



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 10/09/18

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.

nb0917/1003

Superior Court of Calif, County of San Bernardino
Page: 1
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

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

CASE#: CON PS1400333

CASE NAME: JANE SLATON

HEARING:
Hearing re Final Discharge

COUNSEL:
CATHERINE C SAMPLE (CPE)...HARTNELL LAW GROUP
JANE SLATON (CEP)...

GENERAL INFORMATION:

Continued from 02/06/18, 05/01/18 and 08/07/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. First and Final Account by Catherine Sample, daughter, approved on 01/31/17.
2. **Need** receipt(s) by Conservator, Attorney Hartnell and Personal Representative of Decedent's estate.
3. **Need** Ex-Parte Petition/Order for Final Discharge.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. §2655. Clerk to notice surety.
(nb/ww/nb)

Superior Court of Calif, County of San Bernardino

Page: 2

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

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

CASE#: CON PS1600079

CASE NAME: DAVID T HUANG

HEARING:
Petition for Atty's Fees

COUNSEL:
DAVID T HUANG (CEP)...SANDY L. TURNER
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
SANDY TURNER (PET)...SANDRA L. TURNER

XREF: CONPS1600080 (Geraldine Huang)
GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for fees and compensation by Guardian ad Litem for Conservatee, Jack B. Osborn ["Petitioner"].

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

- 1 Petitioner was appointed on 06/20/16. Petitioner alleges that services have been rendered for which counsel has not been compensated.
- 2 Attorney requests fees of \$5,935.00. Billed at \$350/hour for 14.2 hours attorney time and \$105-\$125/hour for 8.2 hours paralegal time. Itemized [LF, pgs. 8-12]. **JTD.**
- 3 Petitioner requests an order authorizing and directing the conservator of the estate to pay requested sum to Brown, White & Osborn, LLP for services rendered.
- 4 Notice does not include conservatee. **Need** proper service.
- 5 ~Proposed Order 08/22/18.

RECOMMENDATION:
Need proper service then Court's discretion.
(nb)

Future Hearing:
12/10/18 Petition for payment of attorney fees to court etc.
12/10/18 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

Page: 3

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

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

CASE#: PRO PS1400861

CASE NAME: Howard Michael Simpkinson

SEE ALSO 4, 5

HEARING:

Hearing Re: OSC RE: SANCTIONS \$500.00 (FTA ADMIN.)

COUNSEL:

HENRY A SIMPKINSON

(PET)...ROBERT MCKERNAN

HOWARD MICHAEL SIMPKINSON (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Sanctions of \$500.00.

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

1. Matter set at 08/28/18 hearing due to non-appearance by administrator.
2. Notice by Judicial Assistant.

RECOMMENDATION:

Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino
Page: 4
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1400861

CASE NAME: Howard Michael Simpkinson

SEE ALSO 3, 5

HEARING:

Hearing Re: OSC RE: SANCTIONS \$500.00 (FTA CNSL)

COUNSEL:

HENRY A SIMPKINSON

(PET)...ROBERT MCKERNAN

HOWARD MICHAEL SIMPKINSON

(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re Sanctions of \$500.00.

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

1. Matter set at 08/28/18 hearing due to non-appearance by attorney.
2. Notice by Judicial Assistant.

RECOMMENDATION:

Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1400861

CASE NAME: Howard Michael Simpkinson

SEE ALSO 3, 4

HEARING:

Hearing Re: STATUS REPORT (FILED ON 9/15/16)

COUNSEL:

HENRY A SIMPKINSON

(PET)...ROBERT MCKERNAN

HOWARD MICHAEL SIMPKINSON

(DEC)...

GENERAL INFORMATION

Continued from 03/01/17. Oral status report given by administrator. Request is made for a continuance to close the Estate. Matter will be continued to 08/29/17, With court ordering a supplement to be filed by 4:00pm on 08/15/17. Notice to be given by Counsel/Administrator.

Continued from 08/29/17 at request of Ms. Sholtz. Petitioner informs the court she is still waiting for a response from the IRS. Petitioner states once she has received the response from the IRS she will be able to finalize and close the estate.

Continued from 02/27/18. Duplicate setting is vacated.

Continued from 08/28/18. No appearances. Notice by Judicial Assistant.

THIS CASE SET FOR HEARING ON Status Report (filed 08/28/17).

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

1. Letters of Administration issued to by Anne Sholtz, friend on 1/14/15, \$1,395,000 bond.
2. Petitioner seeks additional time to close the estate in order to complete the non-judicial foreclosure on the non-performing trust deed, finishing Inventory and Appraisals and rectify the 2012-2014 back tax obligations.
3. **Need** final inventory and appraisal.
4. **Need** verification signed by the personal representative. An attorney may not sign verification for a fiduciary. Pr.C. § 1023.
5. **Need** Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**

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6. Declaration by Administrator, Anne Sholtz, filed 02/22/18.
7. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-5. If approved, set Accounting Review for **12/27/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/nb)

Superior Court of Calif, County of San Bernardino

Page: 6

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1501123

CASE NAME: JOYCE ANN VILLAFANA AKA JOYCE A. VILLAFANA

SEE ALSO 7

HEARING:

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

COUNSEL:

CELIA S. NAJERA

(PET)...JOHN F WEBER

JOYCE ANN VILLAFANA

(DEC)...

GENERAL INFORMATION:

Continued from 08/21/18. No appearances. There being no appearance for today's hearing, matter is continued and court sets OSC re Sanctions of \$500.00 for failure to appear, both matters are set for October 9, 2018 at 8:30am in Dept. S35. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON **OSC re Sanctions of \$500 for Failure to Appear** on First and Final Account and Petition for Fees by Executrix, Celia S. Najera ["Petitioner"].

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

1. Accounting period 11/29/16 to 07/20/18. Incorrect as beginning date should commence as of date of death. **Need** verified supplement.
2. Assets on Hand \$184,034.90 consisting of cash of \$179,534.90 held in IOLTA account and remaining in personal property.
3. Petitioner waives statutory compensation.
4. Attorney requests statutory fees of \$7,290.00. Calculated.
5. Attorney requests extraordinary fees of \$1,000 for services rendered in connection with the sale of real property. Billed at \$300/hour for a total of 2.40 hours' attorney time. Itemized [LF, p. 15].
6. The body of the petition does not address sale of the real property. **Need** verified supplement.
7. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account per Pr.C. §1064(a) (5).
8. Declaration by Attorney Weber filed 09/05/18.

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9. Proposed Order 07/23/18 reflects incorrect accounting period and does not include finding re: sole and separate property.

RECOMMENDATION:

Need to clear notes 1, 6 & 7 then Court's discretion. If approved, set next hearing for final discharge on **10/22/18**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1501123

CASE NAME: JOYCE ANN VILLAFANA AKA JOYCE A. VILLAFANA

SEE ALSO 6

HEARING:

Frist and Final Account and Report of CELIA S. NAJERA and
Petition for allowance of fees filed.

COUNSEL:

CELIA S. NAJERA

(PET)...JOHN F WEBER

JOYCE ANN VILLAFANA

(DEC)...

See prior matter #6.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1600913

CASE NAME: BEN C LUNA REVOCABLE TRUST

SEE ALSO 9, 10

HEARING:

Motion Re: NTC OF MTN AND MTN FOR ORDR COMPELLING FUTHER RESPONSES ETC Filed by Petitioner THERESA BELTRAN, CAROLINE LUNA KRIEGER

COUNSEL:

BEN C LUNA REVOCABLE TRUST	(TRU)...
CAROLINE LUNA KRIEGER	(PET)...AARON F GARCIA
CAROLINE LUNA KRIEGER	(PET)...PRO/PER
REGINA MARIE LUNA	(ROSA MARQUEZ
ROBERT LUNA	(PET)...ROSA MARQUEZ
STELLA JAURIGUE	(OBJ)...ROSA MARQUEZ
STELLA JAURIGUE	(PET)...ROSA MARQUEZ
THERESA BELTRAN	(PET)...AARON F GARCIA
THERESA BELTRAN	(PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by STELLA JAURIGUE is GRANTED

Request for Waiver of Court Fees and Costs filed by REGINA MARIE LUNA is GRANTED

Currently under review by Legal Research.

(LR)

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1600913

CASE NAME: BEN C LUNA REVOCABLE TRUST

SEE ALSO 8, 10

HEARING:

Motion Re: NOTICE OF MOTION AND MOTION FOR ORDER COMPELLING FURTHER ETC Filed by Petitioner THERESA BELTRAN, CAROLINE LUNA KRIEGER

COUNSEL:

BEN C LUNA REVOCABLE TRUST	(TRU)...
CAROLINE LUNA KRIEGER	(PET)...AARON F GARCIA
CAROLINE LUNA KRIEGER	(PET)...PRO/PER
REGINA MARIE LUNA	(ROSA MARQUEZ
ROBERT LUNA	(PET)...ROSA MARQUEZ
STELLA JAURIGUE	(OBJ)...ROSA MARQUEZ
STELLA JAURIGUE	(PET)...ROSA MARQUEZ
THERESA BELTRAN	(PET)...AARON F GARCIA
THERESA BELTRAN	(PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by STELLA JAURIGUE is GRANTED

Request for Waiver of Court Fees and Costs filed by REGINA MARIE LUNA is GRANTED

Currently under review by Legal Research.

