/26/18 on 08/30/17.
3. **Need** final Inventory and Appraisal.
4. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500482

CASE NAME: HENRY MORA JR.

SEE ALSO 4

HEARING:

Hearing re Final Discharge

COUNSEL:

MARY ANN MORA	(PET)...THOMAS GRAY ATTORNEY AT LAW
HENRY MORA JR.	(DEC)...
THOMAS W DOMINICK	(TP)...

See notes on next matter #4.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500482

CASE NAME: HENRY MORA JR.

SEE ALSO 3

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00 FOR FAILURE TO APPEAR

COUNSEL:

MARY ANN MORA (PET)...THOMAS GRAY ATTORNEY AT LAW
HENRY MORA JR. (DEC)...
THOMAS W DOMINICK (TP)...

GENERAL INFORMATION

Continued from 08/01/18. No appearance. Matter set for OSC. Attorney and Administrator to be personally present at next hearing. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON **OSC re Sanctions for \$500**/Final Discharge re Mary Ann Mora

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

1. **Need** satisfaction of claim from American Medical Response regarding allowance of creditor's claim for \$1,793.97 filed 07/24/17.
2. **Need** receipt from Sergio Mora.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Court's discretion re OSC.
Inquire status.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700063

VACATED

CASE NAME: MTR OF BETTY L COVINGTON

HEARING:

Accounting Review

COUNSEL:

KENNETH MARK COVINGTON (PET)...PRO/PER
BETTY L COVINGTON (DEC)...

Accounting filed 08/23/18 by Kenneth Covington.

Future hearing date: 10/29/18 – First Account by Kenneth Covington

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700241

CASE NAME: MTR OF RICHARD MARTINEZ

HEARING:

Accounting Review

COUNSEL:

PHYLLIS MARTINEZ (PET)...ROSE C ROSADO
RICHARD MARTINEZ (DEC)...
THOMAS W DOMINICK (TP)...THOMAS W DOMINICK

XREF: PROPS1700161 *MARTINEZ FAMILY TRUST*

GENERAL INFORMATION

Continued from 08/01/18 to file accounting.

THIS CASE IS SET FOR HEARING ON Accounting Review re Phyllis Martinez,
spouse

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

1. Letters of Administration with full authority issued to Phyllis Martinez on 05/24/17; no bond.
2. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700393

CASE NAME: IRENE C BAEZ

HEARING:

Accounting Review

COUNSEL:

SARAH CONTRERAS
IRENE C BAEZ

(PET)...GREGORY L ZUMBRUNN
(DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Sarah Contreras,
Administrator

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

1. Letters of Administration with full authority issued to Sarah Contreras (daughter) on 04/24/17.
2. Final Inventory and Appraisal filed.
3. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800042

CASE NAME: MTR OF ROBERTA V SCHISZLER

SEE ALSO 9, 10

HEARING:

Hearing Re: OSC RE DISMISSAL

COUNSEL:

RONALD SCHISZLER	(PET)...DIANA J CARLONI
ROBERTA V SCHISZLER	(DEC)...
SHARON CARUFEL	(OBJ)...CHRISTOPHER B JOHNSON

GENERAL INFORMATION

Continued from **02/21/18**. Objections to be filed by 04/05/18. Reply to be filed by 04/23/18.

Continued from 05/02/18. Counsel reports that the parties are agreeable to mediation and will submit a stipulation and order with requested mediation date to Court for approval. Counsel to file Stipulation and Order by 05/30/18 at 4PM.

Continued from 08/01/18. Possible agreement reached. Court set OSC re Dismissal and post-mediation status conference.

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

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

1. Decedent died intestate testate on 06/08/17 and is survived by a spouse and 2 children.
2. Petitioner requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
3. Need Attachment 7 explaining the facts upon which the petitioner bases the allegation that property should pass or be confirmed. **Supp filed 02/16/18**
Petitioner alleges he married decedent in 1993. The property was refinanced during their marriage using community funds. The property was maintained, improved, etc from 1999 to 2017 by decedent and petitioner, and remains the primary residence of petitioner.
4. Notice is complete.
5. **Objections filed by Sharon Carufel on 04/02/18.**
 - a. **Notice of Withdrawal of Objections by Sharon Carufel filed 09/04/18. Parties settled 08/07/18.**

6. Reply to Objections of Sharon Carufel filed 04/23/18.
~Proposed form order: 01/17/18

RECOMMENDATION:
Court's discretion.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800042

CASE NAME: MTR OF ROBERTA V SCHISZLER

SEE ALSO 8, 10

HEARING:

Hearing Re: POST MEDIATION STATUS CONFERENCE

COUNSEL:

RONALD SCHISZLER	(PET)...DIANA J CARLONI
ROBERTA V SCHISZLER	(DEC)...
SHARON CARUFEL	(OBJ)...CHRISTOPHER B JOHNSON

No notes—Status—JTD

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800042

CASE NAME: MTR OF ROBERTA V SCHISZLER

SEE ALSO 8, 9

HEARING:

Spousal Property Petition hearing.

COUNSEL:

RONALD SCHISZLER	(PET)...DIANA J CARLONI
ROBERTA V SCHISZLER	(DEC)...
SHARON CARUFEL	(OBJ)...CHRISTOPHER B JOHNSON

See notes on prior matter #8.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800721

CASE NAME: Mtr of Sophie Razo

VACATED

HEARING:

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

COUNSEL:

ALBERT ROZO JR (PET)...BRIAN C MILES
SOPHIE RAZO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Albert Rozo, Jr, son

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

1. Petitioner requests bond of \$120,000. Appears sufficient.
2. **Need** Notice of Petition to Administer Estate with proof of service.
3. **Need** Proof of Publication.
4. ~Proposed Form Order: 08/01/18

RECOMMENDATION

Need to clear notes #2-3 then Court's discretion re bond. If approved, set Accounting/Status Review for **12/04/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800791

CASE NAME: Kenneth Wayne Layton

HEARING:

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

COUNSEL:

PAMELA LANDRETH (PET)...MARK W REGUS
KENNETH WAYNE LAYTON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with
Full Authority under IAEA by Pamela Landreth, Executor

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

1. Will waives bond. Court also has discretion to require bond per Pr. C. § 8481(b). Estimated value of assets is \$92,000, consisting of real property and \$2,000 in personal property. **JTD**
2. **Need** Notice of Petitioner to Administer Estate.
3. **Need** proof of publication.
4. **Need** proof of subscribing witness. Witnesses did not sign under oath.
5. No proposed order submitted.

RECOMMENDATION

Need to clear notes #2-4 then Court's discretion re bond. If approved, set Accounting/Status Review for **12/04/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: CON PS1100093

CASE NAME: TOMAS V BEAS

HEARING:

Petition for INSTRUCTIONS ON HOW TO PAY LIMITED ESTATE FUNDS
TO PAY

COUNSEL:

LETICIA M GODOY	(CPE)...ARMENTA LAW
TOMAS V BEAS	(CEP)...CRAIG M PARKER
LETICIA M GODOY	(CPE/CE)...ANDERSON & ASSOCIATES

GENERAL INFORMATION

Continued from **06/27/18**. Order re Judge Pro Tem. Court reappoints Craig Parker as court-appointed counsel for Tomas V. Beas. Matter continued for Craig Parker to review petition and appear at next hearing. Notice to be given by Michael Armenta.
Continued from 08/22/18.

