



Second/Final Check

Superior Court of California
County of San Bernardino

Probate Department

S37

Probate Notes for Calendar Date: 10/02/18

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.

nb0907/0926

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: 10/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300830

CASE NAME: Jaime Lopez, Jr Settlement Trust

HEARING:

Accounting Review by ***

COUNSEL:

JAIME LOPEZ, JR SETTLEMENT TRU

(TRU)...

WESTAMERICA BANK

(PET)...RANDOLPH M SHARON

WESTAMERICA BANK

(TEE)...RANDOLPH M SHARON

VACATE – Fifth Account filed and set for 11/19/18.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/02/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500710

CASE NAME: THE AGNES M DIRE TRUST

SEE ALSO 3, 3A VACATED

HEARING:

Readiness Calendar

COUNSEL:

BRUCE DIRE

(PET)...JOSEPH A WALKER

ROBERT DIRE

(OBJ)...THOMAS W DOMINICK

THE AGNES M DIRE TRUST

(TRU)...

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

No notes – Readiness.

(nb)

Future Hearing:

06/11/19 Readiness calendar

06/11/19 Hearing re: Petition under pr code 17200 to det etc.

07/08/19 Court Trial

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: 10/02/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1500710

CASE NAME: THE AGNES M DIRE TRUST

SEE ALSO 2, 3A VACATED

HEARING:

Petition for Under Probate Code 17200 to Determine the Validity
of the Second Amendment, etc

COUNSEL:

BRUCE DIRE

(PET)...JOSEPH A WALKER

ROBERT DIRE

(OBJ)...THOMAS W DOMINICK

THE AGNES M DIRE TRUST

(TRU)...

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

Currently under review by Legal Research.
(LR)

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

Future Hearing:

06/11/19 Readiness calendar

06/11/19 Hearing re: Petition under pr code 17200 to det etc.

07/08/19 Court Trial

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

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

DATE: 10/02/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1500710

CASE NAME: THE AGNES M DIRE TRUST

SEE ALSO 2, 3 VACATED

HEARING:

Hearing Re: MOTION RE TO CONTINUE TRIAL DATE (BRUCE DIRE)

COUNSEL:

BRUCE DIRE	(PET)...BUFFINGTON LAW FIRM PC
ROBERT DIRE	(OBJ)...THOMAS W DOMINICK
THE AGNES M DIRE TRUST	(TRU)...

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

Currently under review by Legal Research.
(LR)

Future Hearing:

06/11/19 Readiness calendar

06/11/19 Hearing re: Petition under pr code 17200 to det etc.

07/08/19 Court Trial

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 10/02/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600273

CASE NAME: JAYHANE TABARANZA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of BERNARDO TABARANZA

COUNSEL:

BERNARDO TABARANZA JR (CPE)...PRO/PER

JAYHANE TABARANZA (CEP)...PRO/PER

GENERAL INFORMATION

Bernardo Tabaranza Jr. is appointed conservator of the person only (limited) on
02/27/18.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Notification of Conservatee's Rights filed. However, Section 5 to Proof of Mailing is blank and does not include petitioner, sister and parents. **Need** complete form.
- 2 Determination of Conservatee's Appropriate Level of Care and Care Plan filed.

RECOMMENDATION:

Need to clear note 1.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PA

DATE: 10/02/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS0800399

CASE NAME: MTR OF PATRICK BRUCE ARNOLD

HEARING:

Hearing Re: ACCOUNTING REVIEW OF PUBLIC ADMINISTRATOR

COUNSEL:

JULIE KACARAB

(PET)...PRO/PER

PATRICK BRUCE ARNOLD

(DEC)...

PUBLIC ADMINISTRATOR

(ADM)...CRAG M PARKER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by PA.

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

1. PA appointed Successor Administrator on 09/07/16.
2. Matter set at 06/27/17 hearing, wherein, the Court ordered the powers of Julie Kacarab suspended indefinitely.
3. No accounting or status report. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

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

DATE: 10/02/18 TIME: 10:00 DEPT: S35P

CASE#: SPR SS06771

CASE NAME: VERNICE OWENS INDIVIDUAL TRUST

HEARING:

first and final Account and Report of SAN BERNARDINO COUNTY
PUBLIC ADMINIStra and Petition for allowance of fees
filed.

COUNSEL:

LAWRENCE R OWENS	(TEE)...PRO/PER
SAN BERNARDINO COUNTY PUBLIC P	(PET)...CRAIG M PARKER
ZOANNE MARTZ	(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Continued from 04/03/18. Counsel for Zoanne Marez is not required to be present at hearing.

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

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

1. Accounting period 04/22/16 to 08/21/17.
2. Assets on Hand \$3,571.44 consisting of cash.
3. Petitioner requests compensation in the sum of \$1,000. JTD.
4. Petitioner requests extraordinary fees of \$480 for services rendered in connection with the sale of real property. Billed at \$60/hour for a total of 8 hours' time. Generally described [LF, p. 26]. JTD.
5. Attorney requests fees of \$5,110.00. Billed at \$350/hour for 14.6 hours' attorney time. Itemized [LF, p. 28]. JTD.
6. Petitioner requests authority to withhold the sum of \$500 as a reserve. JTD.
7. ~Proposed Order 01/09/18.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **04/09/19**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300446

CASE NAME: ESTHER DURAN

SEE ALSO 12, 12A

HEARING:

Hearing Re: STATUS OF SETTLEMENT/SELECTION OF FINAL ACCTG DATE

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...DAMIAN G GARCIA
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

XREF: CONPS1100062 (Lorianne M Duran)

No notes – Status.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500456

CASE NAME: BRUCE DARRELL BORTNEM

VACATED – Declaration filed on 09/14/18

HEARING:

Hearing re Final Discharge

COUNSEL:

BRUCE DARRELL BORTNEM	(DEC)...
LISA ANNE REYNOLDS	(PET)...EDWARD S KENT
STATE OF CALIFORNIA FRANCHISE	(TP)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Order Settling First and Final Account entered 10/12/17.
2. ~Ex-Parte Petition/Order for Final Discharge 09/05/18 received and forwarded to department for processing.

RECOMMENDATION:

RFA.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600885

CASE NAME: CHARLES EDWARD MOSSO

HEARING:

Hearing re Final Discharge

COUNSEL:

BARBARA J GILMORE (PET)...WILLIAM M NASSAR

CHARLES EDWARD MOSSO (DEC)...

VACATE – discharge and order entered on 02/21/18.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700395

CASE NAME: MARSHA K GARCIA

HEARING:

Accounting Review by ***

COUNSEL:

MARSHA K GARCIA

(DEC)...

NICHOLE M GARCIA

(PET)...ELISABETH KEMPE-OLINGER

SYNTHIA K GARCIA

(PET)...ELISABETH KEMPE-OLINGER

VACATE – Order on waiver of account entered 04/12/18.

(nb)

FUTURE HEARING DATES:

04/19/19 Final Discharge

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700756

CASE NAME: LOUISE EVELYN GARDE

HEARING:

FIRST AND FINAL ON WAIVER OF Account and Report of NEIL GARDE
and Petition for allowance of fees filed.

COUNSEL:

LOUISE EVELYN GARDE (DEC)...
NEIL GARDE (PET)...KEVIN A MCKENZIE

GENERAL INFORMATION:

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

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

1. Sole beneficiary waives accounting.
2. Accounting period 06/18/17 to 06/30/18.
3. Assets on Hand \$2,299,995.87 consisting of \$265,706.85 in cash and remaining
in securities and real properties.
4. Petitioner waives statutory compensation.
5. Attorney requests statutory fees of \$39,865.60. Calculated.
6. Attorney requests reimbursement of costs of \$465.00. Itemized.
7. ~Proposed Order 09/20/18.

RECOMMENDATION

Court's discretion. If approved, set next hearing for final discharge on **10/15/19**.
(nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700785

CASE NAME: DOROTHY JANE GODDARD

HEARING:

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

COUNSEL:

DEAN DILLON BROWN	(PET)...HORSPPOOL & HORSPPOOL
DOROTHY JANE GODDARD	(DEC)...
TIMATHENA NADINE GODDARD	(OBJ)...PRO/PER

Address: 840 Pennsylvania Ave., Colton, CA 92324

Appraised Value: \$180,000. Re-appraisal, sections 3-4 incomplete.
Need verified supplement.

Sale price: \$170,000

First overbid: \$179,000

Deposit: \$10,000. **Insufficient. Deposit must be 10% of the purchase prices unless the sale is VA or FHA financed.**

Commission: 5% = \$8,500. **Section 1c re: commission not completed.**

Additional bond: None. Proceeds from sale to be placed in blocked account per order entered 01/25/18.

Reason for Sale: Necessary to pay debts, devise and expenses.

Exposure to Market: Signage and listed in MLS and realtor's website.

Notice: **Need** proof of publication; Notice to clerk's posting is incomplete at the caption; and reflects incorrect hearing date. **Need** proper notice.

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.**

~Proposed Form Orders 08/13/18.

Future Hearing:
04/03/19 Accounting Review.

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

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

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700945

CASE NAME: MTR OF EDWARD EUGENE MILLER

HEARING:

FIRST AND FINAL Account and Report of TINA MARIE RHODES and
Petition for allowance of fees filed.

COUNSEL:

EDWARD EUGENE MILLER (DEC)...
TINA MARIE RHODES (PET)...WILLIAM K SWEENEY

GENERAL INFORMATION:

Continued from 09/12/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON First and Final Account and Report; Petition
for Fees and Final Distribution by Tina Marie Rhodes, Administrator

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

1. Assets on hand: \$157,563.14, cash held in attorney-client trust account.
2. Statutory fees of **\$6,857**, each, requested by petitioner and attorney. Calculated. **JTD**
3. Administrator and her husband, Larry Rhodes, provided labor to prepare real property for sale. The property required substantial repairs due to deterioration and heavily smoke-stained interior. Petitioner and her husband charged \$40/hour for 99 hours' time to make repairs, totaling \$3,960. Generally described. Acct, LFpg29]. **JTD**
4. Petitioner requests approval of reimbursements to heirs. Itemized [Acct, 7/31/18, LFpg28] as follows:
 - a. Tina Marie Rhodes - \$5,362.50 (includes labor described in note #3);
 - 1 **Supp. (09/24/18) indicates double-billing did not occur and includes itemization for Tinam Marie Rhodes.**
 - b. Patricia Boultris - \$1,000;
 - c. Kenneth Walton - \$1,829.86
5. Attorney requests reimbursement of \$507.09 for advanced costs; however, costs include \$46.59 in postage which is not reimbursable per Local Rule 20-909. **JTD**
6. Petitioner requests reserve of \$1,499.99. **JTD**

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7. Notice is complete.
8. ~Proposed order: 07/31/18

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **09/25/19**.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701295

CASE NAME: MARTILE K. FLANAGAN

HEARING:

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

COUNSEL:

ANNETTE MONAY WILSON	(PET)...LAW OFFICES OF RICHARD SAMUEL
MARTILE K. FLANAGAN	(DEC)...
MINOR BENEFICIARY	(MIN)...CRAIG PARKER

GENERAL INFORMATION:

Continued from 02/06/18 at request of Counsel to submit proof of subscribing witness. Court appointed Craig Parker as guardian ad litem for minor beneficiary.