(LR)

Superior Court of Calif, County of San Bernardino
Page: 10
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1600913

CASE NAME: BEN C LUNA REVOCABLE TRUST
SEE ALSO 8, 9

HEARING:

Motion Re: NTC OF MTN AND MTN FOR ORDER COMPELLING FURTHER
RESPONSES ETC Filed by Petitioner THERESA BELTRAN, CAROLINE
LUNA KRIEGER

COUNSEL:

BEN C LUNA REVOCABLE TRUST	(TRU)...
CAROLINE LUNA KRIEGER	(PET)...AARON F GARCIA
CAROLINE LUNA KRIEGER	(PET)...PRO/PER
REGINA MARIE LUNA	(ROSA MARQUEZ
ROBERT LUNA	(PET)...ROSA MARQUEZ
STELLA JAURIGUE	(OBJ)...ROSA MARQUEZ
STELLA JAURIGUE	(PET)...ROSA MARQUEZ
THERESA BELTRAN	(PET)...AARON F GARCIA
THERESA BELTRAN	(PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by STELLA JAURIGUE is GRANTED

Request for Waiver of Court Fees and Costs filed by REGINA MARIE LUNA is GRANTED

Currently under review by Legal Research.
(LR)

Future Hearing:

10/16/18 Motion for order compelling further response etc.

11/28/18 Readiness calendar

11/28/18 Petition for value and use of real property etc.

11/28/18 Petition for beneficiaries 1/ to remove trustee etc.

12/19/18 Court Trial

12/20/18 Court Trial

12/21/18 Court Trial

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Superior Court of Calif, County of San Bernardino

Page: 11

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1700083

CASE NAME: PATRICIA ANNETTE REDFERN

SEE ALSO 12

HEARING:

Hearing Re: STATUS OF TRANSFER OF TITLE

COUNSEL:

PATRICIA ANNETTE REDFERN	(DEC)...
STEVEN REDFERN	(PET)...PRO/PER
SUZETTE A WHITE	(PET)...PRO/PER
SUZETTE A WHITE	(TP)...PRO/PER

No notes – Status.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 12
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1700083

CASE NAME: PATRICIA ANNETTE REDFERN
SEE ALSO 11

HEARING:
Accounting Review by ***

COUNSEL:
PATRICIA ANNETTE REDFERN (DEC)...
STEVEN REDFERN (PET)...PRO/PER
SUZETTE A WHITE (PET)...PRO/PER
SUZETTE A WHITE (TP)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to spouse, Steven Redfern on 09/05/17, full authority, \$65,000 bond.
2. No accounting or status report. **Need** same.

RECOMMENDATION:
Inquire status. Clerk to notice surety.
(nb)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1700453

CASE NAME: ELSIE D ROBLEDO

HEARING:

Accounting Review by ***

COUNSEL:

CHRISTINE A GRANILLO (PET)...PRO/PER

ELSIE D ROBLEDO (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters of Administration issued to Christine A. Granillo on 08/29/18, full authority and no bond.
2. No accounting or status report. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 14

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1700651

CASE NAME: MTR OF EUGEN STANCIU

HEARING:

FIRST AND FINAL Account and Report of NICOLE A VETTRAINO and
Petition for allowance of fees filed.

COUNSEL:

EUGEN STACIU

(DEC)...

NICOLE A VETTRAINO

(PET)...BRIAN S MANDEL

SURETEC INSURANCE COMPNAY

(TP)...

VLAD STANCIU

(PET)...BRIAN S MANDEL

GENERAL INFORMATION:

Continued from 09/04/18 on courts motion for supplement to be reviewed.

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

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

1. Assets on Hand \$417,764.43 in cash.
2. Statutory fees of \$11,382.75 requested. Calculated.
3. Attorney waives reimbursement of costs.
4. Petitioner requests discharge and bond exoneration upon filing of receipts.
However, discharge and bond exoneration will not occur until entry of a final
discharge order.
5. Submit Order after Hearing.

RECOMMENDATION

Court's discretion. If approved, set next hearing for receipts and final discharge for
10/22/19.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 15

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1701223

CASE NAME: ESTATE OF EUSTAQUIO RAMIREZ

SEE ALSO 16

HEARING:

Hearing Re: OSC RE DISMISSAL OF SPOUSAL PROPERTY PETITION

COUNSEL:

EUSTAQUIO V RAMIREZ (DEC)...

SILVIA ORTEGA GONZALEZ (PET)...PRO/PER

GENERAL INFORMATION:

Continued from **01/23/18 and 03/13/18** at request of petitioner. Petitioner to prepare supplement & file it by 4pm April 10, 2018.

Continued from **04/24/18** at request of petitioner.

Continued from 07/13/18. No appearance. Court sets OSC re dismissal of petition for October 9, 2018; court notes that if petitioner fails to appear at next hearing date, the petition will be dismissed. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal** on Spousal Property Petition by Silvia Ortega Gonzalez ["Petitioner"].

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

1. Section 7b to petition [LF, p.3] is marked. However, Section 1b is not. Question whether petitioner also seeks confirmation of properties? **Supp. (04/10/18) indicates petitioner also seeks confirmation of properties.**
2. Petitioner requests a determination **and confirmation** of property passing to the surviving spouse as community property. Specifically, real property located in Barstow and Hesperia in San Bernardino County. Petitioner indicates parties were married on 07/20/89 [copy of marriage license, LF, p6, to petition] and property interests were acquired with community funds. Copies of Exhibits B and C are not affixed as alleged. **Supp. (04/10/18) affixes deed [LF, p. 7] to Hesperia Property, only.**
3. Attachments 7a & 7b [LF, pgs. 10-11] reflect petitioner is seeking a 50% interest in real properties. Suggest Court require vesting documents. **Supp. (04/10/18) affixes deed [LF, p. 7] to Hesperia Property, only.**

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

4. Decedent died intestate with 2 issues who would also share a two-thirds distribution in the estate per Pr.C. §6401 if the real property is separate property of decedent. However, notarized Affidavits by issues have been filed on 12/05/17 **and affixed to supp. filed 04/10/18**, in favor of petitioner.
5. ~Proposed Form Order 12/05/17.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1701223

CASE NAME: ESTATE OF EUSTAQUIO RAMIREZ

SEE ALSO 15

HEARING:

Spousal Property Petition hearing.

COUNSEL:

EUSTAQUIO V RAMIREZ (DEC)...

SILVIA ORTEGA GONZALEZ (PET)...PRO/PER

See prior matter #15.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1800411

CASE NAME: JACQUELYN B. KIRCHER

SEE ALSO 18, 19

HEARING:

Petition for Lost Will & Letters of Testamentary w/ full IAEA

COUNSEL:

JACQUELYN B. KIRCHER	(DEC)...
JOEL B. BLACK	(PET)...JEREMY A. BURNS
LINCOLN KIRCHER	(OBJ)...LOUIS PACELLA
LINCOLN KIRCHER	(PET)...LOUIS PACELLA

See matter 19.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 18

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1800411

CASE NAME: JACQUELYN B. KIRCHER

SEE ALSO 17, 19

HEARING:

Petition for Contest & Grounds of Opposition to Probate of Will

Dated 06/26/16

COUNSEL:

JACQUELYN B. KIRCHER

(DEC)...

JOEL B. BLACK

(PET)...JEREMY A. BURNS

LINCOLN KIRCHER

(OBJ)...LOUIS PACELLA

LINCOLN KIRCHER

(PET)...LOUIS PACELLA

See matter 19.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 19

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

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

CASE#: PRO PS1800411

CASE NAME: JACQUELYN B. KIRCHER

SEE ALSO 17, 18

HEARING:

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

COUNSEL:

JACQUELYN B. KIRCHER	(DEC)...
JOEL B. BLACK	(PET)...JEREMY A. BURNS
LINCOLN KIRCHER	(OBJ)...LOUIS PACELLA
LINCOLN KIRCHER	(PET)...LOUIS PACELLA

GENERAL INFORMATION:

Continued from **06/12/18**. Attorney Louis Pacella indicates that he filed a competing petition by fax yesterday and has not yet received a hearing date on that petition.

Continued from **07/10/18** at request of counsel to be heard with other petitions.

Continued from 07/31/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON

Petition #1: Petition for Letters Testamentary with full authority under IAEA by named executor, Joel B. Black ["Petitioner"-spouse of granddaughter].

Petition #2: Petition of Lost Will and for Letters Testamentary by son, Lincoln Kircher ["Petitioner"].

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

Petition 1:

1. Petitioner requests bond be fixed at \$1,700,000. Appears sufficient. **JTD**.
2. **Need** Proof of Holographic Instrument.
3. **Objections filed by son, Lincoln Kircher, on 06/12/18.**
4. ~Proposed Form Order/Letters 04/23/18

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Petition 2:

5. Declaration re: Lost Will is filed [see petition filed 06/12/18, LF, pgs. 18-20]. Petitioner, Lincoln Kircher] alleges he has been unable to locate decedent's original Will dated 02/04/15. Petitioner alleges this is a true and correct copy of decedent's Will as she provided it to him during her lifetime and told him that it was her last will and testament. Petitioner also believes the copy of the will to be valid because it leaves decedents assets to the Kircher Revocable Living trust which decedent told petitioner was her intent before she died. Does Court wish to deem presumption of Pr. C. §6124 overcome? **JTD.**
6. The Will does not include the last page with attestation clauses or signatures by witnesses. **Need** same.
7. The will conditionally incorporates decedent's Trust. **Need** a certification of trust that meets the requirements in Pr.C. §18100.5 and additionally includes a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? **JTD**
8. Will waives bond. Estimated estate valued at \$1,700,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. §8481(b). **JTD.**
9. **Need** proof of service re: Summons to Will Contest.
10. No proposed order/letters. Submit after hearing.