THIS CASE IS SET FOR HEARING ON Petition for instructions on how to pay limited estate funds to pay by Leticia M. Godoy, conservator

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

1. Leticia M. Godoy was appointed conservator of the estate on 05/07/12 and was later also appointed as conservator of the person of Tomas V. Beas on 05/19/15.
2. In late 2015, conservator entered into a lease with Orchards Senior Apartments for period 4/2010 to 02/22/2016 to allow Conservatee to reside in a nonrestrictive environment. Conservatee was relocated due to his rapid deterioration of physical and mental health, and due to safety of himself and others.
3. *Orchard Senior Apartments* is claiming **\$7,916.82** for remainder of lease despite receiving a letter from Conservatee's doctor explaining Conservatee's inability to live on his own.
4. In March, 2016, Conservatee was moved into *Rialto Retirement Home*. As the facility is not licensed for dementia, they were not equipped to handle Conservator and Conservatee was relocated shortly thereafter.
5. On 03/06/16, Conservatee was moved to *Brookdale of Corona* with a monthly cost of \$3,438.36. Conservatee's condition worsened with anger outbursts and

increased anxiety which prompted additional one-on-one, 24-hour care to Conservatee without Conservator's authorization of additional charges, totaling **\$10,533.96** for one month. Conservatee was placed on a 5150 hold and was sent to a psychiatric ward.

6. The behavioral hospital then sent Conservatee to *Kaiser of Corona* after two days. He was then transferred to *Kaiser of Riverside* where he was calmed, and again transferred to *San Gabriel Valley Hospital*.
7. With assistance of San Gabriel Valley Hospital, Conservatee was relocated to *Palm Crest* on or about 08/26/16 for \$2,500 per month.
8. Petitioner alleges Palm Crest agreed to assist with applying for Medicare/Medi-Cal once the estate ran out. However, on 01/01/18, their rates were raised to \$4,150 per month and no longer assist with or accept Medicare/Medi-Cal under new management.
9. As Conservatee has been deemed a Los Angeles resident by San Bernardino County, Conservator has applied with Los Angeles County and is awaiting a response for placement. Conservatee currently resides at Palm Crest, although Conservator has since received a Termination of Resident Agreement.
10. There is not enough money in estate to pay the following debts:
 - a. Orchard's Senior Apartment at **\$7,916.82**;
 - b. Brookdale of Corona at **\$10,533.96**;
 - c. Palm Crest at **\$16,600** (with monthly charges of \$4,150);
 - d. Conservator's fees of **\$6,492.75**, previously Court approved;
 - e. Attorney's fees and costs of **\$3,149.50**, previously Court approved.
11. Petitioner requests instruction and orders for all creditors herein to appear or submit written response; for Conservator to maintain remaining estate funds; and for prorate payment of only responding/appearing creditors' debts.
12. Supporting Declaration of Leticia Godoy filed 05/18/18.
13. Notice was given.
14. *Note: Post-Move Change of Residence filed 08/22/18. Conservatee now resides in Long Beach, CA. Suggest transfer to Los Angeles County. If so, Court to set control date for 11/28/18 or later Wednesday date. JTD*
15. No proposed order submitted.

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 8/22/19 Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800793

CASE NAME: MTR OF MICHAEL SCOTT MARTIN

HEARING:

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

COUNSEL:

SALLY WHITEHEAD (PET)...WILLIAM K SWEENEY
MICHAEL SCOTT MARTIN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Sally Whitehead, mother/sole heir

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

1. Petitioner is sole heir and waives bond. Estimated assets consist of \$150,000 in personal property and remaining in \$600,000 in real property. **JTD**
2. ~Proposed Form Order: 08/20/18

RECOMMENDATION

RFA; Court's discretion re bond. If approved, set Accounting/Status Review for **12/04/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/26/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800821

CASE NAME: EARL ROGER NIKKOLA

HEARING:

Petition to determine succession to Real Property.

COUNSEL:

TINA MARIE RAASVELD	(PET)...IGNAZIO FICARA
EARL ROGER NIKKOLA	(DEC)...
APRIL THERESA BOCKUS	(PET)...IGNAZIO FICARA
ROGER EARL NIKKOLA	(PET)...IGNAZIO FICARA
GARY JOHN NIKKOLA	(PET)...IGNAZIO FICARA
MARVIN EUGENE IRWIN	(PET)...IGNAZIO FICARA
SONJA RENEE SANCHEZ	(PET)...IGNAZIO FICARA
WILLIAM DALE MCCULLOUGH	(PET)...IGNAZIO FICARA
BARBARA JEAN NEWTON	(PET)...IGANZIO FICARA

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property and Personal Property by April Bockus, Roger Nikkola, Gary Nikkola, Tina Raasveld, Marvin Irwin, Sonja Sanchez, William McCullough, and Barbara Newton

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

1. Petitioners seek 100% interest, 12.5% each, in decedent's 100% interest; in real property and personal property per the will.
2. **Need** Notice of Hearing and Proof of Service as to David Allen Robertson, stepson, mentioned in will.
3. ~Proposed Form Order: 08/24/18

RECOMMENDATION

Need to clear note #2 then Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRUSTS**

DATE: 09/26/18 TIME: 8:35 DEPT: S35P

CASE#: RPR RS02462

CASE NAME: ARUTUNIAN FAMILY TRUST

SEE ALSO 15

HEARING:

Petition for Instructions RE obtaining Reverse Mortgage;
Termination of Trust; etc

COUNSEL:

LAWRENCE A DEAN II	(PET)...	SHERRI L KASTILAHN
ARUTUNIAN FAMILY TRUST	(TRU)...	
BRYAN D ARUTUNIAN	(PET)...	
ERNEST ARUTUNIAN	(TEE)...	ERNEST ARUTUNIAN
DIANE HARKISON	(MARIELLEN ROSS)	
DONNASUE SMITH ORTIZ	(DONNASUE ORTIZ)	

CCP170.6 filed as to CYNTHIA A LUDVIGSEN

Waiver of Court Fees and Costs filed by LAWRENCE A DEAN II is GRANTED
Waiver of Court Fees and Costs filed by BRYAN D ARUTUNIAN is GRANTED

Currently under review by legal research.

(LR)

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

DATE: 09/26/18 TIME: 8:35 DEPT: S35P

CASE#: RPR RS02462

CASE NAME: ARUTUNIAN FAMILY TRUST

SEE ALSO 14

HEARING:

Accounting Review by ***

COUNSEL:

LAWRENCE A DEAN II	(PET)...SHERRI L KASTILAHN
ARUTUNIAN FAMILY TRUST	(TRU)...
BRYAN D ARUTUNIAN	(PET)...
ERNEST ARUTUNIAN	(TEE)...ERNEST ARUTUNIAN
DIANE HARKISON	(MARIELLEN ROSS)
DONNASUE SMITH ORTIZ	(DONNASUE ORTIZ)

CCP170.6 filed as to CYNTHIA A LUDVIGSEN

GENERAL INFORMATION:

Continued from **06/25/18** at request of Counsel. Notice to be given by Sherri Kastilahn.
Continued from 07/25/18. Bryan Arutunian objects to request to sell real property.

THIS CASE SET FOR HEARING ON Accounting Review

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

1. On 04/17/17, Court approved fifth and current account, \$20,000 bond; Sixth and current account now due.
2. No accounting filed.

RECOMMENDATION:

Inquire status.
(cs/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/26/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800120

CASE NAME: The Shirley I Olson Living Trust as Amended

HEARING:

Petition for invalidate trust second and third amendments

COUNSEL:

GREGORY VAN PROYEN	(PET)...MICHAEL C MADDUX
ELIZABETH TONA	(PET)...MICHAEL C MADDUX
THE SHIRLEY I OLSON LIVING TRUST	(TRU)...

Currently under review by Legal Research.
(LR)

Notice is complete.

(lh)

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

DATE: 09/26/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800153

CASE NAME: The Shawna A Lee Trust UDT 11/24/15

HEARING:
Petition for Order Confirming Trust Asset

COUNSEL:

DAMARA R LEE (PET)...DAVID PHILIPSON
THE SHAWNA A LEE TRUST (TRU)...