Continued from 04/04/18. Counsel for Annette Wilson to give notice.

Continued from 05/16/18 to clear probate note. Attorney Parker states he will request the Court order minimum bond.

Continued from 07/18/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by executrix/granddaughter, Annette Monay Wilson ["Petitioner"].

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

1. Will waives bond; however, GAL requests minimum bond of \$20,000.
Estimated estate valued at \$663,500. **JTD**
2. Proof of publication filed 01/19/18.
3. Proof of Subscribing Witness filed.
4. ~Proposed Form Order/Letters 12/26/17.

RECOMMENDATION:

Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **09/25/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800484

CASE NAME: Gloria Dean White

SEE ALSO 8A

HEARING:

Petition for letters of administration w/full IAEA

COUNSEL:

GLORIA DEAN WHITE	(DEC)...
LAKEICHA CHANEY	(PET)...MICHAEL C MADDUX
STATE OF CALIFORNIA FRANCHISE	(TP)...PRO/PER
W.A. HLAVATY	(PET)...SCOTT GROSSMAN

GENERAL INFORMATION

Ex parte orders granted on 05/24/18. Lakeicha Chaney was appointed Special Administrator with special powers to contact and discuss loan with mortgage creditor; power to list real property for sale. Proceeds from sale of property to be placed in blocked account.

Continued from **06/27/18**. Court and parties confer on the record. Serbrina White Tanner objects to petition. Hearing continued at request of objector.

Continued from 09/05/18. A competing petition has been filed. Attorney Maddux states he has not been served with anything. Court orders Attorney Grossman to serve all documents on Attorney Maddux and file proper notice by 09/21/18.

THIS CASE SET FOR HEARING ON

- Petition #1 for Letters of Administration with **limited** authority under IAEA by Lakeicha Chaney (granddaughter/nominee)
- Petition #2 for Letters of Administration with **full** authority under IAEA by W.A.Hlavaty, nominee

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

Petition #1 by Lakeicha Chaney

1. Petitioner requests bond of \$100,000. Estimated value of estate is \$128,895.00 based on real property only. Court previously ordered proceeds of real property to be placed in blocked account. **JTD**

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.

2. Petitioner was nominated by heirs: Raychelle White; Shawnta White; and Shacoya White. [Petition, 5/17/18, LFpg13-16].
3. Edmond Conrad is identified as decedent's brother in item #11 of petition, signed bond waiver, and nomination; however, it does not appear he is entitled to intestate distribution.
4. Mar'Kezz White, great grandson/intestate heir, appears to be a minor. Does Court wish to appoint GAL?
5. Declaration of Michael Maddox regarding non-service of competing petition and other filings, filed on 08/30/18.
6. ~Proposed Form Order: 05/17/18

Petition #2 by W.A. Hlavaty

7. Petitioner requests bond of \$128,895 based on real property. Appears sufficient.
8. Petitioner was nominated by Serbrina White, daughter.
9. Proposed Form Order: 08/16/18

RECOMMENDATION

Court's discretion. If approved, set Accounting Review for **12/11/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh/nb)

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

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800484

CASE NAME: Gloria Dean White

SEE ALSO 8

HEARING:

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

COUNSEL:

GLORIA DEAN WHITE

(DEC)...

LAKEICHA CHANEY

(PET)...MICHAEL C MADDUX

STATE OF CALIFORNIA FRANCHISE

(TP)...PRO/PER

W.A. HLAVATY

(PET)...SCOTT

See prior setting #8.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800536

CASE NAME: MTR OF OLLIE BOYD

HEARING:

Petition to determine succession to Real Property

COUNSEL:

CLIFFORD BOYD	(PET)... AISHA M JOHNSON
LEE IDA BOYD	(PET)...PRO/PER
OLLIE BOYD	(DEC)...
OTIS C BOYD JR	(PET)...PRO/PER
SANDRA WHITE	(PET)...PRO/PER

GENERAL INFORMATION:

Continued from 07/17/18 and 08/28/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property (Estates \$150,000 or less) by issues, Clifford Boyd, Lee Ida Boyd, Otis C. Boyd, Jr. and Sandra White ["Petitioners"].

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

1. Petitioners' requests a determination that decedent's real and personal property located in San Bernardino County pass to petitioners without administration. Petitioners are decedent's issue and beneficiaries in decedents will [LF, p.8]. Petitioners attach a copy of decedent's will showing that petitioners are decedent's issues and beneficiaries. Court to review sticky note at LF, p. 13 to petition.
2. **Need** conformed copy of corrected Inventory and Appraisal.
3. Proposed order affixed to supplement filed on 09/21/18 [LF, pgs. 47-48]. Submit Mandatory Judicial Council Form DE-315.

RECOMMENDATION:

Need to clear note 2 then Court's discretion.

(nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800775

CASE NAME: MTR OF GLORIA H MCLAUGHLIN

HEARING:

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

COUNSEL:

GLORIA H MCLAUGHLIN

(DEC)...

TY MCLAUGHLIN

(PET)...FRED

GENERAL INFORMATION:

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

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

1. Heirs waive bond. However, petitioner is a non-resident and court has discretion to require bond per Pr. C. §8571. **JTD.**
2. Estimated estate valued at \$418,600.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
3. ~Proposed Form Order/Letters 08/13/18.

RECOMMENDATION:

Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **05/07/09**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800825

CASE NAME: CHRISTINE FERN NORMAN

HEARING:

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

COUNSEL:

CHRISTINE FERN NORMAN	(DEC)...
DONNA M PEALE	(PET)...MICHAEL I MILLER
JANICE E SMITH	(PET)...MICHAEL I MILLER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by sisters, Donna M. Peale and Janice E. Smith["Petitioners"].

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

1. Declination to Act and Nomination of these petitioners by decedent's father, Walter H. Peale, affixed [LF, p. 10].
2. Heirs waive bond. Estimated estate valued at \$227,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD**.
3. **Need** proof of publication.
4. ~Proposed Form Order 08/27/18.

RECOMMENDATION:

Need to clear note 3 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **12/10/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 11A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 10/02/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800844

CASE NAME: Frank Plasencia

HEARING:

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

COUNSEL:

FRANK PLASENCIA (DEC)...
JAMES L PLASENCIA (PET)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION:

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

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

1. Heirs waive bond. Estimated estate valued at \$393,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
2. **Need** proof of publication.
3. ~Proposed Form Order/Letters 08/30/18.

RECOMMENDATION:

RFA subject to note 2 then Court's discretion re: bond. If approved, set future hearing for Accounting/Status Review on **10/15/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 10/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100062

CASE NAME: *MF* LORIANNE M. DURAN.

SEE ALSO 1, 12A

HEARING:

Hearing Re: STATUS RE SPECIAL NEEDS TRUST/PETITION FOR FEES

COUNSEL:

ADAN JOHN M.D.	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(QUINTAROS, PRIETO, WOOD &
DOUGLAS ZIPRICK MD	(MCNEIL TROPP & BRAUN LLP
ESTHER DURAN	(CPE)...PRO/PER
GARY DURAN	()...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
JANET DURAN	(PLA)...KAMPF SCHIAVONE &
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
JOHN ADAN MD	(MCNEIL TROPP & BRAUN LLP
LORIANNE DURAN	(PET)...KAMPF SCHIAVONE &)...
LORIANNE M. DURAN	(CEE)...JENNIFER M DANIEL
LORIANNE M. DURAN	(PET)...JEANNE E KENNEDY
RICHARD DURAN	()...
RONALD DURAN	()...
STEVEN DURAN	(CP)...DAVID E FOATE

Request for Waiver of Court Fees and Costs filed by STEVEN DURAN is GRANTED

Request for Waiver of Court Fees and Costs filed by JANET DURAN is GRANTED

XREF: PROPS00446 (Esther Duran)

No notes – Status.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100062

CASE NAME: *MF* LORIANNE M. DURAN.

SEE ALSO 1, 12

HEARING:

Hearing Re: CONCERNS IN CI REPORT DATED 09/24/18

COUNSEL:

ADAN JOHN M.D.	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(QUINTAROS, PRIETO, WOOD &
DOUGLAS ZIPRICK MD	(MCNEIL TROPP & BRAUN LLP
ESTHER DURAN	(CPE)...PRO/PER
GARY DURAN	()...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
JANET DURAN	(PLA)...KAMPF SCHIAVONE &
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
JOHN ADAN MD	(MCNEIL TROPP & BRAUN LLP
LORIANNE DURAN	(PET)...KAMPF SCHIAVONE &)...
LORIANNE M. DURAN	(CEE)...JENNIFER M DANIEL
LORIANNE M. DURAN	(PET)...JEANNE E KENNEDY
RICHARD DURAN	()...
RONALD DURAN	()...
STEVEN DURAN	(CP)...DAVID E FOATE

XREF: PROPS00446 (Esther Duran)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON CI Report

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

1. Matter set on Courts motion upon receipt and review of CI Report filed 09/24/18.
2. Jennifer Daniel as attorney for conservatee. **Need** report.
3. Notice by Judicial Assistant.

RECOMMENDATION:

Need report by court-appointed counsel then Court's discretion.

(nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500365

CASE NAME: MTR OF DAISY PAOLA HERRERA

SEE ALSO 14

HEARING:

Ptn for Settlement of Second Account and Report of NOREEN T
FONTAINE and Petition for allowance of fees filed.

COUNSEL:

DAISY PAOLA HERRERA	(PCE)...
LETICIA AVILA	(PET)...PRO/PER
NOREEN T FONTAINE	(PET)...PRO/PER
NOREEN T FONTAINE	(TEE)...PRO/PER

Request for Waiver of Court Fees and Costs filed by DAISY PAOLA HERRERA is GRANTED

See next matter #14.

(nb)

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

DATE: 10/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500365

CASE NAME: MTR OF DAISY PAOLA HERRERA
SEE ALSO 13

HEARING:
SECOND Account and Report of NOREEN T FONTAINE and Petition for allowance of fees filed.

