



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 09/27/18

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.

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500161

CASE NAME: LINDA JENO

SEE ALSO 2

HEARING: Hearing Re: Probate Status Report

COUNSEL:

DINA FARHAT ()...
JASON JENO (OBJ)...
JASON JENO (PET)...CKB VIENNA, LLP
JESUS AGUILAR (PET)...DINA I FARHAT
LINDA JENO (DEC)...
TERSESA WILLOUGHBY ()...

XREF: CIVDS1609597 (*Jesus Aguilar-v-Jason Jeno*)

GENERAL INFORMATION

Continued from 10/05/17 to trial related case CIVDS1609597 is set for mediation. Special setting as ROA reflects that PROPS1500161 normally set on Thursdays.

Continued from 11/08/17. Agreement reached on both matters. Trial dates vacated.

Continued from 01/25/18, advanced to 09/27/18.

THIS CASE SET FOR HEARING ON **Amended [07/13/17]** Status Report.

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

1. Letters of Administration issued to Jason Jeno, son, on 03/02/16; full authority, \$20,000 bond. On 07/20/17 Jason Jeno's ability to make court call appearances was revoked.
2. Petitioner seeks an additional 6 months to close the estate in order to settle the civil case re Jesus Aguilar due to a rejected Creditor's Claim for \$69,489.32; CIVDS1609597.
3. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **01/24/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/ww/lc)

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

DATE: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500161

CASE NAME: LINDA JENO

SEE ALSO 1

HEARING: Probate status report filed.

COUNSEL:

DINA FARHAT	()...
JASON JENO	(OBJ)...	
JASON JENO	(PET)...	CKB VIENNA, LLP
JESUS AGUILAR	(PET)...	DINA I FARHAT
LINDA JENO	(DEC)...	
TERSESA WILLOUGHBY	()...

XREF: CIVDS1609597 (*Jesus Aguilar-v-Jason Jeno*)

See notes on matter 1.

(lc)

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

DATE: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600801

CASE NAME: MTR OF HERSEL RAY PIERCE, SR

HEARING:

Accounting Review by ***

COUNSEL:

CALIFORNIA VICTIM COMPENSATION	(PRO/PER
DESIREE D SMITH	(PET)...CHARLENE L USHER
DESIREE SMITH	(PET)...CHRISTINA FERRANTE
HERSEL PIERCE JR	(PET)...CHRISTINA FERRANTE
HERSEL RAY PIERCE JR	(DEC)...USHER LAW GROUP, PC
HERSEL RAY PIERCE JR.	(PET)...CHRISTINA FERRANTE
HERSEL RAY PIERCE SR	(DEC)...
MICHAEL MCCASLAND	(PRO/PER
SEBREN A PIERCE	(OBJ)...PRO/PER

GENERAL INFORMATION

Continued from 07/05/18.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Desiree Smith and Hersel Pierce, Jr., children, on 04/28/17; **limited** authority, \$20,000 bond and blocked account of \$167,851.49.
2. Partial, final and Reappraisal for sale Inventory and Appraisals filed.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600873

CASE NAME: MTR OF WILLIAM LESTER COX
HEARING: FIRST AND FINAL Account and Report of MELODY AMBER
COVERDELL and Petition for allowance of fees filed.

COUNSEL:

MELODY AMBER COVERDELL (PET)...GAUDY LAW, INC
WILLIAM LESTER COX (DEC)...

GENERAL INFORMATION

Continued from 07/19/18 to clear notes.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Melody Coverdell, daughter.

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

1. Assets on hand \$56,419.97 cash.
2. Executrix and counsel seek statutory fees of \$4,382.04 each. Ok.
3. Executrix seeks reimbursement of costs advanced of \$1,100. [06/07LFpg24]. **JTD**
4. Counsel seeks reimbursement of costs advanced of \$258.89. [06/07LFpg24]. **JTD**
5. Counsel seeks extraordinary compensation of \$4,300 for 11.5 hours at \$375 per hour [Acct. 06/07LFpg8]. **Need** itemization per local rule 20-904.
6. Executrix seeks extraordinary fees of \$2,000 for 80 hours at \$25 per hour. **Need** itemization per local rule 20-904.
7. **Need** statements to support Inventory and Appraisal cash balance and end account balance per local rule 20-908.
8. Executrix made preliminary distribution of \$14,700 to [LFpg16] to herself. However, **need** notice of proposed action per Pr.C. §§ 10580, 10520 to Mickey Cox. Waiver on NOPA filed by "Micky Dahl". Court to clarify who Micky Dahl is.
9. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 5-8. If approved, set hearing on the filing of receipts and final discharge for **10/10/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601271
CASE NAME: SHERMAN LEE MITCHELL
HEARING: Hearing Re: PETITION FOR AMENDED PROBATE OF LOST WILL

COUNSEL:

RHYAN MITCHELL	(PRO/PER
RIANNE MITCHELL	(OBJ)...
SHERMAN LEE MITCHELL	(DEC)...
SHERMAN LEE MITCHELL II	(PET)...PRO/PER

GENERAL INFORMATION:

Matter trailed from 12/18/17, dismissed on 01/02/18 and reset after set aside on 05/24/18. Continued from 07/19/18. Amended notice cleared by court.

Continued from 08/30/18. Page 1 of Trust is missing. Petitioner represents that there is another property in Louisiana. Grant deed was recorded on 09/28/16. Date of death is 11/20/16.

THIS CASE IS SET FOR HEARING ON **[Amended 03/27/17]** Petition for Probate of **Lost** Will Letters Testamentary with full authority under IAEA by Sherman Mitchell II, son.

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

1. Petition indicates will waives bond. Net estate value \$302,400 in personal property. The court may for good cause require bond per Pr.C. § 8481(b). **JTD**
2. The original will is apparently lost. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it. Pr.C. 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. **Need** verified supplement addressing.
3. There are several wills attached to initial petition and in further supplements. Supplement filed 03/27/17 appears ambiguous and will submitted is **not dated**. **Supp 09/19:** petitioner seeks to probate 02/25/05 will.
4. **Objection filed 12/11/17 by Rianne Mitchell.**
5. ~Proposed Form Order: 03/27/17.

RECOMMENDATION:

Need to clear note 2, 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.

(cs/nb/lc)

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: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700412

CASE NAME: MTR OF THOMAS CRAIG STAUDERNMAYER

HEARING:

Accounting Review by ***

COUNSEL:

RONALD STAUDENMAYER	(PET)...ANDERSON LEBLANCE
TERRY STAUDENMAYER	(PET)...ANDERSON LEBLANCE
THOMAS CRAIG STAUDENMAYER	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Terry & Ronald Staudenmayer, brothers, on 07/20/17; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701072

CASE NAME: In re: Robert and Evelyn Vannix Family Trust

SEE ALSO 11

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

DAVID LEE VANNIX (RES)...PALERMO, BARBARO, CHINEN &
LARRY LEA VANNIX (PET)...LAW OFFICES OF RICHARD T MILL
LINDA WILLEY EINSENBERG ()...
ROBERT AND EVELYN VANNIX FAMIL (TRU)...