XREF: PROPS1800584 *THE SHAWNA A LEE TRUST*

Currently under review by legal research.

(LR)

Notice

Need notice to Damara Lee in her capacity as Successor Trustee of the Michelle G. Lee Special Needs Trust.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 09/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400033

CASE NAME: Gabriel Sean Moore

SEE ALSO 19

HEARING:

Hearing Re: OSC RE FAILURE TO APPEAR AS TO STEVEN BECKETT

COUNSEL:

LEAH ELLEN CHRISTY

(CP)...PRO/PER

GABRIEL SEAN MOORE

(CTP)...SHERRI L KASTILAHN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON **OSC Re Failure to Appear** as to Steven Beckett/Status Re Appointment of Successor Conservator of the Person

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

1. Matter set on 08/01/18, wherein, Court granted request for removal of Leah Ellen Christy as Conservator of the person of Gabriel Sean Moore and set hearing for appointment of Successor Conservator.
2. Court set OSC re failure to appear as to Steven Beckett and ordered Steven Beckett to be personally present on 09/26/18.
3. **Response of Steven Beckett re Failure to Appear filed 08/07/18.**

RECOMMENDATION

Court's discretion re OSC.

Inquire status of petition for successor conservator.

(lh)

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

DATE: 09/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400033

CASE NAME: Gabriel Sean Moore

SEE ALSO 18

HEARING:

Hearing Re: APPOINTMENT OF SUCCESSOR CONSERVATOR OF PERSON

COUNSEL:

LEAH ELLEN CHRISTY (CP)...PRO/PER
GABRIEL SEAN MOORE (CTP)...SHERRI L KASTILAHN

See notes on prior matter #19.

(lh)

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

DATE: 09/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600142

CASE NAME: MTR OF BERNICE GRISSOM

HEARING:

Hearing Re: (amended) First and Final Accounting

COUNSEL:

LOYCE WILLIS (CPE)...LAW OFFICES OF EUGENE S. ALKAN
BERNICE GRISSOM (CEP)...CRAIG M PARKER

GENERAL INFORMATION:

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

Continued from 08/15/18. Counsel represents a second supplemental is ready to be filed. Hearing continued at request of Counsel.

THIS CASE IS SET FOR HEARING ON Amended First and Final Account and Report of Conservator, Petition to Dispense with Appraisal of Real Property and Stock Due to Death of Conservatee, and Petition for Fees and Distribution by Loyce Willis

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

1. Accounting period: Pre-death: 07/21/16 to 01/02/17
Post-death: 01/03/17 to 12/31/17
2. Assets on hand: \$19,672.40 in cash held in Chase Bank account x5824.
3. Real property and stock totaling \$445,783.38 were not marshalled by Conservator; Petitioner requests Court dispense with Inventory and Appraisal of *real property* and *stock* pursuant to Pr. C. §2633 due to conservatee's death prior to marshalling said assets. **JTD**
4. Final Inventory and Appraisal filed 08/03/18 totals \$537,769.41; includes 8 bank accounts and CD accounts. However, it is not clear which assets (if any) were marshalled in conservatorship estate as petitioner alleges she was unable to close accounts with Letters of Conservatorship, but was able to marshal assets with Letters of *Administration* in pending Probate matter [17STPB00775] in Los Angeles. [**Amended Acct, 02/27/18, LFpg3**].
 - a. Question when Letters of Administration were issued to petitioner? It appears some fees and disbursements in this accounting may overlap with probate administration. **Need** verified supplement.

- b. Question what assets were marshalled in conservatorship estate? It appears at least two bank accounts are held in name of conservatorship, e.g. Broadway Federal Bank x1393, and Chase Bank x5824. [**Confidential statements filed 08/03/18, LFpgs7; 18**].
 - i. **Need** verified supplement and amended Final Inventory and Appraisal to include only those assets marshalled in conservatorship estate.
 - ii. **Need** verified supplement with amended Summary of Account to include beginning balance reflected in amended Final I&A.
5. Petitioner requests conservator fees totaling **\$18,100** for 362 hours at **\$50** per hour, plus reimbursements totaling **\$31,192.29** for travel expenses from Texas to California to visit Conservatee, funeral expenses, furnishings, clothing, advanced attorney fees, and supplies. Itemized. [**Declaration, 8/3/18, LFpg5-11**].
 - a. **Need** verified supplement recalculating fees charged on 08/07/16 regarding ICU visit.
 - b. **Need** verified supplement recalculating costs excluding postage totaling \$46.50, plus filing fee for Los Angeles probate matter for \$465.00. Postage is not a reimbursable cost per Local Rule 20-1406(d). The probate filing fee is a probate administration charge.
 - c. Costs include excessive car rental fees, gasoline payments, Amtrak payments, plane ticket for Henry Reed, vehicle repairs, and lodging/travel expenses after Conservatee's death. **Court to inquire.**
6. Attorney Alkana requests fees totaling **\$11,287.50** for 32.25 hours at \$350 per hour, less **\$5,000** previously paid by Conservator, for a total of **\$6,287.50**. Itemized. [Declaration filed 08/03/18, LFpg4; Supp filed 08/03/18, LFpg2]. **JTD**
7. Independent paralegal, Janice Wineke, requests approval of **\$7,281.25** for 58.25 hours at \$125 per hour, less **\$5,000** already paid by Counsel. Itemized. [Declaration, 8/3/18, LFpgs5-8].
 - a. Paralegal services include filing Letters of Administration on 02/27/17 which should be credited to probate administration in Los Angeles. **JTD**
8. Janice Wineke requests reimbursement of advanced costs of **\$3,986.71**. Itemized. [Declaration, 08/03/18, LFpg7-8]. **JTD**
 - a. A payment of \$1,650 was made to Lenny's Wrought Iron on 06/03/16 to place bars on windows of Conservatee's home to protect the home from further vandalism. [Supp 08/17/18, LFpg4].
9. Current bond \$220,000. Petitioner was unable to place funds in Court-ordered blocked accounts prior to Conservatee's death.
10. Petitioner requests Court exonerate bond upon filing of receipts and Ex Parte Petition for Final Discharge; however, bond may not be exonerated until entry of order for final discharge.
11. No proposed order submitted.

RECOMMENDATION:

Need to clear notes #4-#5 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **10/09/19**.

(lh)

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

DATE: 09/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS0900083

CASE NAME: STEVEN JOHN LACUES

HEARING:

FOURTH Account and Report of RICHARD LACUES and Petition for allowance of fees

COUNSEL:

STEVEN JOHN LACUES (CEP)...
RICHARD LACUES (CPE)...JERRY LA CUES

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 4th Account Current and Report of Conservator Richard La Cues

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

1. Accounting period 06/01/16 to 06/30/18
2. Assets on hand \$1,401.79, cash
3. Petitioner does not request fees.
4. Accounting is not signed or verified by petitioner. **Need same.**
5. **Need** residential facility statements and/or written verification of rent per Pr.C. §2620(c)(4).
6. Bond is \$12,600. Petitioner requests bond not be required or renewed. Petitioner alleges Conservator averages spendable income of \$35 per month after payment to assisted care facility. Petitioner continues to subsidize Conservatee's expenses due to lack of estate income. No reimbursements have been requested or will be requested in the future. **JTD**
7. Notice is complete.
8. No proposed order submitted. Submit after hearing.