COUNSEL:
DAISY PAOLA HERRERA (PCE)...
LETICIA AVILA (PET)...PRO/PER
NOREEN T FONTAINE (PET)...PRO/PER
NOREEN T FONTAINE (TEE)...PRO/PER

Request for Waiver of Court Fees and Costs filed by DAISY PAOLA HERRERA is GRANTED

GENERAL INFORMATION

Continued from 11/29/17. Accounting in Los Angeles County has been filed – waiting for approval. Attorney Fontaine states the insurance was paid prior to Thanksgiving. Court orders Attorney Fontaine to pay taxes that are due.

Continued from 02/21/18 at request of Counsel due to pending matter in Los Angeles County. Notice waived.

Continued from 05/23/18. Court will clear notes regarding SNT and the case will remain in San Bernardino County. Notice to be given by Mr. Roth.

Continued from 07/18/18. Trustee Attorney Noreen Fontaine has failed to appear for the hearing. The court finds no good cause for the non-appearance by Attorney Noreen Fontaine. Bench warrant ordered to issue with bail set at \$25,000.00 and held to 08/15/18.

Continued from 08/15/18. Oral report given by Attorney Noreen Fontaine regarding the Los Angeles County case. Attorney Fontaine to submit to the court the order from Los Angeles County approving the first accounting.

THIS CASE IS SET FOR HEARING ON **Amended** (08/14/18) SECOND Account Current and Report of NOREEN T FONTAINE and Petition for Allowance of fees by Noreen Fontaine, Successor Trustee of the Daisy Herrera SNT

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

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

1. On **03/03/16**, this Court appointed Leticia Avila as limited conservator of the **person only**.
2. Petitioner Noreen Fontaine alleges she was appointed Successor Trustee of the Daisy Herrera Special Needs Trust on 01/10/00 by order of LA Superior Court, case number BC185082.
3. Petitioner contends the principal place of administration of the trust is Riverside County, but that petitioner has agreed to submit jurisdiction to San Bernardino County. **JTD**
4. This Court does not currently have jurisdiction of SNT. **Court to inquire status of first accounting in Los Angeles County Superior Court. Need order for transfer from Los Angeles County Superior and Order approving first accounting prior to review and approval of Second Account Current.**
5. Summary of Account does not include assets on hand at end of first account. **Need same.**
6. Accounting period: **10/25/12 to 06/22/18**
7. Assets on hand: \$285,001, of which **\$28,781.66** is cash and remaining in real property.
8. Petitioner reserves on compensation and reimbursement of costs.
9. Attorney Fontaine does not request fees or reimbursement of costs.
10. Petition indicates there are legal fees owed to Attorney John A. Payne pursuant to Order Approving Fifth and Final Account and Report of Trust dated 06/28/12. However, the specific amount is not disclosed. **Need** verified supplement.
11. Attachment A is not affixed as alleged. **Need same.**
12. Notice was given.
13. Proposed Form Order 08/14/18; account period is not included.

RECOMMENDATION

Need to clear notes 4-5 and 10-11 then Court's discretion. If approved, set next hearing for Accounting Review on **08/21/19**.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600266

CASE NAME: BETTY JANE WOODSON

HEARING:

Accounting Review by ***

COUNSEL:

ALICE L WINCHESTER	(PET)...HARTNELL LAW GROUP
BETTY JANE WOODSON	(DEC)...
BETTY JANE WOODSON	(PET)...

GENERAL INFORMATION:

Continued from 08/14/18. Counsel state the accounting is out for signature.

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Estate, Alice L. Winchester ["Petitioner"].

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

1. Alice L. Winchester appointed Conservator of the Estate on 05/23/17, \$40,150.00 bond.
2. **Need** proof of blocked account for proceeds from sale of real property.
3. **Need** final inventory and appraisal.
4. No accounting or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700440

CASE NAME: JOSHUA LESSARD

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of KEVIN LESSARD

COUNSEL:

JANICE LESSARD	(CP)...LAYNE A BARTHOLOMEW
JOSHUA LESSARD	(CTP)...JENNIFER M DANIEL
KEVIN LESSARD	(CP)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

Parents, Kevin and Janice Lessard, appointed Limited Conservators of the person on 02/27/18.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Notification of Conservatee's Rights filed.
2. Determination of Conservatee's Appropriate Level of Care filed.
3. **Need** Statement of Care Plan in accord with Pr.C. §2352.5.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700446

CASE NAME: Crisca C Clemons

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ERIKA CLEMONS

COUNSEL:

CRISCA C CLEMONS (CTP)...SHERRI L KASTILAHN
ERIKA CLEMONS (CP)...PRO/PER

GENERAL INFORMATION

Daughter, Erika Clemons, appointed Conservator of the person on 02/27/18.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

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

RECOMMENDATION:

None.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800175

CASE NAME: ANGEL LEON

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ANGEL LEON

(CEE)...WALTER T. MOORE

ANGELA LEDESMA

(PET)...MILLIGAN, BESWICK LEVINE &

LAURA CEJA LEON

(PRO/PER

RACHEL LEON-ZERBE

(PET)...MILLIGAN, BESWICK LEVINE &

X-REF: FAMSS 1500427 (ANGEL LEON -N- LAURA LEON) – Dismissed w/o prejudice on 04/07/15.

GENERAL INFORMATION

Ex-parte hearing is held **on 06/21/18**. Court orders the status quo remains until the hearing on 07/31/18. Court orders all parties to cooperate with counsel in turning over estate documents, trust documents, deeds and etc. Counsel states that there are confidential documents attached to the petition for temporary and general conservatorship. Court orders the clerks' office to detach these documents and make them confidential.

Continued from 07/31/18. Counsel gave status update. Matter is continued for capacity declaration to be filed and for possible settlement discussions.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by daughters, Rachel Leon-Zerbe and Angela Ledesma ["Petitioners"].

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

1. Petitioners request no bond be fixed as they have managed the estate since 2015 and are purportedly proposed conservatee's attorney-in fact. Estimated estate valued at \$0.00. However, Attachment 3 [LF, p. 6 to petition] indicates there is real and personal property where deeds have purportedly been changed into a new trust, created by proposed conservatee's wife, Laura Leon. Also, rental income and a CD Account that has over \$100,000 are allegedly held in Trust. Unable to determine bond amount until estate assets are

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determined. Additionally, no income is reflected. Question whether proposed conservatee receives any source of income? **Need** verified supplement clarifying all sources of income; real, personal property; proposed conservatee's interest in same; and copy of current Trust.

2. Sections 1g and 1k to petition re: medical and dementia powers are incomplete. **Need** verified supplement.
3. Section 9 to petition re medical treatment is incomplete. **Need** verified supplement.
4. Petition indicates former APS involvement.
5. Petitioners seek Pr. C. § 2590 powers to sell real and/or personal property, including conservatee's primary residence and 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**
6. Petitioners seek medical powers. **Need** Medical Capacity Declaration with Dementia Attachments.GC-313 & Gc-335A.
7. Petitioners request dementia powers; **need** report of court appointed GAL, Walter Moore.
8. Court Investigator's Report filed.
9. Citation returned served. However, signature line is undated. Judge to determine if sufficient. **JTD**.
10. Certificates of Completion re Conservatorship Class filed.
11. **Objections by Laura Ceja Leon (wife) Leon filed.**
12. ~Proposed Form Order/Letters 06/12/18.

RECOMMENDATION:

Need to clear notes then Court's discretion re: bond. If approved, set hearing for Compliance Review for **05/07/19** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **12/10/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

DATE: 10/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800250

CASE NAME: PEGGY JOYCE BROOKS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

KATHRYN SUE BROOKS (CPE)...PRO/PER

PEGGY JOYCE BROOKS (CEP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by daughter, Kathryn Sue Brooks ["Petitioner"].

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

- 1 Nomination by proposed conservatee at LF, p. 14 to general petition.
- 2 Petitioner requests no bond be required as all of proposed conservatee's property is tied to her Living Trust in favor of petitioner's son, Dustin Brooks; the cost of a bond will place an undue burden upon petitioner's finances; and proposed conservatee has signed a bond waiver. Estimated estate valued at \$983,241.00.
- 3 Petitioner also requests bond be fixed at \$1,059,042.00. Insufficient. Suggest bond of \$1,082,000.00 (includes recovery). **JTD.**
- 4 Petition does not request Pr. C. §2590 powers or dementia powers. However, capacity declaration indicates proposed conservatee has dementia; general petition indicates proposed conservatee has Alzheimer's; and petitioner wishes to finish the sale of proposed conservatee's residence in Yucaipa, which, is currently in escrow. Petitioner also requests authority to purchase a new residence for the proposed Conservatee, using the funds from the sale and \$170,000 of the proposed Conservatee's stock funds. **Need** amended petition requesting Pr. C. §2590 powers and dementia powers with dementia attachments GC-313 and GC-335A.
- 5 Proposed conservatee appears to have Alzheimer's. **Need** appointment of counsel and report by same.
- 6 Petitioner seeks orders to limit which individuals live with the proposed conservatee at her residence; to request the power to only allow individuals

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

- with a diagnosis of mental illness to live with the proposed conservatee if they regularly visit a licensed psychiatrist and take proscribed medications daily for diagnosed mental illness; and authority to pay the proposed conservatee's grandson's attorney fees in his custody case for his daughter, not to exceed \$8,000 during the first 6 months of the Conservatorship. **JTD.**
- 7 Temporary Petition indicates prior APS involvement.
 - 8 Petitioner seeks medical powers. **Need** amended Medical Capacity Declaration that includes dementia diagnosis at caption and includes dementia attachments GC-313 & GC 335A.
 - 9 Petitioner to request dementia powers; **need** appointment of counsel and report by same.
 - 10 List of Required Contact Information form does not include petitioner. **Need** completed form.
 - 11 Confidential Interoffice Memo by CI filed.
 - 12 Court Investigator's Report filed.
 - 13 **Need** return of Citation.
 - 14 Verification to Proof of Service affixed to Notice of Hearing is not dated. **Need** proper service.
 - 15 Proof of Completion re Conservatorship Class filed.
 - 16 Court to review Attachments 1c & 1 d and sticky note at LF, pgs. 10-16, to general petition.
 - 17 ~Proposed Form Order/Letters 08/17/18

RECOMMENDATION:

Court to appoint counsel then need amended petition and to clear notes. If approved, set hearing for Compliance Review for **05/07/19** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C. §1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C. §2352.5 (form GC-355); Care Plan per Pr.C. §2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C. §2610; recordation of letters if applicable per Pr.C. §2313.