RECOMMENDATION: Set for contested hearing.

Need to clear notes 2, 6-7 & 9 then Court's discretion. If approved, set future hearing for Accounting Review on **10/08/19**. 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: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1800733

CASE NAME: MTR OF ELSIA NANCY KURTZE

HEARING:

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

COUNSEL:

ELISA NANCY KURTZE

(DEC)...

MICHAEL K KURTZE

(PET)...THOMAS M BUNDY

GENERAL INFORMATION:

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

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

1. Section 3(g)(2)(c) to petition does not specify relationship of petitioner to decedent and section 8 does not include relationships of those listed to decedent. **Need** verified supplement.
2. Petition alleges all heirs waive bond. **Need** Mandatory Waivers of Bond by Heir or Beneficiary, form DE-142/DE-111, by Robert L. Kurtz, Jr. and William A. Kurtze.
3. Estimated estate valued at \$257,000. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
4. **Need** proof of publication.
5. ~Proposed Form Letters 08/02/18

RECOMMENDATION:

Need to clear notes then Court's discretion re: bond. If approved, set hearing for Accounting Review on **12/17/19**. 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: 21

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1800763

CASE NAME: David Gonzales

HEARING:

Spousal Property Petition hearing.

COUNSEL:

ANTHONETT V GONZALES (PET)...COURTNEY F WRITER

DAVID GONZALES (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

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, real property in San Bernardino County.
2. Petition indicates parties were married on 09/27/97; and that during the course of their marriage, the decedent did not receive any property by way of gift, bequest, devise, decent, life insurance proceeds or joint tenancy survivorship.
3. Petitioner alleges subject real property commonly known as 11914 4th Street, Yucaipa, CA 92399 was acquired during the marriage of the decedent and the surviving spouse, and that community property monies were used for the purchase of the real property. Petitioner further states that even though the real property was in the decedent's name alone, there was never an intention to transmute that real property to decedent's separate property, and thus there was no valid transmutation of the real property to the decedent's separate property. To obtain financing for the property, the Decedent purchased the home in his name as a married man, as his sole and separate property.
4. Petitioner submits points and authorities filed under separate cover.
5. ~Proposed Form Order 08/14/18.

RECOMMENDATION:

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

Page: 22

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1800801

CASE NAME: MTR OF OLIVE TAYLOR

HEARING:

Petition to determine succession to Real Property

COUNSEL:

LEE TRACEY

(PET)...PRO/PER

OLIVE TAYLOR

(DEC)...

GENERAL INFORMATION:

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

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

1. Petitioners allege decedent was not a resident of California, but owned real property in California at the time of death. Specifically, vacant real property located in the County of San Bernardino.
2. Petitioner requests a determination that decedent's 1/3rd interest in real property located at Pinion Hills, pass to petitioner without administration. Petitioner is one of two heirs. However, sibling Camilla Esparza has assigned her interest [LF, p. 14], in the decedent's estate, in favor of petitioner.
 - a. Assignment states, "the trust instrument does not prohibit such assignment." Question whether subject property is held in trust? **Need** verified supplement.
3. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear note 2a then Court's Discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 23

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1800803

CASE NAME: MARY ELIZABETH BAYHURST

HEARING:

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

COUNSEL:

CHERI SMEJKAL (PET)...PRO/PER
MARY ELIZABETH BAYHURST (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration w/WA and full authority under IAEA by daughter, Cheri Smejkal ["Petitioner"].

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

1. Declinations by named successor executors, Mark V. Bayhurst and Glenn Bayhurst affixed [LF, pgs. 12-15].
2. Will and beneficiaries waive bond. Estimated estate valued at \$250,000. 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. Will is not signed "under penalty of perjury under the laws of the State of California." **Need** Proof of Subscribing Witness.
4. **Need** proof of publication.
5. ~Proposed Form Order/Letters 08/22/18.

RECOMMENDATION:

Need to clear notes 3-4 then Court's discretion. If approved, set hearing for Accounting Review on **12/17/19**. 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: 24

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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

CASE#: PRO PS1800810

CASE NAME: ERIC J MACK

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

ERIC J MACK

(DEC)...

JONATHAN E DRILL

(PET)...SHEILA J. BARTON

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by brother-in-law, Johnathan E. Drill ["Petitioner"].

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

1. Petitioner is the nominee [LF, p. 7] of decedent's sister and only surviving heir, Paula M. Drill.
2. Heir waives bond. However, petitioner is a non-resident and Court has discretion to require bond per Pr. C. §8571. Estimated estate valued at \$500,500.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
3. Notice includes request to admit decedent's will and codicils, if any. **Need** proper notice.
4. ~Proposed Form Order/Letters 08/08/18.

RECOMMENDATION:

Need to clear note 3 then Court's discretion re: bond. If approved, set hearing for Accounting Review on **12/17/19**. 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: 25

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRUSTS AND MOTIONS**

DATE: 10/09/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800141

CASE NAME: MURNIGKEIT FAMILY TRUST

HEARING:

Petition for Order Confirming The Existence And Terms Of The
Trust etc

COUNSEL:

JASON MURNIGKEIT

(PET)...CHRISTINA E GENTILINI

MURNIGKEIT FAMILY TRUST DATED

(TRU)...PRO/PER

Currently under review by Legal Research.
(LR)

Notice given.
(nb)

Superior Court of Calif, County of San Bernardino

Page: 26

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/09/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800161

CASE NAME: THE HODSON FAMILY TRUST DATED 3/18/1996

HEARING:

Petition for TO CONFIRM TRANSFER OF ASSETS TO REVOCABLE TRUST

COUNSEL:

DEBRA A ADAMS

THE HODSON FAMILY TRUST DATED

(PET)...ALBREKTSON & SHUMATE,

(TRU)...

Currently under review by Legal Research.

(LR)

Notice given.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 27

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 10/09/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1100156

CASE NAME: BETTY LOU WENDLER

SEE ALSO 28

HEARING:

Hearing Re: DETERMINATION OF TRANSFER OF TRUST TO UTAH

COUNSEL:

BETH KELLEY	(CPE)...HARTNELL LAW GROUP
BETTY LOU WENDLER	(CEP)...MARK J ANDREW FLORY
JAMES B CHURCH	(PET)...JAMES B CHURCH & ASSOCIATES
MELODIE Z SCOTT	(CE)...J. DAVID HORSPOOL
MELODIE Z SCOTT	(CPE)...HORSPOOL & HORSPOOL
NATALIE BLICKENSTAFF	(CE)...JENNIFER M DANIEL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
PATSY WENDLER SWEET	(CPE)...JACK B OSBORN

XREF: PRODS1000723 (Fred H and Betty Lou Wendler living trust)

No notes – Status.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 28
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/09/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1100156

CASE NAME: BETTY LOU WENDLER

SEE ALSO 27

HEARING:

Accounting Review by ***

COUNSEL:

BETH KELLEY	(CPE)...HARTNELL LAW GROUP
BETTY LOU WENDLER	(CEP)...MARK J ANDREW FLORY
JAMES B CHURCH	(PET)...JAMES B CHURCH & ASSOCIATES
MELODIE Z SCOTT	(CE)...J. DAVID HORSPPOOL
MELODIE Z SCOTT	(CPE)...HORSPPOOL & HORSPPOOL
NATALIE BLICKENSTAFF	(CE)...JENNIFER M DANIEL
NATALIE BLICKENSTAFF	(CPE)...JENNIFER M DANIEL
PATSY WENDLER SWEET	(CPE)...JACK B OSBORN

Request for Waiver of Court Fees and Costs filed by BETH KELLEY is GRANTED

XREF: PRODS1000723 (Fred H and Betty Lou Wendler living trust)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by prior Conservator of the Estate and Trustee, Natlaie Blickenstaff.

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

1. Order after Hearing on Third Account entered 08/22/17; fourth and final account now due beginning 09/16/16.
2. No accounting. **Need** same.

RECOMMENDATION:

Inquire status. Clerk to notice surety.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 29

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/09/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700431

CASE NAME: ELDON LAWRENCE DAVIS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of VADA J TURNER-CHAPPELL

COUNSEL:

VADA J TURNER-CHAPPELL (PET)...PRO/PER

ELODN LAWRENCE DAVIS (CEE)...

GENERAL INFORMATION

Vada Turner-Chappell appointed Conservator of the Person on 03/06/18.

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 and a Determination of Conservatee's Appropriate Level of Care filed.
2. Care Plan is not dated or signed. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 30

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/09/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800020

CASE NAME: KAYLEE S CHINCHAY

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LUIS H CHINCHAY

COUNSEL:

KAYLEE S CHINCHAY (CTP)...
LUIS H CHINCHAY (PET)...PRO/PER

GENERAL INFORMATION

Father, Luis H, Chinchay, appointed Conservator of the Person on 03/06/18.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Proof of Mailing affixed to Notification of Conservatee's Rights, Section 8 does not include date. Question whether a conformed copy of the Order Appointing Probate Conservator was also mailed? Court to inquire.
2. Determination of Conservatee's Appropriate Level of Care form is not dated.
Need same.
3. Care Plan filed.

RECOMMENDATION:

Need to clear note 2 then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 31

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/09/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800073

CASE NAME: Mtr of Jordan Allen Holley

HEARING:

Hearing Re: CASE MANAGEMENT CONFERENCE

COUNSEL:

CECILIA B WOOLFOLK (CP)...PRO/PER

JORDAN ALLEN HOLLEY (CTP)...