T.S.C. – no notes – JTD

(lc)

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

DATE: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701220
CASE NAME: TRIEN QUANG TRAN

HEARING: FIRST AND FINAL Account and Report of KIM LY THI TRAN and
Petition for allowance of fees filed.

COUNSEL:

KIM LY THI TRAN	(ADM)...PAUL HORN LAW GROUP
LIBERTY	(PET)...PRO/PER
SOUNG THI THU NGUYEN	(PET)...PAUL HORN
TRIENT QUANG TRAN	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Kim Ly Thi Tran, sister.

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

1. Assets on hand \$171,875.55 in cash and personal property.
2. Administrator and counsel seek statutory fees of \$6,519.82 each. Ok.
3. Counsel seeks extraordinary fees of \$1,662.50 for 4.75 hours at \$350 per hour.
[LFpg33] **JTD.**
4. Administrator seeks reimbursement of costs of \$2,863.75. [LFpg9]
5. Surviving spouse, Suong Nguyen, now elects to have her community property
subject to administration; however, is not timely filed [4 months after letters issued;
07/13/18 was deadline]. Administrator now seeks authority to admit spouse's
election late for good cause [LFpg22-23]. Order appears to be incorporated into
petition. **Supp 09/12:** administrator now states there is no community property.
6. No Proposed Order. Submit after hearing.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800722

CASE NAME: RICHARD CHARLES BUSSE

HEARING:

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

COUNSEL:

CHERYL BUSSE (PET)...MARK S DROBNY
RICHARD CHARLES BUSSE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Cheryl Busse, daughter.

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

1. Petitioner intends to appear telephonically.
2. All heirs waive bond. Net estate value is \$1,503,000 in personal property. Court for good cause could require bond per Pr.C. § 8481(b).
3. ~Proposed Form Order: 08/15/18.

RECOMMENDATION

RFA, 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)

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

DATE: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800723
CASE NAME: MTR of Joyce B. Sedore
HEARING: Hearing re: Petition for Letters of Administration w/WA W/Full
Authority under IAEA.

COUNSEL:

JOYCE B SEDORE (DEC)...
STACEY L PECK (PET)...HOWARD R HAWKINS

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate of **Lost** will, Letters of Administration with Will Annexed with Full Authority under IAEA Stacey Peck, daughter.

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

1. Petitioner is sole beneficiary of will and waives bond. Net estate value is \$750,000 of which \$400,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. The caption of petition states original will is apparently lost; however, a receipt for lodged will is filed. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it. Pr.C. 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. Will was executed on 06/27/18 13 days prior to death of 7/10/18. **Need** verified supplement addressing lost will and or supplement/amendment correcting caption.
3. **Need** Duties and Liabilities form.
4. **Objections and will contest filed on 08/30/18 by Rachelle Ann Page, daughter. Summons served on Stacey Peck.**
5. Will is holographic; proof of holographic instrument filed 08/09/18.
6. ~Proposed Form Order: 07/31/18.

RECOMMENDATION

Matter is contested. Need to clear notes 2-3. Court to trail 10/24/18 competing petition.
(lc)

Future hearing dates: 10/24/18 Petition for administration by **Rachelle Page, daughter**

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800823

CASE NAME: JUAN CASTRO DELGADO

HEARING:

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

COUNSEL:

JUAN CASTRO DELGADO (DEC)...
TERESA PACHECO (PET)...RYAN MICHAEL DARLING

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Teresa Pacheco, daughter.

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

1. Will waives bond. Net estate value is \$284,500 of which \$12,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** proof of publication
3. No Proposed Form Order submitted.

RECOMMENDATION

RFA subject to note 2, 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)

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: 09/27/18 TIME: 8:30 DEPT: S35P

CASE#: TRU PS1800133

CASE NAME: The Paez Revocable Living Trust Est. 9/30/17

SEE ALSO 12

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION IF NO ATTORNEY

COUNSEL:

EDWARD SEGURA

(PET)...PRO/PER

THE PAEZ REVOCABLE LIVING TRUS

(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC Re Dismissal of Petition if No Attorney.

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

1. Matter set on 07/26/18 when Edward Segura was ordered to have a substitution of attorney to indicate he is retained by counsel. If counsel is not retained; petition will be dismissed.

RECOMMENDATION

Inquire status of counsel.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701072

CASE NAME: In re: Robert and Evelyn Vannix Family Trust

SEE ALSO 6

HEARING:

Petition for Removal and Replacement of Trustees, Breach of
Fiduciary Duty, Compel Accounting

COUNSEL:

DAVID LEE VANNIX (RES)...PALERMO, BARBARO, CHINEN &
LARRY LEA VANNIX (PET)...LAW OFFICES OF RICHARD T MILL
LINDA WILLEY EINSEBERG ()...
ROBERT AND EVELYN VANNIX FAMIL (TRU)...

Currently under review by legal research.

Notice filed on 07/31/18 including to contingent beneficiaries.

(lc)

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

DATE: 09/27/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800133

CASE NAME: The Paez Revocable Living Trust Est. 9/30/17

SEE ALSO 10

HEARING:

Petition for TO CONFIRM 1)VALIDITY OF TRUST 2)SUCCESSOR TRUSTEE
3)TRUST ASSETS ETC

COUNSEL:

EDWARD SEGURA (PET)...PRO/PER
THE PAEZ REVOCABLE LIVING TRUS (TRU)...

Currently under review by legal research.

Notice filed 07/05/18; however, **need** notice of hearing and proof of service for Yolanda Huerta, Olivia Hernandez and Georgina Copas.

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.

Petitioner or counsel may request a continuance to correct the Notice deficiency.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800162

CASE NAME: THE LOPEZ FAMILY TRUST

HEARING:

Petition for To Determine Invalidity Of Trust Based Upon Undue
Influence And Lack Of Capacity; etc

COUNSEL:

JOHN ALVA (PET)...THOMAS DOMINICK
THE LOPEZ FAMILY TRUST DATED M (TRU)...PRO/PER

Currently under review by legal research.

30 days' notice filed on 08/23/18 appears sufficient.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 09/27/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS0900063

CASE NAME: ALEJANDRO C. RAZO

HEARING: Eleventh & Final Account and Report of CHRISTINA ERICKSON-TAUBE and Petition for allowance of fees filed.

COUNSEL:

ALEJANDRO RAZO	(CTP)...
CHRISTINA ERICKSON-TAUBE	(CE)...ALEX R BORDEN
CHRISTINA ERICKSON-TAUBE	(CP)...ALEX R BORDEN
CHRISTINA ERICKSON-TAUBE	(CPE)...ALEX R BORDEN
JENNIE RAZO	(PCR)...CRAIG WILLFORD
ROSA GOMEZ	(PCR)...CRAIG WILLFORD
SOUTHERN CALIFORNIA BONDING SE	()...
VETERANS ADMINISTRATION REGION	(TP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 11th and Final Account by Christina Erickson Taube, PPF.