Set hearing re Accounting Review for **12/10/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

DATE: 10/02/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800260

CASE NAME: Mtr of Justin Nathaniel Espadas

HEARING:

Petition for Appointment of Conservator

COUNSEL:

FATIMA D MANZO (CP)...PRO/PER
JUSTIN NATHANIEL ESPADAS (CTP)...

GENERAL INFORMATION:

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

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

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. **Need** appointment of counsel and report by same.
3. Medical Capacity Declaration filed 08/27/18 was completed by Sophia Skiles, M.A. Question whether Ms. Skiles is a licensed psychologist? **Need** verified supplement.
4. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
5. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
6. Citation returned served.
7. Court Investigator Report filed.
8. **Need** Inland Regional Center Report.
9. Certificate of Completion re Conservatorship Class filed.
10. ~Proposed Form Order/Letters 08/27/18.

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

RECOMMENDATION:

Court to appoint counsel then need to clear notes. If approved, set hearing for Compliance Review for **05/07/19** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300209

CASE NAME: ARTHUR WADE

HEARING:

THIRD Account and Report of MELVIN FRIEDLAND and Petition for allowance of fees filed.

COUNSEL:

ARTHUR WADE	(MIN)...JACK H ANTHONY
ARTHUR WADE	(PET)...JACK H ANTHONY
ARTHUR WADE SPECIAL NEEDS TRUS	(TRU)...
MELVIN FRIEDLAND	(PET)...JACK H ANTHONY
MELVIN FRIEDLAND	(TEE)...JACK H ANTHONY

Request for Waiver of Court Fees and Costs filed by MELVIN FRIEDLAND is GRANTED
Request for Waiver of Court Fees and Costs filed by ARTHUR WADE is GRANTED

\$619,529.01 of which the sum of \$293,976.55 is in cash

GENERAL INFORMATION

Petitioner, Melvin Friedland, is GAL and Trustee for Arthur Wade, beneficiary of the Arthur Wade SNT created 05/21/13.

THIS CASE SET FOR HEARING ON Second Account Current of SNT and Petition for Allowance of Fees.

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

1. Accounting period 06/15/16 to 06/13/18.
2. Assets on hand \$919,128.45 consisting of \$593,575.99 in cash and \$325,552.46 in real and personal property.
3. Current bond of \$619,529.01. Petitioner seeks an increase to the bond of \$291,962.28 for a total bond of \$911,491.29. Insufficient. Suggest bond increase by \$829,695.01 for a total bond of \$1,449,224.02 (includes recovery).
JTD.
4. Petitioner is seeking trustee fees of \$3,390.00 for 11.3 hours' time at \$300 per hour. Itemized [LF, pgs. 24-28]. **JTD.**

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.

5. Attorney is seeking fees of \$4,270.00 and \$607.50 in paralegal fees. Billed at \$350/hr. for 12.2 hours' attorney time. Itemized [LF, pgs. 31-34]. **JTD.**
 - a. Fees include 5.0 hours for appearances at hearings. Question whether counsel is including travel time? **JTD.**
6. Attorney requests reimbursement of costs advanced of \$1,277.36. Itemized [LF, p. 30]. **JTD.**
 - a. Costs include probate paralegal fees totaling \$1,247.46.
7. Union bank account #2885 exceeds FDIC limits. **Need** verified supplement.
8. Petitioner requests that this Court continue to approve the filing of biennial accountings.
9. No proposed order. Submit Order after Hearing.

RECOMMENDATION

Need to clear note 7 then Court's discretion re: fees and bond. If approved, set hearing on the next Accounting Review for **08/13/19** (if one year) or **08/11/20** (if two years).

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500937

CASE NAME: SANTOS TORRES MARTINEZ

SEE ALSO 3, 4

HEARING:

Hearing Re: RPT SALE & PTN FOR ORDER CONFIRMING SALE

COUNSEL:

CATHERINE MARTINEZ RISTER'STRA (PET)...PRO/PER

INES MINERBA AVILA (PET)...KAREN B. MILLER

SANTOS TORRES MARTINEZ (DEC)...

Request for Waiver of Court Fees and Costs filed by CATHERINE MARTINEZ RISTER'STRAW is GRANTED

GENERAL INFORMATION:

Petitioners, Ines Minerba Avila and Faustino Mondrago, represent purchasers MJGF Avila, LLC as co-trustees of Alvarado F& G Trust, and manager.

Continued from 12/28/17. Petition denied. The Court refers matter to the Public Administrator to investigate and report on special administration and whether a probate needs to be opened.

Continued from 03/20/18 at request of counsel.

Continued from 06/12/18. The Court will not consider sale of this property for the amount suggested.

Address 3412 Cajon Blvd, San Bernardino 92407,
APN: 0267-241-10-0-000

Appraised value \$80,000.

Reappraisal \$210,000

Sale Price \$49,238.33, which appears insufficient. **Need** 90% of appraised value per §10309(a)(3).

Deposit \$21,238.33

First overbid \$84,500

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.**

Commission	Sale without broker.
Bond	Incomplete.
Reason for sale	Taxes
Exposure to market	None. Supp 12/19/17, it is unknown what actions Catherine Martinez Rister'stra took to expose property to market. Petitioners Avila and Mondrago were only involved in redeeming property from a Tax Lien Sale by paying delinquent property taxes prior to auction.
Notice	Need to file original Proof of Publication notice per Pr. C. §10300 Supp. 12/19/17 alleges publication was responsibility of the petitioner for probate, Catherine Martinez Rister'stra. Publication was never made. Petition for probate was dismissed without prejudice on 10/25/17 for failure to clear probate notes.
~Proposed form order:	11/16/17

(lc/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500937

CASE NAME: SANTOS TORRES MARTINEZ

SEE ALSO 2, 4

HEARING:

Hearing Re: PTN FOR LETTERS OF ADMIN WITH WILL ANNEXED

COUNSEL:

CATHERINE MARTINEZ RISTER'STRA (PET)...PRO/PER

INES MINERBA AVILA (PET)...KAREN B. MILLER

SANTOS TORRES MARTINEZ (DEC)...

GENERAL INFORMATION

Continued from **05/10/17** to clear notes. Letters of Special Administration issued to by Catherine Rister-Straw

Per minute order dated 06/12/18, Petition for Letters of Administration with will annexed with limited IAEA authority filed 4/25/17 and dismissed 10/25/17 is reinstated.

THIS CASE SET FOR HEARING ON **Amended [04/25/17]** First Petition for Probate of Lost Will with limited by Catherine Rister-Straw, daughter.

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

1. Petitioner is seeking to amended original petition for probate; however, the original petition was ***dismissed*** for lack of appearance and clearing of notes on 09/12/16.
2. Petitioner seeks bond of \$35,000. Ok based on net value of real property.
3. Named executor is deceased.
4. 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.
5. Petitioner appears to be confused as to sections 6 and 7 in regards to heirs. **Need** verified supplement explaining whether the deceased children of decedent left issue as will mentions grandchildren.

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. Phillip is mentioned in the will; however, not listed in section 8. **Need** verified supplement.
7. **Need** Notice to Petition to Administer Estate and proof of service.
8. **Need** proof of publication.
9. Section 5a(3)(4) incomplete as to whether decedent had a registered domestic partner. Court may wish to clarify on record. **JTD**
10. ~Proposed Form Order: 04/15/17.

RECOMMENDATION

Need to clear notes 4-8. If approved, set Accounting/Status Review for **12/12/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/lh/lc/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500937

CASE NAME: SANTOS TORRES MARTINEZ

SEE ALSO 2, 3

HEARING:

Petition for Instruction (PC 17200) re Sale of Subject Property
and/or Return of Money

COUNSEL:

CATHERINE MARTINEZ RISTER'STRA	(PET)...PRO/PER
INES MINERBA AVILA	(PET)...KAREN B. MILLER
SANTOS TORRES MARTINEZ	(DEC)...

GENERAL INFORMATION:

Continued from 06/12/18. Petition for Letters of Administration with will annexed with limited IAEA authority filed 4/25/17 and dismissed 10/25/17 is reinstated.

THIS CASE IS SET FOR HEARING ON Petition for Instructions re: Sale of Subject Property and/or Return of Money Paid by Petitioner Avila for the Purchase of Subject Property and Property Taxes by Ines Minerba Avila ["Petitioner"]. (Pr. C. §17200)

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

1. Caption references Pr. C. §17200 re trusts. Question whether property is held in trust? **Need** verified supplement. Alternatively, **require** copy of vesting document. **JTD.**
2. Petition indicates that on or about 05/12/17, Petitioner Avila and her husband, Faustino Mondragon ["Mondragon"] purchased the property at 3412 Cajon Blvd., San Bernardino, CA, 92407, from seller, Catherine Martinez Rister-Straw ["Rister-Straw"], on the condition that buyers pay owed property taxes of \$19,238.33; allow the seller 6 months to continue living in the subject property; and the giving of an additional \$30,000 to the owner upon closing of escrow [see agreement at LF, p.8].
3. Petitioner states she and her husband Mondragon were shown "Letters of Special Administration" by Rister-Straw who stated that she had the ability to preserve the assets of the estate and since the estate was being lost in a tax sale, she had the authority to sell the property. However, per Order of Special

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.**

Administration entered on 05/10/17, Rister-Straw was allowed to negotiate with the mortgage holder and/or tax authorities to postpone tax sale until after 07/12/17.

4. Petitioner requests Instructions by this court allowing the estate to execute the agreement to sell or in the alternative, in the event the court finds that Rister-Straw did not have the authority to sell subject property, that Petitioner and Mondragon be reimbursed for the following from Rister-Straw: all monies (unspecified) paid by petitioner regarding subject property; payment of property taxes totaling \$19,238.33; attorney fees and costs; all consequential damages resulting from said transaction; or in the alternative, that Petitioner be awarded the whole amount of the bond posted in this matters.
5. **Need** Notice of Hearing with proof of service to include bonding company.
6. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 1 & 5 then Court's discretion. Further, it appears this may not be a trust matter; and a proper petition and notice should be filed.

(nb)

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

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

SEE ALSO 6, 7, 8

HEARING:

Petition for will contest & grounds of opposition to probate of
purported holographic will

COUNSEL:

CARLTON T LARRABEE	(PET)...PRO/PER
DEBLYN (DEBBIE) DELMAN	(PET)...RODNUSKY & ASSOCIATES
MARILYN MILLER	(DEC)...
NICHOLAS GOMEZ	(PET)...RODNUSKY & ASSOCIATES
WAYNE FAWCETT	(PET)...J. PETER WAKEMAN
WAYNE FAWCETT	(PET)...KIBRE & HORWITZ LLP

Request for Waiver of Court Fees and Costs filed by CARLTON T LARRABEE is GRANTED
FEE WAIVER AMOUNT DUE \$435.00 FOR OBJECTION TO FINAL ACCOUNT ON 12/06/17

GENERAL INFORMATION:

**Continued from 07/31/18 on courts motion. Need proper service and for the
purposes of discovery.**

THIS CASE IS SET FOR HEARING ON Will Contest and Grounds of Opposition to
Probate of Purported Holographic Will by Contestant/Executor, Wayne Fawcett
("Petitioner") [Pr. C. §§ 8004(b), 8250 et seq.]