GENERAL INFORMATION:

Cecelia B. Woolfolk appointed Limited Conservator of the Person on 02/23/09. Continued from **05/29/18**. No appearance. There is no appearance or contact conservator at today's hearing. The court continues this matter to July 17, 2018 at 9:30 am in Dept. S35. Cecilia Woolfolk is ordered to be personally present at the next hearing. Notice by Judicial Assistant.

Continued from 07/17/18. Court indicates it does not need Court Investigator report or IRC report at this time. Matter is continued for conservator to file amended letters (reflecting San Bernardino County) and post move notice of change of address with this court. The case is referred to legal aid for legal assistance.

THIS CASE IS SET FOR HEARING ON CMC re Transfer In from LA County.

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

1. Amended Letters filed.
2. Conservatee is developmentally disabled. **Need** appointment of counsel and report by same.
3. Post-Move Notice of Change of Address filed. However, proof of service does not include father, Harvey Jolley, maternal grandfather Henderson Woolfolk or siblings, Tamon Lewis and Jasmine Holley. **Need** proper service.

RECOMMENDATION:

Need to clear notes 2-3.

(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.**

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

DATE: 10/09/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800242

CASE NAME: LORRI R. WEARP

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BRENDA-JOYCE G. MARKERT-GREEN (PET)...HARTNELL LAW GROUP
LORRI R WEARP (CEE)...MITCHELL I ROTH

GENERAL INFORMATION

Sister, Brenda-Joyce G. Markert-Green, appointed Temporary Conservator of the person and estate, \$20,000 bond on 08/15/18. Lorri Wearp may not be moved out of California or the counties of Los Angeles, San Bernardino, Riverside, or Orange County without further order of the court. Medical information of Lorri Wearp to be delivered in person, by mail, or email to the office of Attorneys Brian Hartnell and Mitchell Roth by 4:00pm August 22, 2018.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by Brenda-Joyce G. Markert-Green ["Petitioner"].

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

- 1 Venue is improper. Conservatee resided in Riverside County before being placed at Mill Creek Manor. Suggest transfer of this matter to Riverside County. **JTD.**
- 2 Current bond of \$20,000. Petitioner requests that bond not be required as the provisions of Pr. C. §§2323, 2628, apply. If bond is required, need bond for general conservatorship. **JTD.**
- 3 Attorney Mitchell I. Roth appointed for conservatee. **Need** report by appointed counsel, Mitchell Roth.
- 4 Petitioner does not request dementia powers. **Need** amended petition.
- 5 Petitioner seeks medical powers. Medical Capacity declaration filed in support. However, **need** dementia attachments GC-313 & GC-335A.
- 6 Court Investigator's Report filed.
- 7 Citation returned served.
- 8 Certificate of Completion re Conservatorship Class filed.
- 9 ~Proposed Form Letters 08/13/18.

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

RECOMMENDATION:

Need to clear notes then Court's discretion re: bond and transfer. If approved, set hearing for Compliance Review for **05/14/19** 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 **12/17/19**. 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: 33

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

DATE: 10/09/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800243

CASE NAME: MTR OF HELEN RODRIGUEZ CERVANTES

MOVED TO S36P SEE PAGE 18C

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HELENE CERVANTES-BISHOP (CPE)...PRO/PER
HELEN RODRIGUEZ CERVANTES (CEP)...JENNIFER M DANIEL

XREF: EAPPS1800086 (Cervantes vs Neri) same day in S36P

GENERAL INFORMATION

Helen Rodriguez Cervantes appointed Temporary Conservator of the Person and Estate on 08/21/18, no bond. Court appoints Rose Rosado as GAL for conservatee. Court orders the cases related: EAPPS1800086 and CONPS1800243.

On 09/17/18, Court ordered that this case be transferred to Dept. S36. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by daughter, Helen Rodriguez Cervantes ["Petitioner"].

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

1. Petitioner requests bond not be required because conservatee's estate consists of real property; income from her retirement; and social security. Estimated estate assets of \$40,550.00. **JTD**
2. Petitioner seeks medical powers. Medical Capacity declaration filed in support. However, Section 3a is incomplete; and section 9b to dementia attachment GC-335A is incomplete. Also, need dementia attachment GC-313. **Need** complete capacity declaration.
3. Petitioner requests dementia powers; **need** report of court appointed counsel, Jennifer Daniel.
4. **Need** report by GAL, Rose Rosado.
5. Court Investigator's Report filed.
6. Citation returned served
7. Proof of Completion re Conservatorship Class filed.

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

8. ~Proposed Form Order/Letters 08/14/18.

RECOMMENDATION:

Need to clear note 4 then Court's discretion re: bond. If approved, set hearing for Compliance Review for **05/14/19** 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 **12/17/19**. 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: STANFORD E. REICHERT

DATE: 10/09/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800261

CASE NAME: Mtr of Patrick G Maguill

HEARING:
Petition for Appointment of Conservator

COUNSEL:

JAMIE M LEBEAU (CP)...LAW OFFICE OF MARY M. BADER
PATRICK G MAGUILL (CTP)...

GENERAL INFORMATION:

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

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

1. Proposed conservatee attains majority on 11/24/18.
2. No bond – person only.
3. Proposed conservatee is developmentally disabled. **Need** appointment of counsel and report by same.
4. **Need** Medical Capacity Declaration.
5. 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.
6. Petitioner requests to limit civil and legal rights of proposed conservatee to consent or withhold consent to marriage of, or entrance into a registered domestic partnership by limited conservatorship; to exercise limited conservatee's right to control his or her social and sexual contacts and relationships.
7. **Need** Citation returned.
8. Court Investigator Report filed.
9. **Need** Inland Regional Center Report.

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.

10. Certificate of Completion re Conservatorship Class filed.
11. ~Proposed Form Order/Letters 08/27/18.

RECOMMENDATION:

Court to appoint counsel then need to clear notes. If approved, set hearing for Compliance Review for **05/14/19** 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); 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

Page: 35

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/09/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS01220

CASE NAME: IN THE MATTER OF THEODORE UNGER JR

HEARING:

Hearing Re: POSSIBLE TRANSFER OUT BY COURT TO RIVERSIDE CO.

COUNSEL:

INLAND COUNTIES REGIONAL CENTE	(CP)...STEVEN K BECKETT
THEODORE UNGER JR	(CTP)...ROGER E WALKER
THEODORE UNGER SR	(CP)...PRO/PER

GENERAL INFORMATION:

Continued from 08/07/18. No appearance. Court is advised by probate examiner that Attorney Roger Walker has been declared "inactive" by State Bar. Court orders counsel for IRC to be present at the next hearing. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Possible Transfer to Riverside County

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

1. Matter set at 07/02/18 hearing, no appearance.
2. Court in receipt of court investigator report from June 20, 2018 which indicates that conservatee resides in Riverside County.
3. Notice by Judicial Assistant.
4. Response by IRC indicates IRC does not object to the transfer of this case to Riverside County.

RECOMMENDATION:

Court's discretion

(nb)

Superior Court of Calif, County of San Bernardino

Page: 36

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

DATE: 10/09/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS5742

CASE NAME: IN THE MATTER OF DANIEL R CHRYSLER

HEARING:

Eighth Account and Report of CAROL CHRYSLER and Petition for allowance of fees filed.

COUNSEL:

CAROL CHRYSLER	(CPE)...CRAIG M PARKER
DANIEL R. CHRYSLER	(CEP)...
JAMES H CHRYSLER	(CPE)...WILLIAM J WARD

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Eighth Account Current and Petition for Fees by Successor Conservator of the Person and Estate, Carol Chrysler ["Petitioner"].

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

1. Accounting period 07/01/16 to 06/30/18.
2. Assets on hand \$163,488.18 consisting of \$161,201.18 cash and \$2,287.00 in a burial plan.
3. Petitioner waives compensation during this account period. In lieu of fees, Petitioner requests reimbursement for trips to California to visit the Conservatee out of the estate in the amount of about \$2,848/year. **JTD.**
4. Attorney requests fees of \$2,520.00. Billed at \$350/hour for 7.2 hours' attorney time. Itemized [LF, pg. 20]. **JTD.**
5. Current bond of \$30,000. Remaining assets are held in a blocked account. Appears sufficient.
6. Petition does not include conservatee's residence during this accounting period as required per Local Rule 20-1406. **Need** verified supplement.
7. ~Proposed Order 08/07/18.

RECOMMENDATION:

Need to clear note 6 then Court's discretion. If approved, set hearing on the next accounting review for **08/27/19** (if one year) or **08/25/20** (if two years). 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

Page: 37

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/09/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS7951

CASE NAME: IN THE MTR OF LEROY L CLARKE JR

HEARING:

Accounting Review by ***

COUNSEL:

ALEX ALVAREZ	(CPE)...HORSPPOOL & HORSPPOOL
LEROY LEONARD CLARKE JR.	(CEP)...
LINDA REY	(CPE)...HORSPPOOL & HORSPPOOL
LINDA REY	(CPE)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Trustee, Alex Alvarez.

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

1. Order Granting Petition for Substituted Judgment to Authorize the Creation and Funding of a SNT entered 04/05/17; first and current account now due.
2. **Need** \$33,000 bond.
3. No accounting or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status. Clerk to notice surety.
(nb)

Future Hearing:

04/03/19 Accounting Review.