RECOMMENDATION

Need to clear notes #4-5. If approved, set hearing on the next accounting review for **8/28/19** (if one year) or **8/26/20** (if two years). Accounting to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800192

CASE NAME: DEBORAH LEE PATTERSON

HEARING:

Petition for Appointment of Conservator

COUNSEL:

LINDA KOGUT (CP)...JAMES L HEYWOOD AND ASSOC
DEBORAH LEE PATTERSON (CTP)...
PAMELA MARRAMA (CP)...JAMES L HEYWOOD AND ASSOC

GENERAL INFORMATION

Continued from 08/01/18. Court notes that Court appointed Counsel is not required on this case and does not require IRC report. Matter continued for filing Certificate of Completion of Conservatorship Class.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Linda Kogut and Pamela Marrama, sisters

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

1. Petitioner seeks medical powers. Capacity Declaration filed 06/22/18.
2. CI Report filed 07/27/18.
3. **Need** Certificate of Completion of the Conservatorship Training Class.
4. Return of Citation filed 07/12/18.
5. ~Proposed Form Order: 06/22/18

RECOMMENDATION

Need to clear note #3. If approved, set hearing for Compliance Review for **05/01/19** for the filing of the following: proof of service of Order w/ Notification of Conservatee's rights per Pr.C. §1830(c); Level of Care and Care Plan per Pr.C.§2352.5

(lh)

Superior Court of Calif, County of San Bernardino
Page: 22A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/26/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800113

CASE NAME: Billie Jean Allen

HEARING:

Hearing Re: ISSUE OF PROPERTY BEING DEEDED BACK

COUNSEL:

SONJA ALLEN (CP)...
BILLIE JEAN ALLEN (CTP)...JEANNE E KENNEDY/ MITCHELL I ROTH (GAL)
SHEILA ALLEN (CPE)...TATIANNA

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Issue of Property Being Deeded Back

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

1. Counsel and parties report to the Corut they reached a partial settlement and requested to cite it on the record. It is later indicated Mariah Estes does not agree to partial agreement as cited onto the record.
2. Matter set hearing regarding issue of property being deeded back to Billie Jean Allen from Mariah Estes, then property to be listed for sale for the benefit of Billie Jean Allen.

RECOMMENDATION

Inquire status.

(lh)

Future Hearings:

10/10/18 Petition for Appointment of Conservator

10/10/18 Petition for Appointment of Conservator of the Person & Estate

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: 09/26/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400251

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust
SEE ALSO 24, 25
HEARING:
Hearing Re: PETITIONER'S OBJECTION TO COURT'S TENTATIVE

COUNSEL:

LYNN GAETA (PET)...JAMES R WAKEFIELD
RODNEY ROGERS & LACEY ROGERS FAMILY TRUST (TRU)...
GARY ROGERS (PET)...BRIAN W. SMETHURST
LYNN GAETA (PET)...CUMMINS & WHITE

GENERAL INFORMATION

Continued from **10/26/17**. Court makes orders regarding the petitioner's objections to the court's tentative ruling. Court notes this is not a contested hearing.
Continued from **12/12/17**. Order signed for production of bank records. Brian Smethurst and James Wakefield to appear at next hearing.

THIS CASE SET FOR HEARING ON Objection to Court's tentative Ruling.

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

1. Tentative ruling approved on 06/27/17.
2. Objections to tentative ruling filed by Lynn Gaeta on 07/11/17.

RECOMMENDATION

Court's discretion.
(lc/nb/lc/lh)

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

DATE: 09/26/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400251

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust

SEE ALSO 23, 25

HEARING:

Hearing Re: ACCOUNTING OF GARY RODGERS

COUNSEL:

LYNN GAETA (PET)...JAMES R WAKEFIELD
RODNEY ROGERS & LACEY ROGERS FAMILY TRUST (TRU)...
GARY ROGERS (PET)...BRIAN W. SMETHURST
LYNN GAETA (PET)...CUMMINS & WHITE

GENERAL INFORMATION

Continued from **10/26/17**. Court notes this is not a contested matter.

Continued from **12/12/17**. Order signed for production of bank records. Brian Smethurst and James Wakefield to appear at next hearing.

THIS CASE SET FOR HEARING ON Accounting review for Gary Rogers.

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

1. Matter set at 06/27/17 tentative ruling and ordered an accounting to be filed by Gary Rogers, Trustor's son, by 09/26/17.
2. Objections to tentative ruling filed by Lynn Gaeta on 07/11/17.

RECOMMENDATION

Inquire status of accounting.

(lc/nb/lc/lh)

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

DATE: 09/26/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400251

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust

SEE ALSO 23, 24

HEARING:

Hearing Re: ACCOUNTING OF LYNN GAETA

COUNSEL:

LYNN GAETA (PET)...JAMES R WAKEFIELD
RODNEY ROGERS & LACEY ROGERS FAMILY TRUST (TRU)...
GARY ROGERS (PET)...BRIAN W. SMETHURST
LYNN GAETA (PET)...CUMMINS & WHITE

GENERAL INFORMATION

Continued from **10/26/17**. Court notes that this is not a contested matter not is it an evidentiary hearing.

Continued from **12/12/17**. Order signed for production of bank records. Brian Smethurst and James Wakefield to appear at next hearing.

THIS CASE SET FOR HEARING ON Accounting review for Lynn Gaeta.

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

1. Matter set at 06/27/17 tentative ruling and ordered an accounting to be filed by Lynn Gaeta, Trustee, by 09/26/17.
2. Objections to tentative ruling filed by Lynn Gaeta on 07/11/17 (see other matters).

RECOMMENDATION

Inquire status of accounting.

(lc/nb/lc/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRIAL**

DATE: 09/26/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1500912

CASE NAME: LOUIA E REICHMUTH

HEARING:

Hearing Re: COURT TRIAL (THIRD DAY)

COUNSEL:

JOSEPH REICHMUTH	(PET)...ANDERSON LEBLANCE
LOUIA E REICHMUTH	(DEC)...
JOSEPHINE HUNTER	(PET)...AL MARCHETTI

Waiver of Court Fees and Costs filed by JOSEPHINE HUNTER is GRANTED

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

No notes—Court Trial—JTD

Future Hearings:

9/27/18 Court Trial (Day 4)

9/28/18 Court Trial (Day 5)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 09/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601084

CASE NAME: GARY SCOTT MESTAS

SEE ALSO 2

HEARING:

Accounting Review

SAME DAY HEARING: MEDIA SETTLEMENT CONFERENCE @ 8:30 IN S34

COUNSEL:

MARY WATKINS	(PET)...CHARLES K. MILLS
GARY SCOTT MESTAS	(DEC)...
BRYAN C HARTNELL	(TP)...
RITA RIVAS	(HARTNELL LAW GROUP)
REBECCA RIVAS	(HARTNELL LAW GROUP)
TAWNEY RIVAS	(HARTNELL LAW GROUP)
ERICA RIVAS	(HARTNELL LAW GROUP)

GENERAL INFORMATION

Continued from 05/16/18. Matter continued to be heard with the pending petition for succession. Attorney Theios states he will be filing objections on behalf of his client to the petition to determine succession to real property.

Continued from 06/13/18 for parties to attend mediation.

Continued from 07/25/18.

THIS CASE IS SET FOR HEARING ON Accounting Review re Mary Watkins, administrator

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

1. Court appointed Mary Watkins (mother) administrator with full authority on 03/08/17, \$137,000 bond; however, **Letters have never been issued/bond not filed.**
2. No Inventory and Appraisal has been filed; however, there is a pending petition for succession to real property set this date. See notes on next matter. **JTD**

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 09/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601084

CASE NAME: GARY SCOTT MESTAS

SEE ALSO 1

HEARING:

Petition to determine succession to Real Property

SAME DAY HEARING: MEDIA SETTLEMENT CONFERENCE @ 8:30 IN S34

COUNSEL:

MARY WATKINS	(PET)...CHARLES K. MILLS
GARY SCOTT MESTAS	(DEC)...
BRYAN C HARTNELL	(TP)...
RITA RIVAS	(HARTNELL LAW GROUP)
REBECCA RIVAS	(HARTNELL LAW GROUP)
TAWNEY RIVAS	(HARTNELL LAW GROUP)
ERICA RIVAS	(HARTNELL LAW GROUP)

GENERAL INFORMATION

Continued from **01/10/18 and 04/11/18** to clear notice issues. Notice to be given by Mr. Willis.