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

1. Conservatee passed away on 02/04/18.
2. Accounting period 01/01/17 – 02/04/18 pre-death 02/05/18 – 05/29/18 post-death.
3. Assets on hand \$312,862.67 of which \$51,461.08 is cash.
4. Conservator seeks fees of \$12,923.40 for services billed at \$65/125 per hour [Acct. 08/22LFpg41-54].
5. Attorney seeks fees of \$7,939, of which \$202 is costs, for 24.5 hours at \$135/350 per hour for paralegal and attorney services. [Acct. 08/22LFpg58-61].
6. Conservator proposes distribution to Rosa Gomez administrator of Estate **PROPS1800378. Need** notice of related case.
7. Current bond is \$234,000. Ok.
8. ~Proposed Order: 08/22/18.

RECOMMENDATION

Need to clear note 6. If approved, set hearing on the filing of receipts and final discharge for **10/10/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600120

CASE NAME: MTR OF VINCENT RAPHAEL MASONGSONG

HEARING:

Petition for Termination of Conservatorship

COUNSEL:

RAMON V MASONGSONG	(CPE)...PRO/PER
VINCENT RAPHAEL MASONGSONG	(CTP)...PRO/PER
VINCENT RAPHAEL MASONGSONG	(CEE)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Termination by James Church.

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

1. Ramon Masongsong, son, appointed Conservator of **person only** on 07/07/16.
2. Counsel Church seeks termination on behalf of Conservatee. Conservatee allegedly has expressed the desire to terminate conservatorship.
3. **Objections filed on 08/31/18 by GAL Ed Fischel.**
4. No proposed order. Submit after hearing.

RECOMMENDATION

Matter is contested. Court **may wish to vacate future 10/18/18** hearing.
(lc)

Future Hearing: 10/18/18 Hearing re: Request by conservator to terminate etc.

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

DATE: 09/27/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800120
CASE NAME: BRANDYN BURCHELL HARMON
HEARING: Petition for Appointment of Conservator

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, mother*)

GENERAL INFORMATION:

Continued from 06/05/18. Melvin Friedland appointed counsel.

Continued from 07/31/18 for petitioner to be present.

THIS CASE IS SET FOR HEARING ON Petition for Conservatorship of the person and estate, by Donna Washington Harmon, adoptive mother.

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

1. Petitioner seeks bond not be required as the estate consists of inheritance in the related case. It appears a petition for substituted judgment was filed. Court to inquire whether any assets will be held in the conservatorship. **JTD.**
2. Proposed conservatee is developmentally disabled. Report counsel Friedland filed 07/20/18.
3. Section 1 to petition does not request medical powers. Court to inquire whether medical powers are being sought as Capacity Declaration filed 04/23/18.
4. Petitioner seeks Pr. C. § 2590 powers but does not specify reason; and for sale proceeds to be used for Conservatee's care and personal needs. Suggest Court require a separate petition after appointment with required showing per Pr. C. 2540 et seq. **JTD**
5. Citation returned served.
6. Court Investigator Report filed 05/23/18.
7. **Need** Inland Regional Center Report.
8. Certificate of Completion re Conservatorship Class filed 06/01/18.
9. ~Proposed Form Order 04/23/18.

RECOMMENDATION:

Need IRC report. If approved, set hearing for Compliance Review for **05/02/19** for the filing of the required documents and hearing re Accounting Review for **12/05/19**. Any accounting to be filed 30 days in advance.

(nb/lc)

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

DATE: 09/27/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800230

CASE NAME: NARVY LOPEZ KHAUV

HEARING: Petition for Appointment of Conservator

COUNSEL:

NARVY LOPEZ KHAUV (CTP)...PRO/PER
PHAL TAY KHAUV (CP)...PRO/PER

GENERAL INFORMATION

Sandy Turner appointed counsel on 08/09/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Phal Khauv, father.

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 08/02/18.
4. Proposed conservatee is developmentally disabled. Report of Counsel Turner filed 09/6/18.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. **Need** notice of hearing and proof of service including 30 days' notice to IRC per Pr.C. § 1822(e).
7. **Need** due diligence as to sibling Darlyn Khauv.
8. Court Investigator report filed 08/31/18.
9. Request to excuse notice as to maternal grandmother filed 08/15/18. **JTD**
10. Certificate of Completion of the Conservatorship Training Class filed 08/29/18.
11. Citation returned served.
12. ~Proposed Form Order: 08/02/18.

RECOMMENDATION

Need to clear notes 5-7. If approved, set hearing for Compliance Review for **05/02/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. §1830(c); Level of Care and Care Plan per Pr.C. §2352.5.

(lc)

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

DATE: 09/27/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800251

CASE NAME: MANUEL CHACON
HEARING: Petition for Appointment of Conservator

COUNSEL:

JUANA LOVATO	(CP)...PRO/PER
MANUEL CHACON	(CTP)...
RACHEL LOVATO	(CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Juana and Rachel Lovato, mother & sister.

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

1. Petitioners seek powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioners seek civil rights not be limited without court order. JTD
3. Petitioners seek medical powers. Capacity Declaration filed 08/15/18; however, sections 4a re last seen and 5 re ability to attend hearing are incomplete. **Need** completed form.
4. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. **Need** return of citation.
7. **Need** notice of hearing and proof of service including 30 days' notice to IRC per Pr.C. § 1822(e).
8. Certificate of Completion of the Conservatorship Training Class filed 09/05/18.
9. Court Investigator report filed 9/13/18.
10. ~Proposed Form Order: 08/15/18.

RECOMMENDATION

Need to clear notes 3-7. If approved, set hearing for Compliance Review for **05/02/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. § 1830(c); Level of Care and Care Plan per Pr.C. § 2352.5.

(lc)

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

DATE: 09/27/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800252

CASE NAME: Isabel Nunez Yepez

HEARING:
Petition for Appointment of Conservator

COUNSEL:
EMANUEL YEPEZ (CP)...LAW OFFICE OF SOLOMON A. CHEIF
ISABEL NUNEZ YEPEZ (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Emanuel Yepez, son.

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

1. See Confidential Screening Form.
2. Petitioner seeks medical powers. **Need** Capacity Declaration.
3. **Need** list of required contacts form SB-12224.
4. **Need** return of citation.
5. **Need** notification of Court address form SB-14522.
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. **Need** notice of hearing and proof of service.
8. **Need** CII Referral form SB-13548
9. Court Investigator report filed 09/20/18.
10. No Proposed Form Order submitted.

RECOMMENDATION

Need to clear notes 2-8. If approved, set hearing for Compliance Review for **05/02/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

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

DATE: 09/27/18 TIME: 9:30 DEPT: S35P

CASE#: PRO PS1400685
CASE NAME: BETTEANNE BURCHELL
HEARING: SECOND AND FINAL Account and Report of DENNIS SHOGREN and
Petition for allowance of fees filed.

COUNSEL:

BETTEANNE BURCHELL	(DEC)...
DENNIS SHOGREN	(PET)...E JOAN NELMS
DENNIS SHOGREN	(PET)...JAMES B CHURCH
MELVIN L FRIEDLAND	(PET)...MELVIN L FRIEDLAND

XREF: CONPS1800120 (*Brandyn Burchell Harmon, son sole beneficiary*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2nd and Final Account and Petition for Allowance of Fees by Dennis Shogren, CPA.