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

1. Petitioner was appointed on 03/23/16, full authority, and \$540,000 bond.
Letters Testamentary issued on 04/05/16.
2. On April 3, 2018, Respondent Deblyn Delman, aka Debbie Delman ("Debbie"),
filed a petition for probate of a document dated June 13, 2015 (the Document"),
purporting to be a holographic will and the last will of Decedent, for appointment
of Debbie as administrator with will annexed, and for authority to administer the
estate under the Independent Administration of Estates Act.
3. On May 21, 2018, Respondent Nicholas Gomez ("Gomez") filed a petition for

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.

probate of the Document, for appointment of Debbie as administrator with will annexed, and for authority to administer the estate under the Independent Administration of Estates Act.

4. On June 6, 2018, Debbie agreed to dismiss her aforesaid petition for probate with prejudice.
5. Executor is a person interested in the devolution of the estate of the Decedent, with standing to contest admission of the Document to probate in that the Document would defeat the intentions of Decedent concerning disposition of the estate as reflected in the Admitted Will. Estate of Costa (1961) 191 Cal.App. 2d 515, 517-518; Estate of Denman (1979) 94 22 Cal.App. 3d 289, 292.
6. Petitioner requests Probate of the Document should be denied on the following grounds:
 - a. Debbie and Gomez, and each of them, have failed to identify or give notice of the petitions to all heirs and devisees under the Document as required by Probate Code § 8110.
 - b. The aforesaid petitions filed by Debbie and Gomez are, and each such petition is, untimely and barred by the statute of limitations codified at Probate Code § 8226(c).
 - c. The material provisions of the Document are not in Decedent's handwriting.
 - d. Ground
 - e. The Document is not signed by Decedent.
 - f. The Document was not executed with testamentary intent.
 - g. On the date of the alleged execution of the Document, Decedent lacked testamentary capacity to execute the Document, whether capacity is measured by the standards set forth in Probate Code § 6100.5 or those set forth in Probate Code §§ 810 — 812.
 - h. The Document was made as a direct result of undue influence exercised by
 - i. Debbie over Decedent and is not, and never was, the true last will of Decedent.
7. Petitioner requests that the Document be denied probate; and that Executor be awarded costs of suit.
8. Proofs of Service filed. However, service was made by mail. **Need** proper service per CCP §413.10 et seq. as to Wayne Fawcett c/o Kibre & Horowitz LLP, Tawney Gomez and Diane Kent.
9. **Objections filed by Deblyn Delman and Nicholas Gomez.** Does Court wish to deem service waived as to these individuals? **JTD.**

RECOMMENDATION:

Need to clear note 8 then set for contested hearing.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

SEE ALSO 5, 7, 8

HEARING:

Petition for REMOVAL OF EXECUTOR WAYNE FAWCETT AND REVOCATION OF LETTERS

COUNSEL:

CARLTON T LARRABEE	(PET)...PRO/PER
DEBLYN (DEBBIE) DELMAN	(PET)...RODNUSKY & ASSOCIATES
MARILYN MILLER	(DEC)...
NICHOLAS GOMEZ	(PET)...RODNUSKY & ASSOCIATES
WAYNE FAWCETT	(PET)...J. PETER WAKEMAN
WAYNE FAWCETT	(PET)...KIBRE & HORWITZ LLP

GENERAL INFORMATION:

Continued from **06/26/18** on courts motion. Subpoenaed documents from Adult Protective Services received by the Courtroom. Court will not release said documents until a Protective Order is in place. Counsel Howard Horwitz to file a Protective order.

Continued from 07/31/18 on courts motion. Proper service is needed.

THIS CASE IS SET FOR HEARING ON Petition for Removal of Executor, Wayne Fawcett and Revocation of Letters of Administration by great-nephew, Nicholas Gomez ["Petitioner"]. Pr. C. §8504(b).

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

1. Letters Testamentary with Full Authority were issued to Wayne Fawcett on 04/05/16 upon court approval on 03/23/16 of petition for probate of lost will dated 08/31/05, lost codicil dated 1/10/11, and lost codicil dated 01/31/11.
2. Petitioner alleges decedent executed a holographic will on 06/13/15 revoking all prior wills, codicils and trust documents executed by decedent, providing for alternate distribution. Said will was held by Deblyn Delman until it was lodged with the Court on 01/26/18.
3. Petitioner seeks a Court order revoking Letters of Administration issued to Wayne Fawcett; that Wayne Fawcett is removed as personal representative of

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this estate; and that Letters of Administration be issued to named executor, Deblyn (Debbie) Delman.

4. Notice does not include surety company. **Need** proper service.
5. **Objections filed by Wayne Fawcett on 06/19/18.**
6. No proposed order. Submit Order after Hearing.

RECOMMENDATION: Matter is contested.

Need to clear note 4 then Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

SEE ALSO 5, 6, 8

HEARING:

FIRST AND FINAL Account and Report of WAYNE FAWCETT and Petition for allowance of fees filed.

COUNSEL:

CARLTON T LARRABEE	(PET)...PRO/PER
DEBLYN (DEBBIE) DELMAN	(PET)...RODNUSKY & ASSOCIATES
MARILYN MILLER	(DEC)...
NICHOLAS GOMEZ	(PET)...RODNUSKY & ASSOCIATES
WAYNE FAWCETT	(PET)...J. PETER WAKEMAN
WAYNE FAWCETT	(PET)...KIBRE & HORWITZ LLP

Request for Waiver of Court Fees and Costs filed by CARLTON T LARRABEE is GRANTED

GENERAL INFORMATION

Continued from 10/18/17. Court called this matter with Mr. Wakeman appearing via court call. After matter had been heard, Ms. Delman appeared stating she objects to the accounting as filed. Due to the objection of Ms. Delman, Court vacates its prior ruling and continues the matter to 12/06/17. Court orders Ms. Delman to file and serve written objections no later than 11/06/17. Notice given by Judicial Assistant.

Continued from 12/06/17. Parties to meet and confer regarding objections. Court encourages Debbie Delman and Carlton Larabee to obtain counsel. Notice waived.

Continued from 03/14/18. Stipulation for continuance filed.

Continued from 06/06/18. The Court is advised a Demurrer will be filed by Attorney Horwitz. The Court is further advised a Declaration Confirming Automatic 30-Day Extension was filed on 05/11/18. The Court orders this matter reset to 06/26/18 as stated below.

Continued from 06/26/18 on courts motion to be set with other hearings.

Continued from 07/31/18 on courts motion. Trailing pending matters/clear probate notes.

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.

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Wayne Fawcett/Trustee.

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

1. Petitioner waives accounting and statutory compensation as trustee.
2. Attorney requests statutory fees of \$36,216.50. Ok.
3. **Objection to Final Accounting by Carlton Larrabee filed 11/06/17. Need proof of service.**
4. **Objection to Executor's 1st and Final Accounting by Debbie Delman filed 11/06/17 with proof of service.**
5. **Further Objections to 1st and Final Report by Deblyn "Debbie" Delman filed 02/02/18 with proof of service.**
6. **Response to Objections of Debbie Delman by Wayne Fawcett filed 11/13/17.**
7. **Response to Objections of Carlton Larrabee filed 11/13/17.**
8. **Stipulation and Order received 03/06/18 and forwarded to department for review.**
9. No proposed order. Submit after hearing.

RECOMMENDATION

Matter is contested.

If approved, set hearing on the filing of receipts and final discharge for **10/17/19**.
(lc/lh/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501067

CASE NAME: MTR OF MARILYN MILLER

SEE ALSO 5, 6, 7

HEARING:

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

COUNSEL:

CARLTON T LARRABEE	(PET)...PRO/PER
DEBLYN (DEBBIE) DELMAN	(PET)...RODNUSKY & ASSOCIATES
MARILYN MILLER	(DEC)...
NICHOLAS GOMEZ	(PET)...RODNUSKY & ASSOCIATES
WAYNE FAWCETT	(PET)...J. PETER WAKEMAN
WAYNE FAWCETT	(PET)...KIBRE & HORWITZ LLP

Request for Waiver of Court Fees and Costs filed by CARLTON T LARRABEE is GRANTED

GENERAL INFORMATION:

Continued from **06/26/18** on courts motion. Bond required of \$2,976,670.00

Continued from 07/31/18 on courts motion. Need receipt for "lodging" of original will.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with WA and full authority under IAEA by great-niece, Deblyn "Debbie" Delman as petitioned by great-nephew, Nicholas Gomez ["Petitioner"].

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

1. Will waives bond. Estimated estate valued at \$2,976,670.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
2. Copy of holographic will affixed to supplement filed on 06/22/18 [LF, pgs. 6-9]. **Need** receipt for "lodging" of original.
3. **Need** bond of \$2,976,670.00
4. Proof of Holographic Instrument affixed to supplement filed on 06/22/18 [LF, p.11].
5. Proof of Subscribing Witness affixed to supplement filed on 06/22/18 [LF, pgs. 17 & 22].

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. Duties and Liabilities of Personal Representative form affixed to supplement filed on 06/22/18 [LF, pgs. 28-29].
7. ~Proposed Form Order/Letters 05/22/18

RECOMMENDATION:

Need to clear notes 2-3 then Court's discretion re: bond. If approved, set future hearing for Accounting Review on **12/10/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600138

CASE NAME: ANGELA ROSARIO ELDER

HEARING:

Accounting Review by ***

COUNSEL:

ANGELA C ELDER	(CAD)...THOMAS W DOMINICK
ANGELA ROSARIO ELDER	(DEC)...
CECILIA GUERRA	(TP)...DICKER & DICKER
EDWIN O. ELDER	(PET)...THOMAS W DOMINICK

GENERAL INFORMATION

Continued from **06/13/17 and 10/10/17**. Property in escrow, waiting for escrow to close.

Continued from **03/13/18** at request of counsel. Waiting for collection action in Washington. Notice given by Mr. McGuire.

Continued from 05/29/18 at request of counsel. Lawsuit ongoing in Washington. Notice given by Mr. Dominick.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to Edwin O. Elder and Angela C. Elder on 04/04/16, with limited authority and no bond.
2. No accounting or status report of administration. Need same.