Continued from **06/13/18**. Attorney Hartnell to file written objections.

Continued from 07/25/18.

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Mary Watkins, mother/administrator

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

1. Court appointed Mary Watkins (mother) administrator with full authority on 03/08/17, \$137,000 bond. Note: letters have not been issued.
2. Petitioner seeks 100% interest in decedent's 100% interest in real property per the will.
3. **Objections by Rita Rivas, Rebecca Rivas, Tawney Rivas and Erica Rivas (daughters) filed 06/13/18.**
4. No proposed order submitted.

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

Matter is contested.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700365

CASE NAME: MTR OF ESTHER FIRTH

HEARING:

Accounting Review

COUNSEL:

RICHARD D WOOD (PET)...FULLERTON LEMANN SCHAEFER & DO
ESTHER FIRTH (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Richard Wood, Trustee

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

1. Letters Testamentary with full authority issued to Richard D. Wood on 07/25/17.
2. Final Inventory and Appraisal filed.
3. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 09/26/18 TIME: 9:30 DEPT: S36P

CASE#: RC RS00486

CASE NAME: THOMAS CHARLES RICHARDS

HEARING:

Accounting Review

COUNSEL:

ASUNCION RICHARDS

(PET)...LAYNE A BARTHOLOMEW

DANIEL G STUBBS

(PCR/CE/CPE)...HORSPPOOL & HORSPPOOL

THOMAS CHARLES RICHARDS

(PCE/CTE/CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Daniel Stubbs, PPF

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

1. Tenth Account Current approved 10/18/17 for period ending 06/30/17.
2. **Need** Eleventh Account Current for period commencing 07/01/17.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 09/26/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS00834

CASE NAME: IN THE MATTER OF WILLIAM VALE MCBRIDE JR

HEARING:
Accounting Review

COUNSEL:

WILLIAM VALE MCBRIDE JR (CEP)...
WILLIAM HENRY HEISLER (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re William Heisler

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

1. Eleventh Waiver of Account and Order entered 02/07/17 for period ending 08/15/16.
2. **Need** accounting or waiver for period commencing 08/16/16.

RECOMMENDATION

Inquire status.
(lh)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400199

CASE NAME: Kenneth Wayne Horne

SEE ALSO 2, 3

HEARING:

Hearing Re: SUSPENSION OF LETTERS OF ADMINISTRATION

COUNSEL:

MARCUS RAY JONES (PET)...E. LAWRENCE BROCK
KENNETH WAYNE HORNE (DEC)...

GENERAL INFORMATION

Continued from 10/03/17 and 12/05/17 at request of counsel. Counsel reports her client is not participating and denies probate has been opened. Counsel will be filing a motion to be relieved. Marcus Jones is cited to appear at the next hearing. Should he fail to appear a bench warrant may be issued for his arrest. Citation issued to: Marcus Ray Jones who is cited and required to appear on 03/05/18. Notice by Judicial Assistant.

On 03/14/18, Court suspended Letters of Administration as to Marcus Ray Jones.

Continued from 04/03/18. Counsel reports both homes have sold. There is a motion to be relieved as counsel on calendar for 05/31/18. Hearing continued at request of Counsel to file accounting and return of citation.

Continued from 05/30/18. No appearance. Marcus Ray Jones is cited to be present at next hearing. Should he fail to appear, a bench warrant may be issued for his arrest. Notices printed for E. Lawrence Brock. Notice given by Judicial Assistant.

THIS CASE SET FOR HEARING ON Accounting Review/Suspension of Letters of Admin

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

1. Letters of Administration issued to Marcus Ray Jones, step-grandson, on 04/29/14; full authority, no bond. Letters were suspended on 03/14/18.
2. Final Inventory and Appraisal filed 08/31/15. However, the sole asset reflected is 100% interest in proceeds from a medical class action lawsuit held in Federal Court. No other assets, including the two homes mentioned in minute order dated 04/03/18 are reflected. **Need Corrected/Supplemental Final Inventory and Appraisal.**

3. Order on First Report of Status entered on 11/12/15. Court granted continuance for two years to December, 2017 to resolve medical malpractice action. **Court to inquire status.**
4. **Need** accounting or status report by attorney. *Note duty of attorney to file an accounting per Pr. C. §10953(c).*
5. Return of unserved Citation filed 01/31/18.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400199

CASE NAME: Kenneth Wayne Horne

SEE ALSO 1, 3

HEARING:

Motion Re: TO BE RELIEVED AS COUNSEL Filed by Petitioner MARCUS
RAY JONES

COUNSEL:

MARCUS RAY JONES (PET)...E. LAWRENCE BROCK
KENNETH WAYNE HORNE (DEC)...

GENERAL INFORMATION:

Continued from 03/14/18 for notice of motion to be relieved to be filed. Court orders letters of administration of Marcus Ray Jones suspended effective immediately.

Continued from 05/30/18. No appearance. Court will not grant motion to be relieved until an accounting is provided to the Court.

THIS CASE IS SET FOR HEARING ON Motion to be Relieved as Counsel by Kariann Voorhees ["Petitioner"].

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

1. Petitioner, Kariann Voorhees, seeks to be relieved as counsel despite a status report/accounting are due as client, Marcus Ray Jones, has been uncooperative with Counsel. Client remains unresponsive despite Counsel's various attempts to contact via telephone, email and mailed correspondence.
2. See notes on prior matter regarding accounting due. Court to rule on prior matter #13 prior to relieving Counsel.
3. No proposed order submitted.

RECOMMENDATION:

Court to rule on accounting issue prior to approving motion.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400199

CASE NAME: Kenneth Wayne Horne

SEE ALSO 1, 2

HEARING:

Accounting Review

COUNSEL:

MARCUS RAY JONES

(PET)...E. LAWRENCE BROCK

KENNETH WAYNE HORNE

(DEC)...

See notes on prior matter #1.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500548

CASE NAME: The Special Needs Trust of Anthony Joseph Ramos

HEARING:

SECOND Account and Report of INLAND COUNTIES REGIONAL CENTER,
INC and Petition for allowance of fees

COUNSEL:

INLAND COUNTIES REG CNTR (PET)...LAYNE A BARTHOLOMEW
SPECIAL NEEDS TRUST OF ANTHONY JOSEPH RAMOS (TRU)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN,

GENERAL INFORMATION:

Master Trust of California Agreement was established by order of the Los Angeles Superior Court on 05/04/15.

THIS CASE IS SET FOR HEARING ON Second Account Current and Petition for Ratification and Approval of Fees; Termination of Supervision of Trust by Inland Regional Center, Trustee

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

1. Accounting period 06/01/16 to 05/31/18
2. Assets on Hand \$14,939.15 consisting of \$5,367.82 in cash held in a pooled investment fund and \$9,571.33 in personal property.
3. Petitioner requests Court terminate supervision of Trust as total assets on hand is less than \$20,000 per CRC 7.903(d). **JTD**
4. Current bond is \$31,000. Petitioner requests bond reduction to \$20,000. Calculated. [Acct, 7/26/18, LFpg57] **JTD**
5. Petitioner requests ratification of Trustee's fees already taken in the amount of \$2,000 pursuant to the court order establishing the special needs. Itemized [Acct, 07/26/18 LF, pgs. 54-55]. **JTD**
6. Petitioner requests the Court authorize Master Trust of California to continue taking its annual fee in quarterly payments, pursuant to its fee schedule 06/13/17.