Superior Court of Calif, County of San Bernardino
Page: 38
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT **MISC**

DATE: 10/09/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400931

CASE NAME: Larry Davis

SEE ALSO 39

HEARING:
Hearing Re: COURT TRIAL (FIRST SESSION)

COUNSEL:

BRENDA C DAVIS	(PET)...PRO/PER
LARRY DAVIS	(DEC)...
LAWRENCE DAVIS	(AARON F GARCIA
STATE OF CALIFORNIA FRANCHISE	(TP)...

No notes – Court Trial.
(nb)

Future Hearing:
10/10/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 39

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

DATE: 10/09/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400931

CASE NAME: Larry Davis

SEE ALSO 38

HEARING:

Petition TO CONFIRM PROPERTY BELONGS TO ESTATE- PURSUANT
CALIFORNIA PROBATE CODE SECTION 850

COUNSEL:

BRENDA C DAVIS	(PET)...PRO/PER
LARRY DAVIS	(DEC)...
LAWRENCE DAVIS	(AARON F GARCIA
STATE OF CALIFORNIA FRANCHISE	(TP)...

GENERAL INFORMATION:

Continued from **1/7/16** to file objections.

Continued from **4/6/16, 6/8/16, 08/10/16, 10/26/16, 03/30/17** and **06/22/17**.

Continued from **07/31/17**. Trial estimate is one full week.

Continued from 08/13/18. Parties announce ready for trial. Hearing dates confirmed.

THIS CASE SET FOR HEARING ON Petition to Confirm Property Belongs to the Estate Pr.C. §850.

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

1. Petitioner, Brenda Davis, is executor of the estate. **Brenda is now pro per.**
2. Petitioner seeks order confirming that certain assets are returned to the estate; specifically Bank of America savings account of \$108,320, vehicles, personal property and profits of Precision Trenching owned by decedent. Petitioner is seeking that the estate be reimbursed by the business accounts or a share of the business I the amount equal to the benefit received by David Trenching Inc. Lawrence Davis allegedly withdrew a large sum of money from the bank account and also reportedly denies that the estate owns half of the business. Lawrence reportedly withdrew business funds and did not deposit sufficient profits. The will submitted 10/30/14 does appear to distribute partially to Lawrence Davis.
3. **Objection filed 2/18/16 by Lawrence Davis.**

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

RECOMMENDATION

Matter is contested. Court's discretion.

(lc/sa/lc/nb/ww/nb)

Future Hearing:

10/10/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

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

CASE#: PRO PS0701036

CASE NAME: MARIA ANNA SCHULTZE

HEARING:

Accounting Review by ***

COUNSEL:

LUCIEN SCHULTZE

(PET)...GREGORY L ZUMBRUNN

MARIA ANNA SCHULTZE

(DEC)...

RICHARD SCHULTZE

(OBJ)...DIANA J CARLONI

RICHARD SCHULTZE

(PET)...DIANA J CARLONI

S.B. COUNTY PUBLIC ADMINISTRAT

(SA)...CRAIG M PARKER

VACATE – Status Report filed and set for 10/30/18.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 2

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

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

CASE#: PRO PS1300564

CASE NAME: Marian Ruth James Revocable Trust

HEARING:

Hearing Re: PRELIM/PERM INJCTN AND APPROVAL OF STTLMT AGREEMT

COUNSEL:

MARIA RUTH JAMES REVOCABLE TRU (TRU)...

SYLVIA A JAMES

(PET)...THOMAS M ALEXANDER

Currently under review by Legal Research.
(LR)

Superior Court of Calif, County of San Bernardino

Page: 3

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

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

CASE#: PRO PS1601105

CASE NAME: MTR OF DAVID IRVINE HAMILTON

HEARING:

Accounting Review by ***

COUNSEL:

BIRDIE MERDENA HAMILTON (PET)...FARHAT & ASSOCIATES
DAVID IRVINE HAMILTON (DEC)...

GENERAL INFORMATION:

Continued from **06/05/18**. Counsel states that she has made numerous attempts to try to contact her client and no response. Citation issued to: Birdie Merdena Hamilton who is cited and required to appear.

Continued from 08/07/18 for accounting to be filed.

THIS CASE IS SET FOR HEARING ON Accounting Review by Birdie Merdena Hamilton.

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

1. Letters of Administration issued on 03/28/17, full authority, no bond.
2. **Need** final inventory and appraisal.
3. No accounting or status report. **Need** same.
4. Proof of Service of Citation filed.

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.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1700016

CASE NAME: MTR OF FLORENCE MARIE SUMMERS

HEARING:

Accounting Review by ***

COUNSEL:

PAULA MARIE WHITESIDE (PET)...CARPENTER, ZUCKERMAN &

FLORENCE MARIE SUMMERS (DEC)...

VACATE – Petition for Termination and Discharge for Lack of Assets filed and set on 10/24/18.

(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: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1700425

CASE NAME: MTR OF ELEANOR D GEORGE

HEARING:

Hearing Re: Preliminary Injunction

COUNSEL:

ELEANOR D GEORGE

(DEC)...

MELVIN GEORGE

(PET)...MICHAEL C. MADDUX

SURETEC INSURANCE COMPANY

(TP)...

VACATE – Final Discharge and Order entered on 05/01/18.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 6

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1800079

CASE NAME: LINDA L. COYLE AKA LINDA LOU COYLE AKA LINDA COYLE

HEARING:

First & Final Account and Report of RAY T COYLE and Petition for allowance of fees filed.

COUNSEL:

LINDA L COYLE

(DEC)...

RAY T COYLE

(PET)...MARK J TUNDIS

CCP170.6 filed as to Judge TARA REILLY, case reassigned to Judge JAMES MICHAEL WELCH for all purposes.

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Report and Petition for Fees by Personal Representative, Ray T. Coyle ["Petitioner"-son].

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

1. Accounting period 01/02/18 to 07/31/18.
2. Assets on Hand \$420,000 consisting of real property and a cedar chest with no value assigned.
3. The cedar chest bequeathed to Kim Evans, decedent's niece, was not included on the inventory and appraisal or appraised by Probate Referee. Does Court wish to require an amended, final inventory? **JTD.**
4. Petitioner waives statutory compensation.
5. Attorney requests statutory fees of \$11,400.00 and reimbursement of costs advanced in the sum of \$2,109.50. Calculated and Itemized. Petition indicates Petitioner has made arrangements with her attorney for the repayment of the costs advanced and attorney fees in this matter.
6. ~Proposed Order 08/17/18.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **10/22/19.**

(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

Page: 7

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

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

CASE#: PRO PS1800116

CASE NAME: MTR OF SHERRINE LYNN BRANCH

HEARING:

Waiver of Final Account and Report of DARIN HEPPNER and Petition
for allowance of fees filed.

COUNSEL:

DARIN HEPPNER (PET)...MOHEBAN LAW FIRM
SHERRINE LYNN BRANCH (DEC)...

GENERAL INFORMATION:

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

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

1. Final Inventory and Appraisal filed on 08/07/18 has the following deficiencies:
 - a. Numbers 4 & 7 are incomplete;
 - b. Signatures are not dated;
 - c. Attachment 2 is missing.**Need** complete inventory and appraisal.
2. Sole heir waives accounting.
3. Accounting period 12/21/17 to 07/16/18.
4. Assets on Hand \$76,797.37 consisting of cash.
5. Petitioner waives statutory compensation.
6. Attorney waives statutory fees.
7. Property on Hand – Exhibit C reflects Fair Market Value. **Need** verified supplement that reflects Carry Value.
8. No proposed order. Submit Order after Hearing. If approved, set next hearing for receipts and final discharge for **10/22/19**.

RECOMMENDATION

Need to clear notes 1 & 7 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
Page: 8
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1800585

CASE NAME: ROSALINDA ROCHA NIETO
SEE ALSO 9, 10

HEARING:

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

COUNSEL:

ARMANDO NIETO	(PET)...FULLERTON LEMANN
ROSALINDA LUNA MONTELONGO	(OBJ)...PRO/PER
ROSALINDA LUNA MONTELONGO	(PET)...PRO/PER
ROSALINDA ROCHA NIETO	(DEC)...
ROSALINDA SKAGGS	(PET)...FULLERTON LEMANN

GENERAL INFORMATION

Letters of special administration issued to Rosalinda Skaggs and Armando Nieto
06/21/18; no bond.

Continued from **07/26/18**. Parties object and a competing petition was filed. All
temporary orders/letters to remain in full force and effect.

**Continued from 09/04/18 due to competing petition. All temporary orders/letters
to remain in full force and effect.**

THIS CASE SET FOR HEARING ON

Petition #1: Petition for Letters of Administration with full authority under IAEA by
Rosalinda Skaggs and Armando Nieto, children.

Petition #2: Probate of Will and for Letters of Administration w/WA by granddaughter,
Rosalinda Luna Montelongo ["Petitioner"].

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

Petition #1:

1. Letters of Special Administration issued to Rosalinda and Armando on 06/21/18.
2. Petitioners seek bond of \$115,000. Ok.
3. ~Proposed Form Order: 06/15/18.
4. **Objections** by Rosalinda Luna Montelongo filed. **Need** proof of service.
5. ~Proposed Form Order/Letters 06/15/18

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.**

Petition #2:

6. Will dated 06/30/80 names post-deceased son and beneficiary, Leonardo Montelongo, as executor [LF, p. 10].
7. Proof of Holographic Instrument filed.
8. **Objections** filed by Co-Administrators, Rosalinda Skaggs and Armando Nieto.
9. **Reply** in the form of an Ex Parte Motion filed on 10/02/18, by Petitioner. However, petition is not signed and does not include a proof of service. **Need same.**
10. ~Proposed Form Order/Letters 07/23/18.