RECOMMENDATION

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

(lh/nb)

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

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600319

CASE NAME: ESATE OF GILDA JOAN DONCHE

HEARING:

FIRST Account and Report of BRUCE BRAZEAU and Petition for allowance of fees filed.

COUNSEL:

BRUCE BRAZEAU (PET)...ROBERT G PETROVICH
GILDA JOAN DONCHE (DEC)...

X-REF: CIVDS 181314

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Account Current; Petition for Preliminary Distribution; and Petition for Fees by Administrator, Bruce Brazeau ["Petitioner"].

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

1. Accounting period 03/13/16 to 07/31/18.
2. Assets on Hand \$529,041.17 consisting of \$401,196.37 in cash and remaining in real and personal property.
3. Current bond of \$623,000. Appears sufficient.
4. Petitioner requests 50% of the statutory compensation to be made to each petitioner and petitioner's attorney in the sum of \$7,478.23. Calculated. **JTD.**
5. Petitioner waives extraordinary compensation, only.
6. Attorney requests extraordinary fees of \$23,417.25 for services rendered in connection with the sale of real property. Billed at \$385/hour for attorney time and \$125/hour for paralegal time totaling of 65.45 hours' time. Itemized [LF, pgs. 24-28]. **JTD.**
7. Petitioner requests preliminary distributions of \$100,000 each, to heirs Kirk Donche and Keith Donche, for a total of \$200,000. While there does not appear to be harm to creditors or estate, both heirs are currently incarcerated. Question the need for a preliminary distribution? **Supp. (09/21/18) indicates prisoners are allowed to have access to funds for limited purposes at the prison Canteen. Rather than the heirs calling Petitioner regularly and asking for money, a distribution to each heir would allow then access to**

funds to buy personal items and allowable electronics. Petitioner would like to be out of the process. JTD.

- 8. Receipts – Schedule A does not include rental income. Supp. (09/21/18) indicates the Valley View and Grand View properties were not leased or rented during administration and the properties are contiguous. Neither property was habitable. And it would have cost too much to rehabilitate either of them. Each of the properties is considered "knock downs" by any standard. Both properties were basically abandoned and were junkyards. Both the Valley View and Grand View properties were in very poor shape and neither was habitable for purposes of renting the property.**
- 9. The estate is currently prosecuting an action for partition for the property known as 636 Jeffries, Big Bear, CA 92314 in the related case.**
- 10. Proposed Order 08/06/18 reflects 12/14/19 as deadline to file status report instead of 12/14/18.**

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review on **10/01/19**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules. (nb)

Future Hearing:
01/14/19 Probate status report

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

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600819

CASE NAME: MTR OF ROSA HELEN ROBERTS

HEARING:

Accounting Review by ***

COUNSEL:

RHONDA MCDANIEL (PET)...RONALD W ASK
ROSA HELEN ROBERTS (DEC)...

GENERAL INFORMATION

Continued from 01/22/18, 03/27/18 and 06/19/18 at request of counsel.

THIS CASE SET FOR HEARING ON Accounting Review.

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

1. Letters of Administration issued to Rhonda McDaniel, daughter, on 12/06/16; full authority, \$300,500 bond and \$350,000 to be placed into a blocked account.
Need proof of blocked account.
2. Partial Inventory and Appraisal filed 11/05/17; Reappraisal filed 11/02/17. **Need final** inventory with supporting bank **statements to support date of death balances** per Local Rule 20-908.
 - a. Inventories do not include Provident Accounts XXX030 & XXX576; or Morgan Stanley Acct. XX8601. **Need** same.
 - b. Morgan Stanley Acct. #XXX0372 is not for date of death balance.
Need same.
 - c. Morgan Stanley Acct. #XXX0373 is not for date of death balance.
Need same.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 1-3. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

(cs/nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700097

CASE NAME: MICHAEL L. HALL

HEARING:

Accounting Review by ***

COUNSEL:

CARLTON RUSSELL	(PET)...MAUREEN MURATORE
LINDA HALL	(PET)...MAUREEN MURATORE
MICHAEL L HALL	(DEC)...
SURETEC INSURANCE CO	(TP)...

GENERAL INFORMATION:

Continued from 06/19/18 at request of counsel. Escrow closed yesterday.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to Carlton Russell on 07/07/17, full authority, and \$225,345 bond.
2. No accounting or status report. **Need** same.

RECOMMENDATION:

Inquire status. Clerk to notice surety.

(nb)

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

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700349

CASE NAME: DON VAN NGUYEN

HEARING:

Report of Administrator & Ptn for Final Dis Account and Report
of NIKI PHUNG NGUYEN and Petition for allowance of fees filed.

COUNSEL:

NIKI PHUNG NGUYEN (PET)...MARIVEL M ZIALCITA
DON VAN NGUYEN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Report of Administration and Petition for Final
Distribution and Fees by Administrator, Niki Phung Nguyen ["Petitioner"-spouse].

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

1. Accounting period 02/10/17 to
2. Assets on Hand \$470,600 consisting of real and personal property.
3. Petitioner waives compensation.
4. Attorney requests statutory fees of \$12,412.00. Calculated. Question how
counsel will be paid as there are no cash assets on hand? **Need** verified
supplement.
5. Petition indicates a Quitclaim was executed on 07/17/18, transferring the
Decedents 100% interest of the real property and BMW5 to heirs, Niki Phung
Nguyen (wife) and issues Ethan Van Nguyen and Zoe Elle Nguyen, who are
minors.
 - a. Question how a Quitclaim Deed can be effected after Decedent's demise
and without court authority?
 - b. Issues are minors. Question whether there is a guardian ad litem or
guardian of the estate?
Need verified supplement.
6. **Need** address of heirs receiving real property.
7. Notice does not include minor heirs. A separate copy of the notice needs to be
sent to the person or persons having legal custody of the minors, with whom the
minor resides, per CRC Rule 7.51(d). **Need** proper service.

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

8. Notice of Non-Payment of Statutory Fees and Expenses filed by Probate Referee.
9. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes then Court's discretion. If approved, set next hearing for receipts and final discharge for **10/15/19**.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700629

CASE NAME: MTR OF OLGA P. ARRESE

HEARING:

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

COUNSEL:

JOSEPH VALENZUELA

(PET)...MAURICE ABADIA

OLGA P. ARRESE

(DEC)...

Address: 944 Serpentine Dr., Redlands, CA 92373

Appraised Value: \$460,000

Sale price: \$425,000

First overbid: \$446,750

Deposit: \$42,500

Commission: 5% = \$21,250

Additional bond: Currently \$13,000. **Need** additional bond of \$402,000. **JTD.**

Reason for Sale: Necessary to pay expenses of administration.

Exposure to Market: Placed on MLS; held open house; and showings.

Notice: Published; posted; and given.

Future Hearing: 11/19/18 Accounting Review.

~Proposed Form Orders 07/31/18

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800427

CASE NAME: MTR OF STEVEN CUESTAS SANCHEZ

HEARING:

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

COUNSEL:

STEVEN CUESTAS SANCHEZ (DEC)...
TINA MONIQUE ASECIO (PET)...PRO/PER

GENERAL INFORMATION

Continued from 06/18/18. The Court notes proof of publication in the high desert was filed. The Court orders publication to be in the Montclair area as that is where the deceased resided. The Court will order a bond in the amount of \$25,000 in this matter.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by granddaughter/nominee, Tina Asencio Administrator/Petitioner]

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

1. All heirs waive bond. Net estate value is \$296,500. The court may for good cause require that a bond be given, either before or after issuance of letters. Prob. Code §8481(b).
2. Petitioner, Tina Asencio, is not listed in section 8 of petition.
3. Declination and Nomination signed by children of decedent.
4. **Need \$25,000 bond.**
5. ~Proposed Form Order/Letters: 05/02/18

RECOMMENDATION

RFA, \$25,000 bond . If approved, set Accounting/Status Review for **12/09/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800439

CASE NAME: Maria Adela Flores Alvarado

HEARING:

Petition to determine succession to Real Property

COUNSEL:

AMANDA C ALVARADO	(PET)...HOWARD M MOSS
ELIAS ALVARADO	(PET)...HOWARD M MOSS
GINA M ALVARADO	(PET)...HOWARD M MOSS
MARIA ADELA FLORES ALVARADO	(DEC)...
MICHAEL E ALVARADO	(PET)...HOWARD M MOSS
NICOLE M FLORES	(PET)...HOWARD M MOSS

GENERAL INFORMATION:

Continued from 06/19/18 at request of counsel. Notice to be given by Mr. Moss.

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by husband, Elias Alvarado and issues Michael E. Alvarado, Nicolle M. Flores, Gina M. Alvarado and Amanda C. Alvarado ["Petitioners"].

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

1. Statement about the Bond Section is the only section completed in the corrected Inventory and Appraisal filed on 09/24/18. Judge to determine if sufficient.
2. Petition indicates decedent was a resident of this county at the time of death. Petitioners request a determination that decedent's 1/3rd interest in real property located at Santa Fe Springs, in Los Angeles County, pass to petitioners without administration. Petitioners are decedent's surviving spouse and children; purported heirs under intestate succession.
3. ~Proposed Form Order 08/28/18.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800737

CASE NAME: MTR OF BEVERLY WALLACK

HEARING:

Petition to determine succession to Real Property

COUNSEL:

APRIL CASTLEBERRY (PET)...M. BRIAN CULLEN

BEVERLY WALLACK (DEC)...

GENERAL INFORMATION:

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

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

1. Petitioner requests a determination that decedent's real property located at Helendale, in San Bernardino County pass, to petitioner without administration. Petitioner is one of three issues subject to intestate succession. However, siblings, Robert Milbrath and Richard Milbrath have filed Assignments of Interest in favor of petitioner.
2. ~Proposed Form Order 08/03/18.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800769

CASE NAME: MTR OF ROMAN LANDAVERDE

HEARING:

Spousal Property Petition hearing.

COUNSEL:

ROMAN LANDAVERDE

(DEC)...

XENIA ELIZABETH LANDAVERDE

(PET)...HOWARD R HAWKINS

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Xenia E. Landaverde ["Petitioner"].

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

1. Petitioner requests a determination and confirmation of property passing to the surviving spouse as community property. Specifically, an undivided one-half interest in Jackson Hewitt Tax Service Franchise located at 117 West Holt Blvd, Ontario, CA; Atlantic Services dba Atlantic Travel; Roman Landaverde Accounting Services; 5 bank accounts at Wells Fargo Bank; and a safety deposit box at Wells Fargo Bank.
2. However, petitioner does not set forth facts sufficient to establish a community property interest. When were petitioner and decedent married? How were the property interests acquired – with community funds, etc? **Need** verified supplement.
3. ~Proposed Form Order 08/28/18.