7. Attorney requests fees of **\$1,345**. Billed at \$250/hour for attorney time and \$100/hour for paralegal time for a total of 7.6 hours. Itemized [Acct 7/26/18; LF, p. 45-46]. **JTD**
8. Petitioner requests Court amend trust to include language regarding Medicaid services by more than one state to be included as Article 9 of revised Trust attached. [Acct 7/26/18, LFpg59-85]. **JTD**
9. Notice was given.
10. ~Proposed Order 07/26/18

RECOMMENDATION:
Court's discretion.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500999

CASE NAME: ARMANDO YBARRA CARDOZA

SEE ALSO #22

HEARING:

Probate status report

COUNSEL:

ARMANDO YBARRA CARDOZA	(DEC)...
MATTHEW ALDEN	(PET)...
CECELIA MACIAS	(PET)...PRO/PER
ANGELA POSADAS	(PET)...
PATRICIA ROQUE	(PET)...LENITA A SKORETZ
ADRIAN GARCIA CORDOZA	(OBJ)...PRO/PER

x-ref matter: CONPS1800240 – In Re Angela Posadas

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status Report of Administrator, Patricia Roque

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

1. Decedent's daughter and sole beneficiary, Angela Lynn Posadas, receives disability benefits. A petition for conservatorship of Angela Lynn Posadas is pending along with petition to approve special needs trust to maintain benefits.
2. Petitioner requests an additional 9 months to close the estate.
3. Notice of Hearing and proof of service filed 09/14/18; however, only 12 days' notice given. **Need** proper notice to include at least 15 days.
4. ~Proposed order: 07/26/18

RECOMMENDATION:

Need proper notice. If approved, set next hearing for Accounting Review for **05/29/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600680

VACATED

CASE NAME: MTR OF ELSIE S OLIVER

HEARING:

Hearing re Final Discharge

COUNSEL:

EVELYN GONNELLA (PET)...CALDWELL, KENNEDY & PORTER, A.
ELSIE S OLIVER (DEC)...

Order for final discharge entered 09/10/18.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600899

CASE NAME: MTR OF ANTHONY HENRY MARTINEZ SR

HEARING:

FIRST AND FINAL Account and Report of MARLO R MARTINEZ and
Petition for allowance of fees filed.

COUNSEL:

MARLO R MARTINEZ (PET)...MICHAEL C MADDUX
ANTHONY HENRY MARTINEZ SR (DEC)...

Waiver of Court Fees and Costs filed by MARLO R MARTINEZ is GRANTED
TOTAL FEES WAIVED TO DATE: \$1395.00

XREF: CIVDS1616871 IN RE: 3442 GRAY STREET

GENERAL INFORMATION:

Continued from 06/20/18 to review supplement.

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of
Administrator; Petition for Allowance of Statutory Fees and Extraordinary Fees; Final
Distribution by Marlo R. Martinez, administrator

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

1. Assets on hand: \$43,659.80, cash
2. Attorney and petitioner request statutory fees of **\$10,962**, each. Calculated
in supplement filed 6/14/18.
3. The estate's only assets were two parcels of real property which were both
lost to foreclosure. **Trustees' Deed of Sale attached to Supplement filed
06/14/18.**
4. Attorney requests extraordinary fees of **\$4,225** for 13 hours at \$325 per hour
regarding sale of real property, preparing claims for surplus of funds, and
preparing tax returns. Itemized. [Acct, 5/8/18, LFpg7] **JTD**
5. Petitioner owes \$480 to Patrick Wright, probate referee, to be paid through
final distribution. **JTD**
6. The caption of report does not indicate *Waiver of Final First and Final
Account*; however, all heirs have signed waivers of accounting filed 4/12/18
and 5/8/18. **JTD**

7. Does Court wish to reconsider fee waivers totaling \$ 1,395 as it appears there are sufficient funds available? **JTD**
8. Proposed Order submitted 06/14/18 is missing assets on hand, findings re sole and separate property; total filing fees due; item #7 is incomplete. Submit revised order after hearing.

RECOMMENDATION:

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

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700199

CASE NAME: MTR OF STACY A VIETH

HEARING:

Petition for settlement of first and final Account and Report of
MARTHA GAGLIARDI and Petition for allowance of fees filed.

COUNSEL:

MARTHA GAGLIARDI (PET)...ROBERT A KRASNEY
STACY A VIETH (DEC)...

XREF: PROPS1200239 *MTR OF RALPH E VIETH TRUST*

GENERAL INFORMATION:

Continued from 06/20/18 to file supplement.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees
and Settlement

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

1. Assets on hand: \$101,826.81, cash
2. Petitioner and Attorney request statutory fees of \$5,049.57, each.
Calculated.
3. **Need** supporting Schedules per Pr. C. §1062 regarding receipts of any
rental income, gains/losses, disbursements, etc. **Supp 06/20/18 includes
the accounting for income and expenses of operating the real property
at 590 San Jacinto St., San Bernardino, CA that was affixed to Notice of
Proposed Action re: Sale of the Real Property [LF, pgs., 9-15] and
should have been included in the accounting. Does Court wish to
require an amended accounting? JTD.**
4. Proposed distribution includes equal 1/6 distributions to decedent's siblings.
However, in the initial petition for probate, the list of relatives includes David
Allen Vieth (father). [Petition, 3/2/17, LFpg5].
 - a. **Need** verified supplement clarifying status of father and mother (not
listed) to verify proper intestate succession. **Supp filed 08/24/18
includes a copy of the transcript addressing distribution and
requests that the court align itself with the surviving**

grandchildren of Ralph Vieth, from whom all assets of this and other's siblings at the same level must go to the named grandchildren, as intended by the negotiations of all parties at the November 2014 Settlement Conference in the related case. JTD.

5. Notice of Hearing filed 5/14/18. However, **need notice as to David Vieth. Also, need proper mailed service** directly to Maria Petrovski, Jesse Gagliardi Vargas, Vanessa Walters, Kelly Koleszar, and Donald W. Vieth per CRC. 7.51(a). **Supp 06/20/18 claims notice did not appear to be needed to the ineligible David Vieth (father) and that if the mailing of the Notice was to reflect the actual but private addresses of the beneficiaries seeking privacy, they believe they will be harassed from the release of the information as the siblings and beneficiaries do not get along well. JTD.**
6. ~Proposed Order attached to supplement filed 09/14/18.

RECOMMENDATION:

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

(lh/nb/lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700427

CASE NAME: MTR OF MARIA EMILIA ORNELAS

HEARING:
Petition for Termination of Proceedings

COUNSEL:

DENISSE ORNELAS (PET)...GAUDY LAW, INC
MARIA EMILIA ORNELAS (DEC)...
DEPT. OF HEALTH CARE SRVCS (TP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Termination of Proceedings per Pr. C. §12251 by Denisse Ornelas, Administrator/daughter

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

1. Letters of Administration with full authority issued to Denisse Ornelas on 08/25/17.
2. Final Inventory and Appraisal filed 03/08/18 reflecting sole asset of real property valued at \$100,000.
3. Petitioner alleges probate was initiated to avoid foreclosure. The property was listed for sale and the highest offer received was \$160,000. As the balance on the loan is \$160,552.94, there is no purpose to continue estate administration. Estate is insolvent.
 - a. Question status of real property and whether it has foreclosed or been sold? **Need final accounting to include disposition of real property. It appears this is an estate with a loss—not a no-asset estate.**
4. Notice is complete.
5. No proposed order submitted.

RECOMMENDATION

Deny. Need final accounting and report.
(lh)

Future Hearing: 9/27/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701249

CASE NAME: THE GRETA L. TOLIVER TRUST DATED 11/30/1995

HEARING:

Petition for Confirmation of Trust ownership of personal property

COUNSEL:

THE GRETA L. TOLIVER TRUST (TRU)...
LINDA LEW HEWISH (TEE)...PRO/PER

Currently under review by legal research.