RECOMMENDATION:

Need to clear notes 4 & 8; \$121,000 bond; then set for contested hearing. If approved, set Accounting/Status Review for **12/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/nb)

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1800585

CASE NAME: ROSALINDA ROCHA NIETO

SEE ALSO 8, 10

HEARING:

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

COUNSEL:

ARMANDO NIETO	(PET)...FULLERTON LEMANN
ROSALINDA LUNA MONTELONGO	(OBJ)...PRO/PER
ROSALINDA LUNA MONTELONGO	(PET)...PRO/PER
ROSALINDA ROCHA NIETO	(DEC)...
ROSALINDA SKAGGS	(PET)...FULLERTON LEMANN

See prior matter #8.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1800585

CASE NAME: ROSALINDA ROCHA NIETO

SEE ALSO 8, 9

HEARING:

Ex parte hearing re: PETITION FOR LETTERS OF SPECIAL
ADMINISTRATION

COUNSEL:

ARMANDO NIETO	(PET)...FULLERTON LEMANN
ROSALINDA LUNA MONTELONGO	(OBJ)...PRO/PER
ROSALINDA LUNA MONTELONGO	(PET)...PRO/PER
ROSALINDA ROCHA NIETO	(DEC)...
ROSALINDA SKAGGS	(PET)...FULLERTON LEMANN

No notes – Judge to decide.
(nb)

Superior Court of Calif, County of San Bernardino
Page: 10A
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1800816

CASE NAME: MTR OF PATRICIA MARIE SCHAAFF

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL UNDER IAEA

COUNSEL:

DENISE MANANDIK (PET)...DARIN W BARBER
PATRICIA MARIE SCHAAFF (DEC)...

GENERAL INFORMATION:

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

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

1. Section 5 (3)(4) is incomplete as to registered domestic partner. However, Section 8 indicates decedent's spouse predeceased her on 11/07/17.
2. Purported sole heir (petitioner) waives bond. Estimated estate valued at \$220,000. 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. ~Proposed Form Orders/Letters 08/10/18 & 09/14/18

RECOMMENDATION:

Court's discretion re: bond. If approved, set hearing for Accounting Review on **12/17/19**. 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: 11

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

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

CASE#: PRO PS1800846

CASE NAME: Alejandro Barajas Jr

HEARING:

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

COUNSEL:

ALEJANDRO BARAJAS Jr (DEC)...
ROSA A DE MIRAMONTES (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by mother, Rosa De Miramontes ["Petitioner"].

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

1. Section 8 to petition only includes petitioner. Question whether decedent was survived by father or relatives to the second degree? **Need** verified supplement.
2. Purported sole heir waives bond. Estimated estate valued at \$0.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). JTD.
3. Petition indicates that decedent was a pedestrian and was killed. In order to settle with the insurance company, petitioner has to be appointed as administrator for the estate.
4. Section 3b to petition indicates decedent was a citizen of a county other than the United States but does not specify country. **Need** verified supplement.
5. **Need** proof of publication.
6. ~Proposed Form Order/Letters 08/31/18.

RECOMMENDATION:

Need to clear notes 1 & 5, no bond. If approved, set hearing for Accounting Review on **12/17/19**. 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

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **TRUSTS AND MOTIONS**

DATE: 10/09/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800165

CASE NAME: Roy Misenhimer, Jr co-Trustee Trust of 2013

HEARING:

Petition for instructions and for construction of trust; and for order determining

COUNSEL:

JULIE RININGER

(PET)...M DANIEL SAYLOR

ROY MISENHIMER, JR CO-TRUSTEE

(TRU)...

Currently under review by Legal Research.
(LR)

Notice given.
(nb)

Superior Court of Calif, County of San Bernardino
Page: 12A ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

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

CASE#: CON PS1500365

CASE NAME: MTR OF DAISY PAOLA HERRERA

HEARING:

Hearing re: DISCUSSION WITH TRUSTEE NOREEN T FONTAINE

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

No notes – Judge to decide.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 13

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

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

CASE#: CON PS1700164

CASE NAME: LORELEI SVEUM

HEARING:

Accounting Review by ***

COUNSEL:

GARY SVEUM	(CPE)...	JAMES B CHURCH
LORELEI SVEUM	(CEP)...	
MARK J ANDREW FLORY	(PET)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review.

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

1. Son, Gary Sveum, appointed Conservator of the person and estate on 08/01/17, \$160,000 bond
2. No accounting or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status. Clerk to notice surety.
(nb)

Superior Court of Calif, County of San Bernardino

Page: 14

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: CON PS1700265

CASE NAME: MTR OF PEGGY ANN CHRISTIAN

SEE ALSO 14A

HEARING:

First and Final Account and Report of PAUL EDWARD CHRISTIAN and
Petition for allowance of fees filed.

COUNSEL:

PAUL EDWARD CHRISTIAN (CPE)...SKOUSEN LAW

PEGGY ANN CHRISTIAN (CEP)...WALTER T. MOORE

GENERAL INFORMATION:

Conservatee passed away on 01/05/18.

Continued from 09/04/18 to clear notes.

THIS CASE IS SET FOR HEARING ON **Amended (08/29/18)** First and Final Account
and Petition for Fees by Conservator of the Person and Estate, Paul E. Christian
[“Petitioner”].

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

1. Accounting period 11/16/17 to 01/05/18 (pre-death) **and 01/05/18 to 03/16/18 (post death).**
2. Assets on Hand **\$0.00** in cash.
3. Petitioner and Attorney waive compensation.
4. Petitioner requests exoneration of bond. However, bond will not be exonerated until entry of a final discharge order.
5. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court’s discretion. Court to instruct that future accounts be filed as one, complete accounting and not in counterparts. If approved, set next hearing for final discharge on **10/22/19.**

(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
Page: 14A
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

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

CASE#: CON PS1700265

CASE NAME: MTR OF PEGGY ANN CHRISTIAN

SEE ALSO 14

HEARING:
Petition for Attorney Fees

COUNSEL:
PAUL EDWARD CHRISTIAN (CPE)...SKOUSEN LAW
PEGGY ANN CHRISTIAN (CEP)...WALTER T. MOORE
WALTER T MOORE (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Court-Appointed Attorney Walter Moore ["Petitioner"].

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

1. Petitioner was appointed on 07/17/17. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 08/15/17 to 11/30/17.
2. Attorney requests fees of \$5,280.00. Billed at \$400/hour for attorney 13.20 hours' attorney time. Itemized [LF, p. 3]. **JTD.**
3. Petitioner prays for an order that Paul Edward Christian, as Conservator of the Estate of Conservatee, or Paul Edward Christian, as Trustee of decedent's trust, be ordered to pay requested sum, forthwith.
4. ~Proposed Order 09/05/18.

RECOMMENDATION:

Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 15

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

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

CASE#: CON PS1800056

CASE NAME: MTR OF JOSEPH A LUCKE

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of GLENN W LUCKE

COUNSEL:

GLENN W LUCKE	(CP)...PRO/PER
JOSEPH A LUCKE	(CTP)...CANDICE A GARCIA-RODRIGO
SERGIO A LUCKE	(CP)...PRO/PER

GENERAL INFORMATION

Parents, Glenn and Sergio Lucke, appointed Limited Co-Conservators of the person on 04/10/18.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

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

RECOMMENDATION:

None.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: CON PS1800265

CASE NAME: RONNIE WILLIAMS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

RONNIE WILLIAMS (CEP)...PRO/PER

TAIKEASHA WILLIAMS (CPE)...L'TANYA M BUTLER

GENERAL INFORMATION

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

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

1. Proposed Conservatee's spouse, Angelia Fleming, has higher priority. **Need** declination to act and nomination of this petitioner.
2. Petition indicates there is a conservatorship or equivalent proceeding concerning the proposed conservatee filed in another jurisdiction concerning the proposed conservatee, including a court of an Indian tribe with jurisdiction (see Pr. C. §2031(b)) in Los Angeles County, Case No. LASC 18STPB05987 filed on 06/28/18. Question proper venue. **Need** verified supplement.
 - a. Question whether proposed conservatee is a member of an Indian tribe with jurisdiction? **Need** verified supplement, and if so, to include the name of the Indian Tribe.
3. Petition requests bond be fixed but does not include an amount. Estimated estate valued at \$17,000. Suggest bond of \$20,000. **JTD.**
4. Section 11 to petition does not include complete addresses for siblings Clarence and Leonard Williams. **Need** verified supplement.
5. Petitioner seeks medical powers. Medical Capacity Declaration, Section 3a re two years' experience in diagnosing dementia is incomplete; and does not include dementia attachment GC-313. **Need** complete capacity declaration.
6. Petitioner requests dementia powers; **Need** appointment of counsel and report by same.
7. Conservator Screening Form, Section 2b is incomplete. **Need** verified supplement.

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

8. Supplemental Information alleges former APS involvement.
9. Section 4c to Confidential Supplemental Information re: ability of proposed conservatee to live in his residence is incomplete but indicates proposed conservatee will continue to live there unless circumstances change. Estimated value of the estate does not include real property. Question whether proposed conservatee owns real property? **Need** verified supplement.
10. Court Investigator's Report filed.
11. **Need** return of Citation.
12. **Need** Certificate of Completion re Conservatorship Class.
13. **Need** Notice of Hearing and proof of service.
14. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court to appoint counsel then need to clear notes. If approved, set hearing for Compliance Review for **05/14/19** 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 **12/17/19**. 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: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: CON PS1800266

CASE NAME: FREDERIC W. GUTIERREZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ALFONSO GUTIERREZ

(CP)...GISSELLE M AMINI

FREDERIC W GUTIERREZ

(CTP)...BROWN WHITE & NEWHOUSE LLP

MARIA SANTIAGO

(CP)...GISSELLE M AMINI

Set on 10/29/18 calendar.