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

1. Assets on hand \$684,424.96 in cash.
2. Administrator and counsel seek statutory fees of \$20,883.04 each. Ok.
3. Counsel seeks extraordinary fees of \$28,538 for 85.45 hours at \$115/375 per hour for paralegal and attorney services. [LF07/30pg36-48]. **JTD**
4. Counsel seeks extraordinary fees of \$8,967.50 re guardianship matter at \$115/375 per hour for paralegal and attorney services.[LF07/30pg50-63]. **Need** hours summarized per local rule 20-904.
5. Notice filed 08/01/18; however, case number reads with an extra 0. **JTD** if sufficient.
6. Counsel seeks reimbursement of costs totaling \$2,997.99 and \$1,279.99 re guardianship. [LF07/30pg30&32]. **JTD**
7. Administrator seeks reimbursement of costs totaling \$1,792.31. [LF07/30pg34]. **JTD**
8. Administrator seeks a reserve of \$1,000.
9. ~Proposed Order: 07/30/18.

RECOMMENDATION

RFA subject to notes 4-5, Court's discretion re fees. If approved, set hearing on the filing of receipts and final discharge for **10/10/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/27/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS01410

Vacated

CASE NAME: IN THE MATTER OF CHARLES ARTHUR BRANDON

HEARING:

Hearing Re: STATUS OF TRANSFER TO RIVERSIDE COUNTY

COUNSEL:

CHARLES ARTHUR BRANDON (CTP)...

KARIN HULS (CPE)...PRO/PER

NANCY COLLINS (CPE)...PRO/PER

Receipt and acknowledgement filed 08/21/18 indicating Riverside Case number
PRRI9900001.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/27/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS8903

CASE NAME: IN THE MATTER OF MICHAEL ALLEN STEPHENS

Vacated

HEARING:

Hearing re Final Discharge

COUNSEL:

DANNY R STEPHENS	(CE)...HARTNELL LAW GROUP
DANNY R. STEPHENS	(CPE)...HARTNELL LAW GROUP
MICHAEL ALLEN STEPHENS	(CEP)...
MICHAEL ALLEN STEPHENS	(PRO/PER

Final Discharge approved and filed 09/04/18

(lc)

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: 09/27/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1500912

CASE NAME: LOUIA E REICHMUTH

HEARING:

Hearing Re: COURT TRIAL (FOURTH 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

Trial – No notes – JTD

(lc)

Future Hearing: 09/28/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 09/27/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600350

CASE NAME: MTR OF ROBERT BOWSHIER

HEARING:

Hearing re Final Discharge

COUNSEL:

MARIA BOWSHIER (TP)...PRO/PER

PAUL BOWSHIER (PET)...PICKELSIMER LAW OFFICES

ROBERT BOWSHIER (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Paul Bowshier, son, approved on 09/21/17.
2. **Need** receipt for Robert Bowshier.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipt and discharge order.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 09/27/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700384

CASE NAME: MTR OF HAL DEAN PICKETT

HEARING:

Accounting Review by ***

COUNSEL:

HAL DEAN PICKETT (DEC)...
MARK P CANTIN (PET)...CARPENTER ROTHANS & DUMONT

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Mark Cantin, step-son, on 08/28/17; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 09/27/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800780

CASE NAME: STEPHEN JOHN GILMAN

HEARING:

Spousal Property Petition hearing.

COUNSEL:

LORENA E GILMAN (PET)...PRO/PER
STEPHEN JOHN GILMAN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Lorena Gilman, spouse.

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

1. Petitioner Lorena seeks confirmation of her half of community property and determine decedent's half of community property passes to petitioner without administration. However, section 1b is not checked, yet section 7b is. Court to clarify.
2. **Need** verified supplement indicating date of marriage, date property was acquired and with what type of funds.
3. **Need** notice of hearing and proof of service.
4. No proposed order submitted.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 09/27/18 TIME: 8:29 DEPT: S37P

CASE#: EAP PS1800087

CASE NAME: HUFFMAN VS WOLFE

HEARING:

Readiness Calendar

COUNSEL:

KIMBERLY WOLFE (RP)...

STEPHEN HUFFMAN (PP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Readiness – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 09/27/18 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1700327

CASE NAME: PIPER ELIZABETH CHILDRESS

SEE ALSO 3, 4

HEARING:

Hearing Re: PTN FOR VISITATION OF MICHAEL MITCHELL

COUNSEL:

AUROURA FOSTER	(PET)...COREY SALISBURY
GARY ALAN CHILDRESS	(GP)...JOSEPH W HOWINGTON
MICHAEL MITCHELL	(FAT)...CALDWELL, KENNEDY & PORTER,
MICHAEL MITCHELL	(PET)...D KEVIN PORTER
PIPER ELIZABETH CHILDRESS	(MIN)...PRO/PER
SANDRA CHILDRESS	(GP)...JOSEPH W HOWINGTON

XREF: CIVVS1700402 (*Gary Alan Childress-n-Cory Tyler Salisbury*)
CIVVS1700403 (*Gary Alan Childress-n-Aurora Foster*)
FAMVS1703296 (*Michael Mitchell-v- Aurora Foster*)

Visitation – No notes – JTD *

(lc)

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

DATE: 09/27/18 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1700327

CASE NAME: PIPER ELIZABETH CHILDRESS

SEE ALSO 2, 4

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

AUROURA FOSTER	(PET)...COREY SALISBURY
GARY ALAN CHILDRESS	(GP)...JOSEPH W HOWINGTON
MICHAEL MITCHELL	(FAT)...CALDWELL, KENNEDY & PORTER,
MICHAEL MITCHELL	(PET)...D KEVIN PORTER
PIPER ELIZABETH CHILDRESS	(MIN)...PRO/PER
SANDRA CHILDRESS	(GP)...JOSEPH W HOWINGTON

XREF: CIVVS1700412 (Gary Alan Childress -N- Cory Tyler)

CIVVS1700403 (Gary Alan Childress -N- Aurora Foster)

CIVVS1700402 (Corey Salisbury)

CIVVS1700622(Georgette Foster v Gary Childress)

FAMVS1703296 (Michael Mitchell-v-Aurora Foster)

GENERAL INFORMATION:

Temporary Orders granted on 07/05/17. Gary and Sandra Childress are appointed Temporary Guardians of the person of Piper Childress.

Continued from 07/31/17. Matter to be heard with Petition for Termination.

Continued from 08/09/17 Referred to Court Investigator and Family Court Services. Court makes visitation orders. Mr. Howington to prepare order after hearing.

Continued from 12/18/17. Request to take judicial notice filed in courtroom and request granted. Aurora Foster and Michael Mitchell appeared, Kabmriana Inventory and Appraisal paternal aunt. Matter re-referred for Court Investigator to interview mother, father and minor's therapist. Last opportunity for mother to be interview. Parties to sign up for talkingparents.com by days' end. Parties to send weekly emails re what happened in minor's life. Text and email outside of Talkingparents.com in emergencies only. Previous order reiterated that upon drop off and pick up, parties immediately text the other party informing them of minor's whereabouts. When Georgette is involved in transportation, she is also to immediately text. Gary and Sandra Childress inform the Court that they intend to take minor to Texas next year for a week. The Court recommends that if they do take minor out of state they allow mother to take minor for a full week as well and that they provide each other with contact information for minor and minor have telephonic contact with the other party at least 4 times that week.