RECOMMENDATION:

Need verified supplement then Court's discretion.

(nb)

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

DATE: 10/02/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800847

CASE NAME: Thais Verdelle Thrasher Sadoyama

HEARING:

Petition to determine succession to Real Property

COUNSEL:

NONI S PATCHETT (PET)...ROBERT W CANNON
THAIS VERDELLE THRASHER SADOYA (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property (Estates \$150,000 or less) by purported Successor Trustee, Noni S. Patchett ["Petitioner"].

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

1. Decedent's spouse, James Anki Sadoyama, post-deceased Decedent. Will names niece, Pamela Thrasher-Tait (fka Thrasher-Tait), as alternate personal representative. Question whether there are domiciliary proceedings pending and **need** consent to use of this procedure by executrix per Pr. C. §13150 et seq. **via verified supplement**.
2. Signature of verification by petitioner, to Inventory and Appraisal, is not dated. Court to determine if sufficient.
3. Petition indicates Decedent was not a resident of California at the time of death but owned real property in this county.
4. Petitioner alleges she is the trustee of a trust that is the devisee under decedent's will. Petitioner requests a determination that decedent's 1.25% interest in real property, located in San Bernardino County, pass to petitioner without administration.
5. ~Proposed Form Order 08/31/18.

RECOMMENDATION:

Need to clear note 1 then Court's discretion.

(nb)

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **TRUSTS AND MOTIONS**

DATE: 10/02/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800047

CASE NAME: Special Needs Trust for Xitlalli Sanchez

HEARING:

PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

LAWRENCE A DEAN II

(PET)...SHERRI L KASTILAHN

NATIONAL FOUNDATION FOR SPECIA

(PET)...DENNIS M SANDOVAL

SPECIAL NEEDS TRUST FOR XITLAL

(TRU)...

STEPHEN W DALE

(PET)...THE DALE LAW FIRM, PC

XITLALLI SANCHEZ

(BEN)...WILLIAM G SULLIVAN

XITLALLI SANCHEZ

(PET)...WILLIAM G SULLIVAN

GENERAL INFORMATION:

Continued from 06/12/18. The Court orders the bond of \$1,777,000 be modified to reflect San Bernardino County and that a new inventory and appraisal be filed. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON CMC re Transfer-in from Riverside County.

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

1. Order re: Petition for Order to Establish and Fund a SNT entered 12/10/14, trustee'd by Stephen W. Dale of Golden State Pooled Trust, of a settlement in the amount of \$775,935.33. Bond was set at \$788,000.
2. Order Approving First and Final Account of prior Trustee, entered 05/16/17, with Assets on Hand of \$1,572,387.32 for the period 12/01/14 to 01/28/17. **Need new** Inventory and Appraisal.
3. Prior order to purchase home, at the purchase price of \$450,000, entered 04/17/17.
4. Lawrence A. Dean, II, appointed Successor Trustee of SNT on 11/18/16, \$1,777,000.00 bond. Surety Rider filed on 09/25/18 does not include effective date of change and does not reflect San Bernardino County. **Need** proper bond.

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

RECOMMENDATION:

Need to clear notes then Court's discretion. If approved, set next hearing for Accounting Review (re SNT) on **03/26/19**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800099

CASE NAME: MEAL FAMILY TRUST CREATED JULY 19 2001

HEARING:

Petition for Order Confirming Trust Assets

COUNSEL:

MEALS FAMILY TRUST CREATED JUL (TRU)...PRO/PER
ROBERT W MEALS III (PET)...PHILIP M SAVAGE

Currently under review by Legal Research.
(LR)

Notice given.
(cs/nb)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **CONSERVATORSHIP**

DATE: 10/02/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0700248

CASE NAME: MTR OF DAVID WEST

HEARING:

6th report of conservator w/waiver of Account and Report of TRACY WEST and Petition for allowance of fees filed.

COUNSEL:

DAVID WEST

(CEP)...

TRACY WEST

(CPE)...HORSPOOL & HORSPOOL

TRACY WEST

(CPE)...PRO/PER

CCP170.6 filed as to CYNTHIA LUDVIGSEN

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

Request for Waiver of Court Fees and Costs filed by DAVID WEST is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Sixth Report and Waiver of Account (Pr. C. §2628) by Conservator of the person and estate, Tracy West ["Petitioner"].

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

- 1 Accounting period 01/10/15 to 01/09/18.
- 2 Assets on Hand \$92.85 in cash.
- 3 Petitioner submits this waiver of accounting as a matter of law per Pr.C. §2628 on basis assets are less than \$15,000 and income was less than \$2,000 per month.
- 4 Petitioner does not request compensation or reimbursement.
- 5 CI Report filed.
- 6 Sections 4a & 4b to Proof of Service by Mail is incomplete. **Need** proper service.
- 7 ~Proposed Order 08/09/18

RECOMMENDATION:

Need to clear note 6. If approved, Court to set the next hearing re Accounting Review for **03/12/19** or a biennial Accounting Review for **03/17/20** per Pr.C. §2620(a). Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300339

CASE NAME: THOMAS W. MAHONEY

HEARING:

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

COUNSEL:

LAURA L. HARRIS	(CPE)...CRAIG M PARKER
MARK J ANDREW FLORY	(PET)...MARK J. ANDREW FLORY
PATSY MAHONEY	(OBJ)...PRO/PER
THOMAS M MAHONEY	(LAWRENCE R. BYNUM
THOMAS M MAHONEY	(WILLIAM DEAKTOR
THOMAS W. MAHONEY	(CEP)...BROWN WHITE & OSBORN
THOMAS W. MAHONEY	(CEP)...MARK J. FLORY

Address: 645 Illinois Avenue, Beaumont, CA 92223

Appraised Value: \$175,000

Sale price: \$182,000

First overbid: \$191,600

Deposit: \$18,200

Commission: 6% = \$10,920

Additional bond: Current bond of \$377,000. Appears sufficient.

Reason for Sale: Necessary to pay debts and taxes.

Exposure to Market: Signage and placed on MLS.

Notice: published; posted; and given.

~Proposed Form Order 08/07/18

Future hearing dates: 11/20/18 Accounting Review

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400307

CASE NAME: DORIS KATHLEEN BARNES

HEARING:

Accounting Review by ***

COUNSEL:

CRAIG M PARKER	(PET)...CRAIG M PARKER
DORIS KATHLEEN BARNES	(CEP)...
GARY LEE BARNES	(CPE)...CHRISTOPHER A SCHUMATE
MARK A BARNES	(CPE)...CHRISTOPHER A SCHUMATE

GENERAL INFORMATION:

Continued from 06/19/18 at request of counsel. Should accounting not be filed by next hearing, the Court will consider notifying the surety. Notice given by Ms. Albreckton.

THIS CASE IS SET FOR HEARING ON Accounting Review by Conservator of the Estate, Mark A. Barnes.

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

1. Order Settling Second Account entered 10/17/17; third account now due.
2. No accounting or waiver of account. **Need** same.
3. Court may wish to notice surety.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800238

CASE NAME: MTR OF LEONA E VAN ASPEREN

HEARING:

Petition for Appointment of Conservator

COUNSEL:

LEONA E VAN ASPEREN (CEP)...

WALLACE R VAN ASPEREN (CPE)...LENITA A SKORETZ

GENERAL INFORMATION

Husband, Wallace R. Van Asperen, appointed Temporary Conservator of the person and estate on 08/15/18, no bond.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by husband, Wallace R. Van Asperen ["Petitioner"].

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

1. Petitioner requests bond not be required as estate consists of community property. **JTD**
2. Petitioner seeks medical powers. **Need** Medical Capacity Declaration with Dementia Attachment, GC-335A.
3. Petitioner requests dementia powers; **need** appointment of counsel and report by same.
4. Court Investigator's Report filed.
5. Citation returned served
6. Notice given.
7. Proof of Completion re Conservatorship filed.
8. ~Proposed Form Order/Letters 08/08/18.

RECOMMENDATION:

Court to appoint counsel; need to clear notes; then Court's discretion re: bond. If approved, set hearing for Compliance Review for **05/07/19** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory & Appraisal,

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.**

and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr. C. §2313.

Set hearing re Accounting Review for **12/10/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 10/02/18 TIME: 9:30 DEPT: S37P

CASE#: SC SS02049

CASE NAME: MATTER OF LAWRENCE SQUILLACOTE

HEARING:

First and final Account and Report of LAWRENCE DEAN II and
Petition for allowance of fees filed.

COUNSEL:

LAWRENCE A DEAN II	(CPE)...PRO/PER
LAWRENCE SQUILLACOTE	(CEP)...
LINDA SQUILLACOTE	(PET)...
MELODIE Z SCOTT	(TP)...PRO/PER
RAYMOND SQUILLACOTE	(CP)...CHRISTOPHER A POULOS
THERESE SQUILLACOTE	(CP)...CHRISTOPHER A POULOS

Request for Waiver of Court Fees and Costs filed by LAWRENCE SQUILLACOTE is GRANTED

Fee waiver amount due \$530.00
\$230.00 for accounting on 11/18/17
\$300.00 for ex-parte pet and 5 orders on 02/05/18

Fee waiver amount due for CI \$2,500.00
\$350.00 for order on 11/15/05
\$350.00 for order on 09/24/08
\$450.00 for order on 10/26/09
\$450.00 for order on 01/20/11
\$450.00 for order on 11/13/13
\$450.00 for order on 10/06/15.

GENERAL INFORMATION:

Conservatee passed away on 04/17/17.

Continued from 03/20/18 for notes 9-12 to be cleared and proposed order to be filed.
Waivers of accountings filed and signed in the courtroom. Inventory and appraisal
waived. The Court ratifies \$500 paid in 2012 and approves compensation as
requested. The Court confirms conservatorship of the person
terminated on date of death and the Special Needs Trust was exhausted in 2008-2009.
Annette De Bellefeuille is relieved as counsel of record.
Continued from 06/19/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON First and Final Account of Conservator of the
Person and Estate, Lawrence A. Dean II, and Petition for Fees.