(LR)

Notice

Need Notice of Hearing and Proof of Service as to heirs of Edward Toliver estate and filed Due Diligence Declaration as to Bobby Toliver.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800470

CASE NAME: Sperry A Maxwell

HEARING:
Spousal Property Petition hearing.

COUNSEL:
BEVERLY JEAN MAXWELL (PET)...PRO/PER
SPERRY A MAXWELL (DEC)...

GENERAL INFORMATION:

Continued from 06/20/18. Court gives tentative decision denying petition as interspousal transfer deed was filed making the property separate property of Sperry Maxwell and there is no showing of undue influence. Matter continued for petitioner to consult with Counsel and for children to file assignments of interest in real property to Beverly Maxwell.

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Beverly Jean Maxwell (spouse)

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

1. Petitioner, Beverly Jean Maxwell, seeks Court determination of property passing to petitioner without administration
2. Petitioner alleges she and decedent purchased the residence in question on 03/14/97 during their marriage. Petitioner and decedent were told they could not qualify to purchase condo with petitioner's name on title; thus, title was held in decedent's name only. Petitioner and decedent lived in residence as husband and wife, paying all bills together up until his death on 07/22/12. Petitioner and decedent had no children together; however, decedent has 3 children from a previous marriage who purportedly do not contest the proceedings.
3. **No new filings as of review.**
4. ~Proposed Form Order: 05/14/18

RECOMMENDATION:

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800480

CASE NAME: LAVON J ROUSSEAU

HEARING:

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

COUNSEL:

DEBBIE L PARKINS (PET)...ROSE C ROSADO
LAVON J ROUSSEAU (DEC)...

GENERAL INFORMATION

Continued from 06/20/18 to file proof of publication.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Debbie Parkins, daughter

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

1. Petitioner requests all liquid funds be placed in client-trust account with Counsel in lieu of bond. Bond waivers missing from issue, Tammy Rousseau. Petitioner is a non-resident; court may require bond if the proposed personal representative resides outside California per and Pr. C. § 8571. Estimated value of estate is \$303,000 based on \$1,000 in cash and remaining in real property. **JTD**
2. No proposed order submitted.

RECOMMENDATION

RFA; Court's discretion re bond. If approved, set Accounting/Status Review for **06/26/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800767

CASE NAME: MTR OF GEORGE BURGESS JR

HEARING:

Spousal Property Petition hearing.

COUNSEL:

HELEN BURGESS (PET)...PRO/PER
GEORGE BURGESS JR (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Helen Burgess,
spouse

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

1. Petitioner, Helen Burgess, seeks court confirm her half of community property and determine that decedent's half transfers to petitioner without administration.
2. Petitioner alleges she and Decedent were married on 07/20/12 in Riverside, California, 5 years prior to Decedent's death, and they acquired subject real property on 08/17/12 as Husband and Wife community property with right of survivorship. See Marriage Certificate and copy of Interspousal Grant Deed attached. [Petition, 08/10/18, LFpg9; 15].
 - a. **Question need for spousal property petition if title is currently held as community property with right of survivorship? Suggest petitioner seek Counsel to transfer title.**
3. Notice is complete.
4. ~Proposed Form Order: 08/10/18

RECOMMENDATION:

Deny. Matter is moot.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 13A ADD-ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800808

CASE NAME: MTR OF ATILANA RUIZ ZAVALA

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION

COUNSEL:
CARMAN RAMIREZ (PET)...JASON GAUDY
ATILANA RUIZ ZAVALA (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Carman Ramirez, daughter

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

1. Petitioner requests bond of \$600,000. Appears sufficient.
2. ~Proposed Form Order: 08/23/18

RECOMMENDATION

RFA; Court's discretion re bond. If approved, set Accounting/Status Review for **12/04/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS

DATE: 09/26/18 TIME: 8:30 DEPT: S37P

CASE#: TRU PS1800068

CASE NAME: The James Larry Duggan Jr Revocable Living Trust

HEARING:

Hearing Re: Trial Setting Conference/Report on Mediation

COUNSEL:

THE JAMES LARRY DUGGAN JR REVOCABLE LIVING TRUST (TRU)...

JENNIFER DAVIS (CON)...DAVID A SHAPIRO

BRIAN ANDERSON (BRIAN J HOLOHAN)

No notes—trial setting conference—JTD

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

DATE: 09/26/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800149

CASE NAME: CARLOS CASTRO SPECIAL NEEDS TRUST

HEARING:
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

PABLO CASTRO (PET)...PAUL NANKIVELL
CARLOS CASTRO SPECIAL NEEDS TRUSTS (TRU)...
ELENA CASTRO (PET)...TERRENCE J O'REILLY

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON CMC re Transfer in from Los Angeles County

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

1. Court approved establishment of the Carlos Castro Special Needs Trust on 10/30/14 in Los Angeles County. Elena Castro was appointed Trustee with \$163,680 bond.
2. On 03/21/16, Court approved first account current for period 10/30/14 to 10/15/15; bond was reduced to \$148,000. OSC re transfer was set for 02/16/18.
3. On 06/18/18, matter was ordered transferred to San Bernardino County.
4. **Need** amended letters.
5. **Need** amended bond.

RECOMMENDATION

Need to clear notes #4-5. Court to set accounting review re second account current for **12/05/18**.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 09/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800266

VACATED

CASE NAME: KYLE AVERY TILTON

HEARING:

Accounting Review re W.A. (Sam) Hlavaty

COUNSEL:

JUDY TILTON	(CE)...HORSPOOL & PARKER
WELLS FARGO BANK, TRUSTEE	(PET)...JENNIFER M DANIEL
KYLE AVERY TILTON	(CTE/CEP)...MARTINA KANG RAVICZ
KENNETH F JENKINS	(CE)...PRO/PER
BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP
CHRISTINA ERICKSON-TAUBE	(SC/TC)...PRO/PER
NEVIN OLIPHANT	(SC)...J. DAVID HORSPOOL
MELODIE Z SCOTT	(SC)...HORSPOOL & H ORSPOOL
JENNIFER L HAAS	(PCR)...
W.A. (SAM) HLAVATY	(SC)...
PACIFIC WESTERN BANK	(FABOZZI & MILLER)

XREF: PROPS0900847 *KYLE TILTON SETTLEMENT TRUST*

Third Account Current by W.A. (Sam) Hlavaty filed 08/24/18.

Future Hearing: 10/16/18 3rd Account Current by W.A. (Sam) Hlavaty
 10/18/19 4th & Final Account & Report of Melodie Z Scott

Superior Court of Calif, County of San Bernardino

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

DATE: 09/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400267

CASE NAME: DAVID L HEISS

HEARING:

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

COUNSEL:

KAY M ADAMS	(CPE)...JENNIFER M DANIEL
DAVID L HEISS	(CTE)...JEANNE E KENNEDY
JENNIFER H HEISS	(PET)...JENNIFER DANIEL

Address: 53362 Coyote Road, Pioneertown, California 92268

Appraised Value: \$220,000

Sale price: \$430,000

First overbid: \$452,000

Deposit: \$43,000

Commission: 6%, split equally between buyer and seller agents

Additional bond: \$324,500

Reason for Sale: Necessary to pay debts

Exposure to Market: MLS listing

Notice is complete.