The Court orders that mother have minor for Christmas beginning 10am Christmas morning. Mother to pick up minor and return minor at the normal Wednesday exchange. If minor is going to be taken out of the five Southern California counties of San Diego, Orange, Riverside, San Bernardino or Los Angeles overnight, the parties are to be informed of minor's whereabouts and given contact information. The Court determines this is a related action to FAMVS1703296 and advises Counsel if they want these actions heard together this Court will hear the family law matter. The guardianship will not be sent to trail the family law matter

Continued from 05/24/18. No discovery cutoff at this time. Mitchell Roth appointed GAL. Estimated trial 10 days.

Continued from 06/07/18. Mitchell Roth did not get notice of appointment. Mitchell Roth to be given copy of file ASAP. Temporary guardians make no decisions re the minor's school during case pending. FCS agreement is void as mother, Aurora Foster, was not part of mediation. Visitation from mediation terminated. Matter set for mediation; all parties to appear. The Court orders mediation briefs stating the party's settlement position, any agreement that existed prior to the birth of the child either written or oral be included in mediation brief. The Court orders FAMVS1703296 to be brought to this court for MSC and that GAL given copy of family law file.

Continued from 06/28/18. Matter contested and Trial requested.

THIS CASE SET FOR HEARING ON Amended Petition for Appointment of Guardian, of the person only, by Gary and Sandra Childress, maternal grandparents, Piper 5.

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

1. Mother Christina Childress and father Michael Mitchell signed Nomination, Consent and Waiver filed 06/28/17. Note Aurora Foster is listed on birth certificate.
2. Order after hearing re 08/09/17 re visitation currently under review by examiner (lh).
3. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
 - a. Paternal grandmother Carol Gilbert re Michael Mitchell "father"
 - b. Paternal" grandparents re Aurora Foster "father on birth certificate"
4. Duties of Guardian form by Sandra Childress is not dated at signature line. **Need** same; alternatively, verify on the record. JTD
5. **Need** report of GAL Mitchell Roth.
6. Petitioners indicate the willingness to adopt.
7. Declarations in support of guardianship filed 07/28/17.
8. Declaration of Barbara Burrows filed 10/11/17 in support of guardianship.
9. Declaration of Gary Childress filed 10/11/17 re visitation and request for a home visit.
10. Declaration filed by Aurora Foster on 12/15/17 indicating a serious of events from birth to present.
11. **Objection to guardianship filed 08/08/17 by Aurora Foster, "named father" on birth certificate.**
12. **Declaration filed in support of objections by Georgette Foster on 12/15/17.**
13. **Declarations filed by parties associated with Lone Wolf Colony Health Ranch on 05/23/18 where Aurora Foster was manager caretaker.**

14. Court Investigator report filed 12/11/17. Supplemental report filed 05/17/18.
15. No proposed Order submitted.

RECOMMENDATION:

Need to clear notes 3-5.

(cs/lh/cs/lh/cs/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1700327

CASE NAME: PIPER ELIZABETH CHILDRESS

SEE ALSO 2, 3

HEARING:

Readiness Calendar

COUNSEL:

AUROURA FOSTER	(PET)...COREY SALISBURY
GARY ALAN CHILDRESS	(GP)...JOSEPH W HOWINGTON
MICHAEL MITCHELL	(FAT)...CALDWELL, KENNEDY & PORTER,
MICHAEL MITCHELL	(PET)...D KEVIN PORTER
PIPER ELIZABETH CHILDRESS	(MIN)...PRO/PER
SANDRA CHILDRESS	(GP)...JOSEPH W HOWINGTON

Readiness – No notes – JTD

(lc)

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

DATE: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: GAR SS1500518

See also 24

CASE NAME: JESSE DELGADILLO
HEARING: Probate status report filed.

COUNSEL:

JESSE DELGADILLO (MIN)...MARK J. FLORY
MARIA DELGADILLO (OBJ)...PRO/PER
OLIVIA ACUNA DE VASQUEZ (PET)...FRED HANASSAB

XREF: PROPS1501098 (*Gilberto Acuna father of minor*)

***NOTE* notes reflect any and all status reports filed to date.**

GENERAL INFORMATION

Accounting review hearing held 09/06/17. Matter continued to 10/04/17.

Continued from 10/04/17 at request of attorney. Worker's Comp still pending/bankruptcy has been filed. Notice to be given by Mr. Hanassab.

Continued from **01/10/18**. *Interpreter* Need supplement re bankruptcy and workers compensation claim. Counsel to personally appear.

Continued from **03/22/18**. *Interpreter*. Request to terminate guardianship of estate may be filed. Matter trailing PROPS1501098.

Continued from 06/14/18. Matter trailing PROPS1501098. Court orders Olivia Acuna De Vasquez to contact Mr. Hanassab's office this afternoon to provide information regarding worker's compensation/personal information/wrongful death action by mail 06/15/18 and to provide notice to both the Guardian ad Litem and Mr. Horspool's office.

Continued from 06/14/18 and 07/18/18 to be heard with PROPS1501098.

THIS CASE IS SET FOR HEARING ON Status Report Guardianship **[updated 06/12/18]**

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

1. Olivia Acuna de Vasquez, paternal aunt, appointed guardian of person and estate on 09/13/16, no bond.
2. Status reports per Pr.C. § 12201 [probate administration] are not accepted in guardianship or conservatorship matters. An accounting must be filed; however, assets have not yet been received in the estate. Court to see **PROPS1501098**.
3. Report is not verified. **Need** verification per Pr.C. § 1021. Alternatively, court to clarify on record.

4. Guardian alleges the only assets received are public benefits and social security benefits used for support and maintenance of minor.
 - a. Question status of worker's compensation case mentioned in minute order on 09/06/17? **Status report filed 06/12/18 indicates Fresno case settled and Order Approving Expedited to Approve Compromise Disputed Claim against Hyundai Translead was signed on 04/11/18 indicating \$0. LF06/12/18pg11-12.**
5. Proof of service attached; however, **need** notice of hearing and proof of service.
6. No proposed Order submitted.

RECOMMENDATION

Need to clear notes 3&5 and ***Vacate 11/07/18 Status report hearing as it appears to be duplicative.*** Set Accounting/Status Review for ***03/29/19.*** Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(/lc/lh/lc)

Future Hearing: 11/07/18 Probate status report [**court to vacate**]

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400619

CASE NAME: QUINN JAMES KLINGERMEN SPECIAL NEEDS TRUST

HEARING:

Accounting Review by ***

COUNSEL:

QUINN JAMES KLINGERMEN SPECIAL (TRU)...

SHEILA MARIE JAMES

(PET)...WRIGHT KIM DOUGLAS, ALC

SHEILA MARIE JAMES

(TEE)...WRIGHT KIM DOUGLAS, ALC

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 3rd SNT Account for Sheila James, mother, approved on 11/17/16.
2. **Need** 4th Account beginning with 07/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500989

CASE NAME: MIKE FOSTER

HEARING:
Hearing re Final Discharge

COUNSEL:
JUSTIN MCCOLLUM (PET)...MATTHEW L TONKOVICH
MIKE FOSTER (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Justin McCollum, grand-nephew, approved on 09/21/17
2. **Need** receipt for Matthew McCollum.
3. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b).