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

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

1. Accounting period 01/01/12 to 06/30/17 (5.5 years). However, prior accounting period ended on 11/20/11. Does court wish to require an amended account?
JTD.
2. Assets on Hand \$0.00. However, closing bank statement ending 06/30/17 indicates there is \$20.80.
3. No bond.
4. Petitioner requests compensation of \$5,057.45 and ratification of \$500 paid in 2012. Billed at \$65-\$105/hour for services rendered. Itemized [LF, pgs. 25-31]. Granted.
 - a. **Question** how petitioner proposes to be paid as there are no assets?
Court to inquire.
5. Petitioner does not request reimbursements.
6. Petitioner has not used mandatory Summary of Account (GC-400/405). Court may wish to direct petitioner to use mandatory form(s) on future accountings.
7. During the accounting period, petitioner paid Christina Erickson for case management fees of \$112.50. **Need** verified declaration for acknowledgment of receipt of fees per Local Rule 20-1406(c).
8. Petitioner alleges notice to court-appointed counsel, Annette de Bellefeuille, should be waived. JTD.
9. Petitioner requests termination of the Conservatorship as Conservatee is now deceased. Deny as to conservatorship of the estate.
10. **Need** Notice of Hearing with proof of service.
11. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 4, 7 & 10 then Court's discretion. If approved, set next hearing for receipts and final discharge on **10/15/19**.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 25A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 9:30 DEPT: S37P

CASE#: EAP PS1800107

CASE NAME: INGALLS VS. INGALLS

HEARING:
Hearing Re: ELDER RESTRAINING ORDER

COUNSEL:
BARBARA L INGALLS (PP)...PRO/PER
DALE INGALLS (RP)...

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Notice:

Proof of Unsuccessful Service re: Dale Ingalls filed on 09/11/18.
(nb)

Superior Court of Calif, County of San Bernardino

Page: 25B ADD ON

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

DATE: 10/02/18 TIME: 9:30 DEPT: S37P

CASE#: EAP PS1800128

CASE NAME: SHOULTZ VS PAREDES

HEARING:

Hearing Re: Elder Abuse Restraining Order

COUNSEL:

NORA R SHOULTZ (PP)...PRO/PER

OSCAR PAREDES (RP)...

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Notice:

Need Notice of Hearing with proof of service on Oscar Paredes.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 11:00 DEPT: S37P

CASE#: PRO PS1400937

CASE NAME: Donald B. Evans II

SEE ALSO 27, 28

HEARING:

Hearing Re: PTN FOR REMOVAL OF REPRESENTATIVE OF ESTATE

COUNSEL:

DANIEL R MORTENSEN	(DANIEL R. MORTENSEN
DENISE WILLIAMS	(TP)...PRO/PER
DONALD B EVANS II	(DEC)...
DONALD B EVANS III	(PET)...PRO/PER
JESSE L EVANS	(PET)...PRO/PER
JOHN W EVANS	(PET)...PRO/PER
S.B COUNTY PUBLIC ADMINISTRATO	(PET)...CRAIG M PARKER

GENERAL INFORMATION

Continued from 09/28/16 as objections were recently filed.

Continued from 12/15/16. Donald Evans ordered to prepare an accounting which will include exactly why the home was foreclosed upon. Bond ordered of \$100,000.

On 04/13/17 Donald Evans III was suspended as representative of the estate immediately. **Public Administrator appointed.** Clerk's Office to notify Public Administrator. The Court ordered Donald Evans III file an accounting by 5/15/17. If accounting not filed, the court will surcharge Donald Evans III in an amount to be determined. The Court advises John Evans to file an ex parte

Continued from **06/15/17**. Donald Evans III cited to appear. Should he fail to appear, bench warrant may be issued. Public Administrator to be present at next hearing and to file order and letters as successor.

Continued from **09/14/17**.

Continued from **11/14/17**. Donald Evans III is cited to appear at next hearing. Should he fail to appear, a bench warrant may be issued for his arrest. Court notes that part of this petition is moot as Donald Evans III has been removed as personal representative of the estate and the public administrator has been appointed. Court grants request that Donald Evans III be ordered to turn all receipts/documents/accounts of the estate to the Public Administrator and that he be ordered to file an Inventory and Appraisal and an accounting. Court reserves on the issues of surcharge, reimbursement of costs and attorney fees, reimbursement of embezzled funds, and an independent audit.

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.**

Court confirms appointment of Public Administrator as successor administrator. Order signed this date.

Continued from **01/24/18**. Donald Evans III re-cited to appear.

Continued from 04/24/18 on courts motion for citation to be served.

THIS CASE SET FOR HEARING ON Petition for Removal of Representative of the Estate of Donald Blynn Evans II Per Pr.C. §§ 8500-8502 by John Evans and Jesse Evans.

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

1. The Decedent, Donald Blynn Evans II, died on July 11, 2014. Donald Blynn Evans III was appointed as Personal Representative of the Estate by this Court on December 11, 2014.
2. Petitioners John W. Evans and Jesse L. Evans allege the following acts and breach of duties by the appointed Personal Representative:
 - a. use of Estate funds and accounts for personal purposes and failing to make productive certain assets of the Estate that could be used to generate income, specifically, rents.
 - b. embezzlement of monies belonging to the Estate such as purchases of television sets, household items, personal stereo equipment and other purely personal items.
 - c. mismanagement of the *res* of the Estate by amongst other things failing to pay the mortgage and expenses related to the residence.
 - d. defraud the Estate by false representations.
 - e. failure to provide reasonable information or accountings.
3. Petitioners request and order:
 - a. for an order immediately suspending the powers of the Personal Representative in whole or part.
 - b. in the alternative to suspension of powers, that the Court order the imposition of a surety or bond sufficient to cover any potential losses already occasioned by the wrongful conduct of the Personal Representative as alleged.
 - c. for the removal of the Personal Representative at the earliest possible opportunity.
 - d. for appointment of a duly qualified Personal Representative or Public Administrator in the stead of the now acting Representative.
 - e. for a surcharge.
 - f. for costs.
 - g. for attorney's fees.
 - h. for an order requiring all embezzled funds to be immediately returned to the Estate.
 - i. for an order requiring the Personal Representative to turn over all receipts records, documents, writing or other data relating to the assets or management of the Estate during the time since the Decedent's death.
 - j. for an immediate and current inventory of all property or property interests of the Estate.

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.**

- k. for an immediate accounting.
 - l. for an order requiring an independent audit of the activities of the Personal Representative.
 - m. for any and all other relief as the Court may deem appropriate to make the Estate whole for any losses caused to the Estate by the actions of the Personal Representative.
4. Petitioners served the Personal Representative with a citation to appear at the 9/28/16 hearing.
 5. **Objections filed by Donald Evans III on 09/27/16. Donald alleges that the house is *not* in foreclosure, the Inventory and Appraisal is filed [10/20/15] and that removal is inappropriate.**
 6. **Declaration of No Assets filed by Public Administrator on 12/19/17** alleges real property was sold at trustee sale with no excess proceeds; bank accounts were closed by beneficiary listed on accounts, and whereabouts of personal property is unknown. Trustee Deed attached. [Dec 12/19/17, LFpg3-4].
 - a. **Need** petition to terminate for lack of assets per Pr.C. § 12251.
 7. No proposed order. Submit after hearing.
 8. Proof of service of citation for Donald Evans III filed.

RECOMMENDATION:

See notes on matter #27. Matter is contested. No bonding company to notice.

(bc/lc/nb/lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 11:00 DEPT: S37P

CASE#: PRO PS1400937

CASE NAME: Donald B. Evans II

SEE ALSO 26, 28

HEARING:

Hearing Re: OSC RE SURCHARGE

COUNSEL:

DANIEL R MORTENSEN	(DANIEL R. MORTENSEN
DENISE WILLIAMS	(TP)...PRO/PER
DONALD B EVANS II	(DEC)...
DONALD B EVANS III	(PET)...PRO/PER
JESSE L EVANS	(PET)...PRO/PER
JOHN W EVANS	(PET)...PRO/PER
S.B COUNTY PUBLIC ADMINISTRATO	(PET)...CRAIG M PARKER

GENERAL INFORMATION

Continued from **09/14/17** and **11/14/17** for Donald Evans III to be present.

Continued from **01/24/18**. Donald Evans III re-cited to appear.

Continued from 04/24/18 on courts motion for new citation to be issued. Citation issued for Donald Evans who is cited and required to appear. Should he fail to appear at next hearing, a bench warrant may be issued for his arrest.

THIS CASE SET FOR HEARING ON OSC re Surcharge.

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

1. OSC set on 06/15/17 when Donald Evans III failed to appear and file an accounting.
2. Declarations of Due Diligence and Proofs of Unsuccessful Service filed 01/12/18, 02/16/18, 02/23/18, 04/05/18 & 06/07/18.
3. Proof of service of citation for Donald Evans III filed.

RECOMMENDATION

Court's discretion re OSC.

(lc/nb/lh/nb)

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

Superior Court of Calif, County of San Bernardino
Page: 28
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 10/02/18 TIME: 11:00 DEPT: S37P

CASE#: PRO PS1400937

CASE NAME: Donald B. Evans II
SEE ALSO 26, 27

HEARING:
Accounting Review by ***

COUNSEL:
DANIEL R MORTENSEN (DANIEL R. MORTENSEN
DENISE WILLIAMS (TP)...PRO/PER
DONALD B EVANS II (DEC)...
DONALD B EVANS III (PET)...PRO/PER
JESSE L EVANS (PET)...PRO/PER
JOHN W EVANS (PET)...PRO/PER
S.B COUNTY PUBLIC ADMINISTRATO (PET)...CRAIG M PARKER

GENERAL INFORMATION:

Continued from 7/19/16, 09/28/16 and 12/15/16. Donald Evans ordered to prepare an accounting which will include exactly why the home was foreclosed upon. Bond ordered of \$100,000.

Continued from **04/13/17 and 06/15/17**. Donald Evans III cited to appear. Should he fail to appear, bench warrant may be issued.

Continued from **09/14/17** at request of Craig Parker. Notice by Judicial Assistant.

Continued from **11/14/17** for Donald Evans III to be present.

Continued from **01/24/18**. Citation to Donald Evans III not returned. Matter continued for citation to be reissued. Citation issued to: DONALD EVANS III who is cited and required to appear on 04/24/18.

Continued from 04/24/18 on courts motion for citation to be served.

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

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

1. Letters of Administration issued 12/11/14 vacated due to error. Letters of Administration re-issued to Donald Evans III, son, on 11/30/15, full authority, no bond. Bond of \$100,000 ordered on 12/15/16.
2. Declaration of no assets by Public Administrator filed 12/19/17. **Need** petition to terminate for lack of assets per Pr. C. §12251.

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

3. **Need** accounting or status report.
4. **Need** bond.
5. Proof of service of citation for Donald Evans III filed. **See notes on matter #27.**
6. Notice of Proposed Action filed on 9/9/16. **Objection to NOPA by John Evans filed 9/21/16.**

RECOMMENDATION:

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

(nb/sa/lc/nb/lh/nb)