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Limited Conservatorship of person by parents, Maria Santiago and Alfonso Gutierrez ["Petitioners"].

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

1. Conservatee will attain majority on 11/06/18.
2. No bond – person only.
3. Proposed conservatee is developmentally disabled. **Need** report by court-appointed counsel Mark Flory.
4. Medical Capacity Declaration filed.
5. 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.
6. Petitioner requests to limit civil and legal rights of proposed conservatee to consent or withhold consent to marriage of, or entrance into a registered domestic partnership by limited conservatorship; to exercise limited

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

conservatee's right to control his or her social and sexual contacts and relationships.

7. **Need** Citation returned.
8. Court Investigator Report filed.
9. **Need** Inland Regional Center Report.
10. **Need** Certificates of Completion re Conservatorship Class.
11. **Need** Notice of Hearing with proof of service to include Inland Regional Center.
12. ~Proposed Form Order/Letters 08/28/18.

RECOMMENDATION:

Need to clear notes. If approved, set hearing for Compliance Review for **05/04/19** 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

Page: 18

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: EAP PS1800086

CASE NAME: CERVANTES VS NERI

SEE ALSO 18A, 18B, 18C

HEARING:

Ex parte hearing re: REQUEST TO MODIFY ELDER ADULT ABUSE
RESTRAINING OR

COUNSEL:

DANNY P NERI (RP)...PRO/PER

HELEN R CERVANTES (PP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

XREF: CONPS1800243(Helen Rodriguez Cervantes)
EAPPS 1800118 (Cervantes vs Neri)

Notice given.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 18A ADD ON

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

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

CASE#: EAP PS1800086

CASE NAME: CERVANTES VS NERI

SEE ALSO 18, 18B, 18C

HEARING:

Ex parte hearing re: request to terminate Elder Restraining Order

COUNSEL:

DANNY P NERI (RP)...PRO/PER

HELEN R CERVANTES (PP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

XREF: CONPS1800243(Helen Rodriguez Cervantes)
EAPPS 1800118 (Cervantes vs Neri)

No notes – Judge to decide.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 18B ADD ON
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

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

CASE#: EAP PS1800118

CASE NAME: Cervantes vs Neri

SEE ALSO 18, 18A, 18C

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

HELEN R CERVANTES (PP)...PRO/PER

JESSICA E NERI (RP)...

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

XREF: CONPS1800243(Helen Rodriguez Cervantes)

EAPPS 1800086 (Cervantes vs Neri)

Proof of Personal Service on Jessica E. Neri filed on 09/19/18.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 18C ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: CON PS1800243

CASE NAME: MTR OF HELEN RODRIGUEZ CERVANTES

SEE ALSO 18, 18A, 18B

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HELENE CERVANTES-BISHOP (CPE)...PRO/PER

HELEN RODRIGUEZ CERVANTES (CEP)...JENNIFER M DANIEL

XREF: EAPPS1800086 (Cervantes vs Neri)

EAPPS1800118 (Cervantes vs Neri)

GENERAL INFORMATION

Helen Rodriguez Cervantes appointed Temporary Conservator of the Person and Estate on 08/21/18, no bond. Court appoints Rose Rosado as GAL for conservatee. Court orders the cases related: EAPPS1800086 and CONPS1800243.

On 09/17/18, Court ordered that this case be transferred to Dept. S36. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by daughter, Helen Rodriguez Cervantes ["Petitioner"].

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

1. Petitioner requests bond not be required because conservatee's estate consists of real property; income from her retirement; and social security. Estimated estate assets of \$40,550.00. **JTD**
2. Petitioner seeks medical powers. Medical Capacity declaration filed in support. However, Section 3a is incomplete; and section 9b to dementia attachment GC-335A is incomplete. Also, need dementia attachment GC-313. **Need** complete capacity declaration.
3. Petitioner requests dementia powers; **need** report of court appointed counsel, Jennifer Daniel.
4. **Need** report by GAL, Rose Rosado.
5. **Need** Court Investigator's Report.
6. Citation returned served

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

7. Proof of Completion re Conservatorship Class filed.
8. **Need** Notice of Hearing and proof of service.
9. ~Proposed Form Order/Letters 08/14/18.

RECOMMENDATION:

Need to clear notes 2-5 & 8 then Court's discretion re: bond. If approved, set hearing for Compliance Review for **05/14/19** 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 **12/17/19**. 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: 10/09/18 TIME: 9:30 DEPT: S36P

CASE#: VC VS00145

CASE NAME: MTR OF JENNIFER RODDY

HEARING:

Accounting Review by ***

COUNSEL:

EMILY PATINO	(PET)...MARIELLEN ROSS
EMILY PATINO	(PLA)...MARIELLEN ROSS
JENNIFER RODDY	(PLA)...
MARK ROBERT RODDY	(OBJ)...

GENERAL INFORMATION

Continued from 10/11/17. No appearance. Court orders Attorney Mariellen Ross to personally be present at the next hearing. Notice given by Judicial Assistant.

Continued from 11/29/17, 04/25/18 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. 3rd Account for Emily Patino, mother, approved on 12/17/15
2. **Need** 4th Account beginning with 03/02/15.
3. Declaration of Mariellen Ross filed 08/15/17 requesting that accounting be waived as the only asset is an undivided ¼ interest in real property; however, need actual report and waiver Pr.C. § 2620 et seq.
4. CI report filed 10/12/17.

RECOMMENDATION

Inquire status of accounting. When an accounting is not filed as required, the court shall take action as specified in Pr.C. §2655. Clerk to notice Bond Company.

(ww/lc/lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

MISC

DATE: 10/09/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1700466

CASE NAME: DONALD R. CARTER

SEE ALSO 21

HEARING:

Mandatory Settlement Conference

COUNSEL:

CHERI ANDRESEN	(PET)...HARTNELL LAW GROUP
CLINTON RICHARD CARTER	(OBJ)...GAUDY LAW, INC
DONALD R CARTER	(DEC)...

Request for Waiver of Court Fees and Costs filed by CHERI ANDRESEN is GRANTED

No notes – MSC.

(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: 21

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

DATE: 10/09/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1700466

CASE NAME: DONALD R. CARTER

SEE ALSO 20

HEARING:

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

COUNSEL:

CHERI ANDRESEN	(PET)...HARTNELL LAW GROUP
CLINTON RICHARD CARTER	(OBJ)...GAUDY LAW, INC.
DONALD R CARTER	(DEC)...

GENERAL INFORMATION

Letters of Special Administration issued 07/26/17, \$20,000 bond to Cheri Andresen.
Continued from **01/29/18** at request of counsel due to ongoing discovery.
Continued from **05/07/18** and **08/20/18**. Nothing new filed. Matter not re-reviewed.
Continued from 08/30/18 at request of both counsel.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with
Full Authority under IAEA by Cheri Andresen, step-daughter/executor

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

1. Will waives bond. The estate consists of \$310,000 of which \$20,000 is personal property.
 - a. Proof of Receipt and Acknowledgement of Deposit of money into Blocked account filed 05/03/18.
2. Will is not self-proving as there is no statement that the will was not procured under duress etc. **Proof of subscribing witness. (DE-131) filed 08/03/17.**
3. Declination to act by named co-executor Robert Andresen Jr. filed 08/03/17
4. Notice to Petition to Administer Estate and proof of service filed on 05/17/17; however, the addresses of "Terry", "Donnie" are unknown. **Need** due diligence declarations for each person.
 - a. Notice of Hearing as to Michael Thrasher filed 12/21/17, however, notice is incorrect as Notice of Petition to Administer Estate must be served. **Need** corrected 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.**

5. **Contest and Grounds of Opposition to Probate of Purported Will et seq. filed by Clinton R. Carter (brother of decedent) on 08/11/17. Proof of service by mail filed. However, need proper service per Pr. C. §8250.**
 - a. Summons issued on 10/27/17. **Need** proof of service of summons per Pr.C.§8250.
6. **Response by Cheri Andresen to Contest filed 10/27/17.**
7. ~Proposed Form Order: 05/12/17

RECOMMENDATION: Will is contested.

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

(ww/nb/ww/cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

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

CASE#: PRO DS1100109

CASE NAME: MARIAN SYMENS

HEARING:

Hearing re Final Discharge

COUNSEL:

JAMES P SYMENS

(PET)...BROWN WHITE & OSBORN

MARIAN SYMENS

(DEC)...

GENERAL INFORMATION

Continued from **05/17/17, 07/19/17 and 09/13/17.**

Continued from **11/08/17** for supplement to be filed. Notice to be given by Mr. Flory.
Continued from **01/24/18**. Final Order that was filed was incorrect. Corrected order with declaration explaining order to be filed. Court reviewed file and determined the Court signed the Order submitted at time of hearing on final account on 05/11/16, reviewed by legal research. The order requests distribution of interest of Rebecca Shettle and Diana Ruth to the estates; however, it appears administrator intended to distribute directly to heirs, yet failed to file 13100 affidavits for either estate. Counsel ordered to submit affidavits before Court will sign an order for distribution directly to estates.
Continued from **03/28/18** at request of counsel. Still waiting on receipt of 13100 affidavits.