RECOMMENDATION

Inquire status of receipt and discharge order.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600737

CASE NAME: MTR OF MARILYN E JANOE

HEARING:

Accounting Review by ***

COUNSEL:

BRIAN SCOTT JANOE	(PET)...DAMIAN G GARCIA
DEPT OF HEALTH CARE SERVICES	(TP)...
MARILYN E JANOE	(DEC)...

GENERAL INFORMATION

Continued from 12/21/17. Property tax bill just received.

Continued from 03/22/18. No appearance. Brian Janoe ordered to appear.

Continued from 06/14/18.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Brian Janoe, son, on 10/13/16; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700047

Vacated

CASE NAME: ETTA LLOYD

HEARING:

Petition for (AMENDED) TERMINATION OF PROBATE ESTATE AND TO DIS
CHARGE ADMINISTRATOR

COUNSEL:

DEBORRAH DENISE CANNADY	(PET)...	CHIMA A ANYANWU
ETTA LLOYD	(DEC)...	
STEVEN JACOBO	(PET)...	PRO/PER

XREF: CIVDS1722532 (In re: 6624 Jacaranda Ave, Fontana, CA 92336)

Petition denied and matter vacated per minute order on 08/16.

(lc)

Future hearing dates: 12/18/18 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: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700427

Vacated

CASE NAME: MTR OF MARIA EMILIA ORNELAS

HEARING:

Accounting Review by ***

COUNSEL:

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

Accounting review moot as petition for termination per Pr.C.§ 12251 filed and set for hearing on **09/26/18**.

(lc)

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

DATE: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700687
CASE NAME: ALI HALABIAN
HEARING: PETITION FOR FINAL DISTRIBUTION AND WAIVER OF Account and
Report of BEHROUZ HALABIAN and Petition for allowance of fees filed.

COUNSEL:

ALI HALABIAN (DEC)..
BEHROUZ HALABIAN (PET)...PRO/PER
FATEMEH ZAMANI (PET)...PRO/PER

GENERAL INFORMATION

Continued from 06/14/18. Petitioner urged to seek counsel.

THIS CASE SET FOR HEARING ON Petition for Final Distribution by Behrouz Halabian,
brother.

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

1. Assets on hand \$917,000 vehicle, interest in Corporation and Trust property.
2. Administrator waives statutory compensation.
3. Administrator states that ½ interest in community property and 25% interest in corporation and late father's Trust.
 - a. Question why 100% interest in personal property and vehicle is stated in the Inventory and Appraisal if now its community property, how was car titled? **Need** corrected Inventory to reflect 50% unless petitioner makes the community property election (next note).
 - b. An election must be filed within four months after the issuance of letters or within further time that the court may allow before entry of any order determining passing to surviving spouse Pr. C. § 13656. **Need** election per Pr. C. § 13502 if petitioner is electing to probate her half of the community.
 - c. Inventory and Appraisal includes **interest** in late father's trust. Question if distribution occurred into estate and was it per court order or by individual as Trustee? It appears the interest should not state **interest in trust**, but rather **distribution from trust** or the interest does not appear to be an estate asset, but rather a trust asset for Trustee to distribute. **Need** verified supplement.
 - d. Question how 25% interest in Corporation will be handled in distribution? Are there shareholders, does corporation allow distribution of shares through probate, are there corporate restrictions, is there a broker needed for

transaction to dispose of the stock in order to covert? **Need** verified supplement.

4. **Need** statement of compliance with Pr.C.§9202(b) re notice to the California Victim Compensation Board.
5. **Need** waiver of account by daughter Tina Halabian.
6. **Need** verification per Pr.C. § 1021.
7. **Need** statement regarding notice to Franchise Tax Board or proof of service of the same Pr. C. § 9202(c)(1).
8. **Need** notice of hearing and proof of service
9. **Need** statement re family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. (Pr.C.§ 1064(a)(4)). Need verified supplement.
10. Proposed order submitted 06/07/18; however, notes and order appear to be incomplete.

RECOMMENDATION

Need to clear notes 3-9. If approved, set hearing on the filing of receipts and final discharge for **10/10/19**.

(lc)

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

DATE: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700768

CASE NAME: DOYLE RAY PIPINS, SR

HEARING:

First and Final Account and Report of LLOYD SCATES and Petition
for allowance of fees filed.

COUNSEL:

DOYLE RAY PIPINS JR (DEC)...
LLOYD SCATES (PET)...FORESIGHT LEGAL GROUP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Lloyd Scates, step-son/executor.

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

1. Assets on hand \$390,460.95 of which \$72,260.95 is cash, remainder in real and personal property.
2. Executor is sole beneficiary and waives statutory compensation.
3. Counsel seeks statutory fees of \$10,832.92 Ok.
4. Executor seeks authority to pay himself for costs advanced of \$24,126.76 [LFpg27-29].
5. Counsel seeks reimbursement of costs totaling \$137 for attorney service/order/letters.
6. Executor seeks a reserve of \$1,000.
7. No proposed order. Submit after hearing.

RECOMMENDATION

RFA subject to reimbursements. If approved, set hearing on the filing of receipts and final discharge for **10/10/19**.

(lc)

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

DATE: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800157
CASE NAME: MTR OF ALBERTO TOVAR
HEARING: Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

AGUSTINA VEGA TOVAR (PET)...PRO/PER
ALBERTO TOVAR (DEC)...MITCHELL I ROTH
RIVERSIDE COUNTY DCSS - MAIN O (TP)...PRO/PER

GENERAL INFORMATION

Continued from 03/22/18. Mitchell Roth appointed and shall attempt to locate minors.

Continued from 06/14/18. Bond of \$137,000 will be required. Counsel Roth to spend up to \$1,000 to locate minors. Notice to be given by petitioner.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Agustina Vega Tovar, mother.

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

1. Decedent left 3 minor issue ages 8-16 and petitioner alleges she cannot locate them.
2. All heirs waive bond; however, **need** bond waivers for custodian/guardian of minors and for eldest minor Jennifer 16. Net estate value is \$137,222.57 in real property. Bond of \$137,000 required per court.
3. Report of counsel Roth filed 06/12/18.
4. ~Proposed Form Order: 02/20/18.

RECOMMENDATION

RFA, \$137,000 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)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800719

CASE NAME: MTR OF RAY V. WYATT

HEARING:

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

COUNSEL:

JENNIFER N WARNOCK (PET)...HAROLD CHRISTOPHER HERITAGE
RAY V WYATT (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Jennifer Warnock, daughter/sole heir.

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

1. Petitioner is sole heir and waives bond. Net estate value is \$200,000 in real property. However, petitioner is a non-resident and court has discretion to require bond per Pr.C. §8571
2. ~Proposed Form Order: 07/31/18.

RECOMMENDATION

RFA, 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)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800759

CASE NAME: MTR OF PATRICIA JOANNE FENTON

HEARING:

Petition to determine succession to Real Property

COUNSEL:

CHRISTOPHER F BRYAN (PET)...CYNTHIA CATALINO
PATRICIA JOANNE FENTON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Christopher Bryan, Trustee.