Future Hearings:

02/20/19 Conservatorship Compliance Review Hearing
06/25/19 Hearing Re Final Discharge
09/25/19 Accounting Review

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

DATE: 09/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600103

CASE NAME: JAMES MALOTT SPECIAL NEEDS TRUST

HEARING:

SECOND Account and Report of INLAND COUNTIES REGIONAL CENTER,
INC. and Petition for allowance of fees

COUNSEL:

INLAND COUNTIES REG CNTR (PET)...LAYNE A BARTHOLOMEW
THE JAMES MALOTT SPECIAL NEEDS TRUST(TRU)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 2nd Account Current and Petition for Fees

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

1. Special Needs Trust was established 9/9/14 in Los Angeles County. Copy of Order and Trust filed 7/19/16.
2. Account period: 12/01/15 to 01/31/18
3. Assets on hand \$40,634.91, cash
4. Petitioner requests authority to take an annual fee in quarterly payments pursuant to its fees schedule attached [Acct 7/26/18; LF p.43; 50].
5. Petitioner requests confirmation of fees taken in the amount of \$2,250 according to the fees schedule attached.
6. Attorney requests fees of \$710 billed for attorney at \$250/hour and paralegal at \$100/hour for a combined 4.7 hours. Itemized [Acct 7/26/18; LF p.44].
7. Petitioner requests Court amend trust to include language regarding Medicaid services by more than one state as specified in Article 9 of revised Trust attached in Exhibit O. [Acct 7/26/18, LFpg56-82]. **JTD**
8. Petitioner requests bi-annual accountings (twice a year). It appears petitioner means to request *biennial* accountings (every two years). **JTD**
9. ~Proposed order: 07/26/18 (ok-subject to note 8)

RECOMMENDATION:

Court's discretion. If approved, set hearing re next Accounting Review for **03/27/19** (if one year) or **03/25/20** (if two years). Accounting to be filed 30 days in advance. (lh)

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

DATE: 09/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700409

CASE NAME: ANNA L FERRANTE

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of KIMBERLY N FERRANTE

COUNSEL:

KIMBERLY N FERRANTE (PET)...ROSE C ROSADO
ANNA L FERRANTE (CEP)...CANDICE A GARCIA-RODRIGO

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review re Kimberly Ferrante,
daughter

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

- 1 **Need** Notification of Conservatee's Rights with proof of service and copy of the Order for Conservatorship with per Pr.C. §1830(c).
- 2 **Need** Care Plan in accord with Pr.C.§2352.5.
- 3 **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C.§ 2352.5 (form GC-355).
- 4 **Need** final Inventory & Appraisal per Pr.C. §2610.
- 5 **Need** Proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
- 6 If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION:

Inquire status.

(lh)

Future Hearing: 5/01/19 Accounting Review

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

DATE: 09/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800008

CASE NAME: MTR OF MANUEL BUSTAMANTE SR

HEARING:

Hearing Re: Apptment of Conservator of the person and estate

COUNSEL:

OLIVIA DILBECK (CP)...PRO/PER
VINCENT BUSTAMANTE (CP)...PRO/PER
MANUEL BUSTAMANTE SR (CTP)...JEANNE E KENNEDY

GENERAL INFORMATION

Court appointed Counsel Jeanne Kennedy on 02/14/18.

THIS CASE SET FOR HEARING ON **AMENDED** [filed 08/01/18] Petition for Appointment of Conservator person and estate by Olivia Dilbeck and Vincent Bustamante, daughter and son

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

1. Petitioners request no bond; however, no reasons given in attachment. Suggested bond \$44,700 per calculation. **JTD**
2. Petitioner seeks medical powers. Capacity Declaration filed 02/08/18.
3. Petitioner seeks dementia powers. Report of Counsel Jeanne Kennedy filed 07/10/18.
4. Petition is incomplete at item #5f as to whether proposed conservatee is developmentally disabled; and item #8 as to proposed conservatee's attendance at hearing; and item #11 is missing relatives' relationship to decedent. **Need verified supplement.**
5. List of required contacts (Local form SB-12224) filed 02/08/18 is missing grandchildren: Damian, Emma and Sophia Wagasky Benjamin and Sara Dilbeck. **Need** completed form.
6. **Need** Due Diligence Declaration as to sister, Socorro Rosas.
7. **Need** return of Citation.
8. CI Report filed 02/02/18.
9. Proof of Completion of the Conservatorship Training Class filed.

10. No amended proposed order submitted.

11. Note: Continued hearing is set for 10/31/18 as to Petition for Conservatorship of person only by Olivia Dilbeck and Vincent Bustamante. Court may wish to vacate future hearing as this amended petition supersedes prior petition.

RECOMMENDATION

Need to clear notes #4-7. If approved, set hearing for Compliance Review for **05/01/19** for the filing of the required documents and hearing re Accounting Review for **12/04/19**. Any accounting to be filed 30 days in advance.

(lh)

Future hearing 10/31/18 – Petition for Conservatorship of Person - VACATE

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

DATE: 09/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800178

CASE NAME: FREDDIE MAE WILLIAMS

HEARING:
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

YOLANDA L ERASEREN	(CPE)...JEFFREY CHIAO
LAFRANCEOLA HENDERSON	(CPE)...JEFFREY CHIAO
FREDDIE MAE WILLIAMS	(CEP)...M DENISE KRISTOF

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Case Management Conference

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

1. Yolanda L. Erasersen and Lafranceola Henderson, daughters, appointed Co-Conservators of person and estate on 08/22/13 in Los Angeles County; no bond.
2. Order confirming sale of Conservatee's residence entered 12/22/15. Bond set at \$275,000.
3. Matter transferred to San Bernardino County on 06/27/18; matter was received on 07/20/18.
4. Does court wish to require a Court Investigator report per Pr.C. § 2217(b)(3)?
JTD
5. **Need** post move notice per CRC 7.1063(c).
6. **Need** amended letters to reflect this county.

RECOMMENDATION

Need to clear notes 4-5 then Court's discretion.

(lh)

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

DATE: 09/26/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800240
CASE NAME: MTR OF ANGELA LYNN POSADAS

SEE ALSO #5

HEARING:

Hearing Re: PTN FOR APPOINTMENT OF CONSERVATORSHIP

COUNSEL:

PATRICIA ROQUE (CEP)...LENITA A SKORETZ
ANGELA LYNN POSADAS (CEP)...MARK J. ANDREW FLORY

x-ref matter: PROPS1500999 (In Re Armando Cardoza)

GENERAL INFORMATION

Ex parte orders granted 08/15/18. Patricia Roque appointed Temporary Conservator of the person and estate; no bond. Attorney Mark J. Flory appointed for Angela Lynn Posadas. Matter transferred to Department S37 to be heard with related probate case PROPS1500999. Parties agree vacate 10/02/18 hearing and set it for 09/26/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Patricia Roque, mother

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

1. Petitioner seeks bond of \$260,500. Appears sufficient.
2. Petitioner seeks medical powers. Capacity Declaration filed 08/08/18.
3. CI Report filed 08/29/18.
4. Proof of Completion of the Conservatorship Training Class filed.
5. Return of Citation filed 08/14/18.
6. Proposed Conservatee, Angela Lynn Posadas, signed Consent to appointment filed 08/14/18.
7. Notice is complete.
8. **Need** report of Counsel Mark J. Flory.
9. ~Proposed Form Order: 08/08/18

RECOMMENDATION

Need report of Counsel Flory. If approved, set hearing for Compliance Review for **05/01/19** for the filing of the required documents and hearing re Accounting Review for **12/04/19**. Any accounting to be filed 30 days in advance. (lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/26/18 TIME: 9:30 DEPT: S37P

CASE#: SC SS01418

CASE NAME: IN THE MATTER OF FLOYD RENFROE

VACATED

HEARING:

Accounting Review

COUNSEL:

KENNETH L RENFROE (CPE)...PRO/PER
FLOYD RENFROE (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Floyd J. Renfroe

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

1. Order on Waiver of Account entered 09/07/16 for period ending 06/30/16.
2. **Need** accounting or waiver of account for period commencing 07/01/16.

RECOMMENDATION

Inquire status.

(lh)