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

1. Petitioner, as trustee, seeks 100% interest in decedent's 100% interest in real property as Trustee per terms of will.
2. ~Proposed Form Order: 09/13/18.

RECOMMENDATION

RFA.
(lc)

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

DATE: 09/27/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800779

CASE NAME: MTR OF JAMES LEWIS ARIMOND

HEARING:

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

COUNSEL:

DARYL E CAIN SANCHEZ (PET)...PRO/PER
JAMES LEWIS ARIMOND (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with **limited** Authority under IAEA Daryl Cain Sanchez, friend/named executor.

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

1. Will names petitioner as executor as Daryl Cain Jr. Petitioner provides copy of birth certificate [LFpg18]. **Court to clarify** last name is now Sanchez.
2. Will waives bond and petitioner is sole beneficiary of will. Net estate value is \$315,000 of which \$115,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
3. ~Proposed Form Order: 08/16/18

RECOMMENDATION

RFA, 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)

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 09/27/18 TIME: 8:35 DEPT: S37P

CASE#: CIV DS1700978

CASE NAME: CLARK VS HORDYNSKI

HEARING:

Hearing Re: FUNDING OF SETTLEMENT/PLAN OF DISTRIBUTION

COUNSEL:

BEAVER MEDICAL GROUP, L.P.	(DAVIS, GRASS, GOLDSTEIN &
BEAVER MEDICAL GROUP/EPIC MANA	()...
BRIAN G BEITEL MD	(MICHAEL D GONZA)...
ELEANOR CLARK	(MIN)...RAYNES ERICKSON
EPIC MANAGEMENT, L.P.	(DAVIS, GRASS, GOLDSTEIN &
JOSHUA CLARK	(PET)...RAYNES ERICKSON
JOSHUA EUGENE CLARK	(PLA)...RAYNES ERICKSON
LILLIAN CLARK	(MIN)...RAYNES ERICKSON
MITCHELL I ROTH ESQ	(PET)...RAYNES ERICKSON
SARAH CLARK	(RAYNES ERICKSON
SARAH MARIE CLARK	(PLA)...RAYNES ERICKSON
STEPHEN N HORDYNSKI MD	(DEF)...DAVIS, GRASS, GOLDSTEIN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Funding of Settlement/Plan of Distribution.

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

1. Matter set on 07/26/18 Wrongful Death Settlement. A petition to establish SNT will be filed re Sarah Clark. Monies to be placed in an irrevocable Trust. Minor Lillian to have Special Needs component and Minor Eleanor's to have a structured settlement. Donnasue Smith Ortiz and Jeffrey Raynes to discuss options and file Trust for approval.

RECOMMENDATION

Inquire status of creation of Trust in order to fund with settlement.

(lc)

Future Hearing: 12/19/18 OSC: re Dismissal

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

DATE: 09/27/18 TIME: 8:35 DEPT: S37P

CASE#: PRO DS1000778
CASE NAME: ELIAS PULIDO SPECIAL NEEDS TRUST
HEARING: Seventh Account and Report of FIRST AMERICAN TRUST, FSB and
Petition for allowance of fees filed.

COUNSEL:

ELIAA PULIDO JR (PET)...THOMPSON & COLEGATE
ELIAS PULIDO SR (PET)...THOMPSON & COLEGATE
ELIAS PULIDO, JR. SPECIAL NEED(TRU)...
FIRST AMERICAN TRUST, FSB (PET)...THOMPSON & COLEGATE

**CCP170.6 FILED AS TO CYNTHIA LUDVIGSEN, CASE REASSIGNED TO
JUDGE JAMES MICHAEL WELCH FOR ALL PURPOSES.**

CONPS0900256 (*Elias Pulido Jr. conservatorship*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 7th SNT Account Current and Petition for Allowance
of Fees by First American Trust, Trustee.

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

1. Accounting period 04/01/17 – 03/31/18.
2. Assets on hand \$1,583,016.26 of which \$49,681 is cash [LFpg8].
3. Trustee has taken monthly advisory and management fees of \$11,118.59 and
\$7,149.01; respectively, per payment schedule at 1.3% combined rate based on
market value. **JTD**
4. Trustee seeks confirmation and approval to continue to pay monthly investment
management fee. [LFpg67-70]. **JTD**
5. Trustee seeks confirmation of monthly fiduciary fee of \$1,429.81. **JTD**
6. Trustee seeks confirmation of \$735 paid for taxes. **JTD**
7. Counsel seeks fees of \$6,330 for 41 hours at \$125/250 per hour for paralegal and
attorney services and costs of \$517, for a total of \$6,847. [LFpg72-78] **JTD**
8. ~Proposed Order: 07/27/18.

RECOMMENDATION

Court's discretion re fees. If approved, set Accounting/Status Review for **08/15/19**. Any
accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule
20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **ELDER ABUSE**

DATE: 09/27/18 TIME: 9:30 DEPT: S37P

CASE#: CIF DS1700098

CASE NAME: JORDAN VS. VASQUEZ

HEARING:

Hearing Re: STATUS OF LIEN/ELDER ABUSE RESTRAINING ORDER

COUNSEL:

JOHNNY VASQUEZ (RP)...PRO/PER
SERVERIANA JORDAN (PP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Continued from 05/31/18 for written settlement agreement re lien to be lifted by Johnny Vasquez.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 09/27/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300347

CASE NAME: Kole Hildebrand

HEARING:

Accounting Review by ***

COUNSEL:

KOLE HILDEBRAND

(PCE)...PRO/PER

MICHAEL HILDEBRAND

(PET)...JENNIFER M DANIEL

TAMARA HILDEBRAND

(PET)...JENNIFER M DANIEL

GENERAL INFORMATION

Continued from 06/14/18.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 2nd Account for Tamara & Michael Hildebrand, approved on 01/25/17.
2. **Need** 3rd Account beginning with 03/19/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 09/27/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400298

CASE NAME: STEPHEN H DOTY II

HEARING:

Petition for termination of conservatorship

COUNSEL:

APRIL R PODOLECE	(CP)...PRO/PER
SONJA WHITE	(OBJ)...PRO/PER
STEPHEN H DOTY II	(CTP)...E JOAN NELMS
STEPHEN HEINRICH DOTY	(PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Termination of Conservatorship by James Church.

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

1. April Podolece, mother, appointed **limited** Conservator of person only on 08/30/16. April was suspended on 07/23/18 and Sonja White, paternal grandmother, was appointed temporary successor.
2. Counsel Church seeks termination on behalf of Conservatee. Conservatee allegedly has expressed the desire to terminate conservatorship. Conservatee allegedly had little to no contact with Conservator.
3. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. Court **may wish to vacate future continued date of 12/03/18** for review of Court Investigator report.

(lc)

Future Hearing: 12/03/18 Hearing re: Court Investigator's report

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700178

CASE NAME: MTR OF CONNIE ORTIZ

HEARING:

Petition for ATTORNEY FEES BY COURT APPOINTED COUNSEL

COUNSEL:

CONNIE ORTIZ	(CEP)...
JAMES B CHURC	(PET)...JAMES B CHURCH
ROSALIE R MENDIETA	(CPE)...ELISABETH KEMPE-OLINGER

XREF: SCSS02088 (*Jessie R Ortiz*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's fees by James Church

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

1. Counsel Church seeks fees on behalf of Joan Nelms who was appointed counsel on 06/27/17 and relieved her on 03/27/18.
2. Counsel seeks fees of \$3,760 for 12.3 hours at \$135/375 per hour for paralegal and attorney services. [07/27LFpg6-9].
3. ~Proposed Order: 07/27/18.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing: 10/30/18 *Accounting Review*.

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

DATE: 09/27/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800228
CASE NAME: ARIEL ROSE PEWTERBAUGH
HEARING: Petition for Appointment of Conservator

COUNSEL:

ARIEL ROSE PEWTERBAUGH (CTP)...JEANNE E KENNEDY
CHRISTAL JANEEN PEWTERBAUGH (CP)...PRO/PER
HARRY SCOTT PEWTERBAUGH (CP)...PRO/PER

GENERAL INFORMATION

Jeanne Kennedy appointed counsel on 08/06/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Christal and Harry Pewterbaugh, parents.

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

1. Petitioners seek powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioners seek civil rights not be limited without court order. JTD
3. Petitioners seek medical powers. Capacity Declaration filed 09/17/18.
4. Proposed conservatee is developmentally disabled. Report of Counsel Kennedy filed 09/19/18.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. **Need** Certificates of Completion of the Conservatorship Training Class.
7. **Need** Court Investigator report.
8. Citation returned served.
9. ~Proposed Form Order: 08/02/18.

RECOMMENDATION

Need to clear notes 5-7. If approved, set hearing for Compliance Review for **05/02/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

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

DATE: 09/27/18 TIME: 9:30 DEPT: S37P

CASE#: PRO PS1501098

See also 5

CASE NAME: GILBERTO ACUNA
HEARING: Probate status report filed.

COUNSEL:

GILBERTO ACUNA (DEC)...HORSPOOL & HORSPOOL
OLIVIA ACUNA DE VASQUEZ (PET)...FRED HANASSA B

XREF: GARSS1500518 (*Jesse Deldadillo minor of decedent Gilberto*)

***NOTE* notes reflect any and all status reports filed to date.**

GENERAL INFORMATION

Continued from 03/22/18 and 03/26/18. Counsel reported that wrongful death action is being dismissed and worker's comp is being filed. Counsel Flory requests copy of Worker Comp Petition.

Continued from 06/14/18. Guardian Olivia Vasquez to contact Counsel Hanassab's office to provide workmen's comp info re wrongful death.

Continued from 07/18/18 and 07/15/18. Another status report with proof of service to be filed.

THIS CASE SET FOR HEARING ON [3rd] Status Report [**updated report 06/12/18**]

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

1. Notes reflect most recent status report filed 03/23/18 as appears to supersede all other reports.
2. Letters of administration issued to Olivia De Vasquez, sister, on 06/03/16, full authority no bond.
3. Administrator alleges that the estate is not ready to close as the wrongful death/minor's compromise has not yet been dismissed, yet defendant was allegedly discharged in Chapter 7 Bankruptcy. [Fresno 15CECG03738].
4. Petition for Worker's Compensation Claim has been filed and currently awaiting response.
5. **Status report filed 06/12/18 indicates Fresno case settled and Order Approving Expedited to Approve Compromise Disputed Claim against Hyundai Translead was signed on 04/11/18 indicating \$0. LF06/12/18pg11-12.**

6. **Need** notice of hearing and proof of service to David Horspool who requested special notice; Pr. C. § 12201(b).
7. No proposed order. Submit after hearing.

RECOMMENDATION

Need notice. ***Vacate 11/07/18 Status report hearing as it appears to be duplicative.***

Set Accounting/Status Review for **03/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(/lc)

Future Hearing: 11/07/18 Probate status report [**court to vacate**]

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

DATE: 09/27/18 TIME: 11:00 DEPT: S37P

CASE#: GAR RS800167

CASE NAME: JASON & BRIAN OHIAERI

HEARING:

Accounting Review by ***

COUNSEL:

ANTHONIA OKHEANI	(MITCHELL I ROTH
BRIAN NNAEMEKA OHIAERI	(MIN)...
BROWN WHITE AND OSBORN LLP	(PET)...BROWN WHITE & OSBORNE,
E JOAN NELMS	(PET)...E JOAN NELMS
IKE OHIAERI	(GE)...NOREEN T FONTAINE
IKECHUKWU OHIAERI	(PET)...NOREEN T FONTAINE
JASON IKENNA OHIAERI	(MIN)...
MARK J. ANDREW FLORY	(PET)...MARK J. ANDREW FLORY
POLLIE OKORONKWO	(OBJ)...OGOCHUKWU VICTOR

XREF: PROPS0800955 (*Nonyerem A Ohiaeri, mother's estate [discharged]*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review re minors Jason 15 and Brian 14.

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

1. 1st Account for Ike Ohiaeri, father, approved on 02/22/18.
2. **Need** 2nd Account beginning with 08/01/17.

RECOMMENDATION

Inquire status of accounting.

(lc)

Future hearing dates: 10/10/18 Petition for Enforcement of Attorney's fees by Mark Flory

Superior Court of Calif, County of San Bernardino

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ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

MISC.

DATE: 09/27/18 TIME: 1:30 DEPT: S37P

CASE#: EAP PS1800108

CASE NAME: Moreno Vs Moreno

SEE ALSO 27, 28

HEARING:

Court Trial set for ELDER/DEPENDANT ADULT ABUSE of MICAELA MORENO

COUNSEL:

JULIO CESAR MORENO (RP)...

MICAELA MORENO (PP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

XREF: CIV DS1823765 (Moreno-v-Moreno)

CIV DS1823766 (Moreno-v-Moreno)

Trial – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/27/18 TIME: 1:30 DEPT: S37P

CASE#: CIV DS1823765

CASE NAME: MORENO -V- MORENO

SEE ALSO 26, 28

HEARING:

Hearing on Civil Harassment filed by JULIO CESAR MORENO.

COUNSEL:

JULIO CESAR MORENO (PP)...PRO/PER

VICTOR MORENO (RP)...

XREF: EAP PS1800108 (Moreno vs Moreno)

CIV DS1823766 (Moreno-v-Moreno)

No notes – JTD – No moving documents available for review.

(lc)

Superior Court of Calif, County of San Bernardino

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ADD ON

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

DATE: 09/27/18 TIME: 1:30 DEPT: S37P

CASE#: CIV DS1823766

CASE NAME: MORENO -V- MORENO

SEE ALSO 26, 27

HEARING:

Hearing on Civil Harassment filed by JULIO CESAR MORENO.

COUNSEL:

JULIO CESAR MORENO (PP)...PRO/PER

MICAELA MORENO (RP)...

XREF: EAP PS1800108 (Moreno vs Moreno)

CIV DS1823766 (Moreno-v-Moreno)

No notes – JTD – No moving documents available for review.

(lc)