Continued from 06/26/18 at request of Mark Flory to get 13100 Affidavits filed.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of James Symens approved on 05/11/16.
2. **Need 13100 affidavits re Rebecca Shettle and Diana Ruth estates.**
3. **Need Ex Parte Petition for Final Discharge and Order resubmitted.**

RECOMMENDATION

Need to clear notes 2-3.

(lc/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: 2

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

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

CASE#: PRO PS1500757

CASE NAME: ROBERT CHARLES LAMAR

HEARING:

Motion Re: NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUNSEL
Filed by Petitioner MARJORIE LAMAR

COUNSEL:

MARJORIE LAMAR (PET)...LAW OFFICE OF SCOTT S STREED
ROBERT CHARLES LAMAR (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Motion to be Relieved as Counsel by Scott S. Streed ["Petitioner"].

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

1. Petitioner makes this motion to be relieved as counsel under Code of Civil Procedure section 284(2) instead of filing consent under section 284(1) due to the complete and irreparable break down of the attorney-client relationship.
2. **Need** Notice of Hearing with proof of service to include service to surety company, Liberty Mutual Insurance Company per Pr. C. §1213.
3. **Need** Notice of Hearing with proof of service to include service of a copy of the proposed order as required by CRC 3.1362(d).
4. ~Proposed Form Order 08/08/18.

RECOMMENDATION:

Need to clear notes 2-3 then Court's discretion.
(nb)

Future Hearing:

12/18/18 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.**

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

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

CASE#: PRO PS1500769

CASE NAME: MTR OF FELIPE CURIEL

HEARING:
Hearing Re: PROBATE STATUS REPORT

COUNSEL:

ANA ISABEL SANCHEZ	(PET)...LAW OFFICE OF MARIO D VEGA
ANA ISABEL SANCHEZ	(TP)...PRO/PER
CURIEL MINORS	(MIN)...
FELIPE CURIEL	(DEC)...
FELIPE CURIEL	(GREGORY J. LEDERMAN
GLORIA CURIEL	(GREGORY J. LEDERMAN
ROBERT SCHNIEDERS	(PET)...RODNUNSKY & ASSOCIATES

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report (filed 06/06/18) by
Administrator, Robert Schnieders ["Petitioner"].

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

1. **Need** verification signed by the personal representative per Pr.C. §1021.
2. Petitioner alleges the estate is not in a condition to closed as they are awaiting the appraisal of the inventory and appraisal by the newly appointed referee, Manisha Hunter, as the Probate Referee will be retiring and cannot complete the required task before retirement. Petitioner requests an additional 4 months to close the estate.
3. **Need** Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**
4. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes. If approved, set hearing for Accounting Review in 60 days as the requested time has already expired.

(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: 4

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: PRO PS1501090

CASE NAME: RICHARD MURRAY JONES

HEARING:

Interim Account and Report of RAYMOND KELLY JONES and Petition
for allowance of fees filed.

COUNSEL:

RAYMOND KELLY JONES (PET)...PRO/PER

RICHARD MURRAY JONES (DEC)...

GENERAL INFORMATION:

Continued from **03/06/18** on courts motion. The Court orders no further distribution
without further order of the Court.

Continued from 06/26/18 at request of Petitioner to clear notes.

THIS CASE IS SET FOR HEARING ON Interim Accounting by Administrator Raymond
K. Jones ["Petitioner"].

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

1. **Need** final inventory and appraisal with supporting statements per Local Rule 20-908.
2. Accounting period 01/2016 to 08/2017.
3. Assets on Hand \$136,412.00 consisting of \$115,413 in cash and remaining in personal property.
4. **Need** balance and description of the assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614(c).
5. **Need** supporting schedules.
6. **Need** final escrow statements for sale of real properties.
7. **Need** proofs of service to Notices of Proposed Action.
8. **Need** proposed distribution.
9. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary per Pr. C. § 1064 (a)(4).
10. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account per Pr.C.§ 1064(a)(5).
11. **Need** statement regarding notice to Director of Health Care Services or notice per Pr. C. § 9202(a).

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.**

12. **Need** statement regarding notice to California Victim and Compensation and Government Claims Board or notice per Pr. C. § 9202(b).
13. **Need** statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).
14. **Need** findings re: character of property.
15. **Need** findings re: known creditors.
16. **Need** findings re: all taxes have been paid or reserve made for taxes.
17. It appears preliminary distributions totaling \$90,000 have been made without prior court approval.
18. **Need** Notice of Hearing with proof of service.
19. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need amended accounting that complies with Pr. C. §1060 et seq. to be placed on first check calendar no sooner than **11/20/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 5

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

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

CASE#: PRO PS1600339

CASE NAME: JONATHAN RYAN JANER

HEARING:

Probate status report filed.

COUNSEL:

ANNA DOLORES INGRAM	(PET)...SYBIL YVONNE BURRELL
CALIFORNIA VICTIM COMPENSATION	(PRO/PER
JONATHAN RYAN JANER	(DEC)...
WERNER W JANER	(TP)...SNYDER & HANCOCK

GENERAL INFORMATION:

Continued from **11/07/17 and 05/08/18**. No appearance. Sybil Yvonne Burrell's office requests a continuance via telecom.

Continued from 08/07/18 on courts motion at moving party's request.

THIS CASE IS SET FOR HEARING ON Status Report (filed 08/07/17) by Administrator, Anna D. Ingram, mother ["Petitioner"].

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

1. Petitioner alleges the estate is not in a condition to be closed as pending creditors' claims and other potential claims remain to be resolved in order to negotiate an equitable distribution between the heirs-at-law.
2. Petitioner requests an additional 12 months to close the estate.
3. Court to see Declaration by California Victim Compensation Board filed 12/18/17.
4. Notice of hearing and proof of service as to Werner (father) filed 10/03/17.
5. ~Proposed Order: 07/30/18

RECOMMENDATION:

Court's discretion. If approved, court to set hearing re Accounting Review in 60 days.
(nb/ww/nb)

FUTURE HEARING DATES:

10/29/18 Petition for Instructions to Compel the Sale of Real Property etc

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: 6

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

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

CASE#: PRO PS1600427

CASE NAME: MTR OF ROBERT CARL STINDT

HEARING:

Accounting Review by ***

COUNSEL:

ANDREA STINDT (PET)...MARK H MCGUIRE
ROBERT CARL STINDT (DEC)...

GENERAL INFORMATION

Continued from **01/17/18 and 04/03/18** at request of counsel. I & A is currently with the probate referee

Continued from 06/26/18 at request of Attorney Flory.

THIS CASE IS SET FOR HEARING ON Accounting Review re Andrea Stindt, administrator

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

1. Letters of Administration with Will Annexed issued to Andrea Stindt with full authority and no bond on 11/09/16.
2. **Need** final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. No accounting or status report of administration. **Need** same.

RECOMMENDATION

Inquire status.

(lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: PRO PS1700067

CASE NAME: MTR OF FLORENCE Y SNOWBALL

HEARING:

Accounting Review by ***

COUNSEL:

BRAD SNOWBALL

(PET)...ROBERT A KRASNEY

FLORENCE Y SNOWBALL

(DEC)...

GENERAL INFORMATION:

Continued from 06/12/18. Petitioner reports counsel has a scheduling conflict today and he has been asked to request a continuance.

THIS CASE IS SET FOR HEARING ON Accounting Review by Brad Snowball.

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

1. Letters of Administration issued 06/01/17, full authority, \$206,800 bond.
2. **Need** final inventory and appraisal.
3. No accounting or status report. **Need** same.

RECOMMENDATION:

Inquire status.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 8

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

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

CASE#: PRO PS1700090

CASE NAME: PHYLLIS ALICE LAUGHTON

HEARING:

First and Final Account and Report of PHILLIP RAYMOND LAUGHTON
and Petition for allowance of fees filed.

COUNSEL:

PHILLIP RAYMOND LAUGHTON (PET)...PRO/PER
PHYLLIS ALICE LAUGHTON (DEC)...

Request for Waiver of Court Fees and Costs filed by PHILLIP RAYMOND LAUGHTON is GRANTED

Fee waiver amount due \$1290.00

\$555.00 for special and general petitions on 01/31/17

\$90.00 for application for preliminary injunction on 03/13/17

\$90.00 for ex-parte application for temp restraining order on 03/13/17

\$90.00 for motion re waiver of appraisal by probate referee on 09/21/17

\$465.00 for first and final account on 08/10/18

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of
Administration and for Final Distribution by Administrator, Phillip R. Laughton
["Petitioner"-son].

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

1. Accounting period 004/12/17 to 08/07/18. However, beginning date should be date of death or 06/27/16. **JTD**.
2. Assets on Hand \$0.00. The sole asset of this estate was an over-encumbered real property that was sold through a short sale approved by the bank.
3. Petitioner waives compensation.
4. Real property was sold during this administration. **Need** proof of service to Notice of Proposed Action.
5. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear note 4 then Court's discretion. If approved, set next hearing for final discharge on **10/22/19**.

(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

Page: 9

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

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

CASE#: PRO PS1800029

CASE NAME: MTR OF LOIS ELLEN CARRINGTON

HEARING:

FIRST AND FINAL Account and Report of PATRICIA DES LAURIERS,
DAVID CURTIS and Petition for allowance of fees filed.

COUNSEL:

DAVID CURTIS	(PET)...BUXBAUM & CHAKMAK
LOIS ELLEN CARRINGTON	(DEC)...
PATRICIA DES LAURIERS	(PET)...BUXBAUM & CHAKMAK

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of Account and for Fees by Co-Executors, Patricia Des Lauriers and David Curtis ["Petitioners"-issue].

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

1. All beneficiaries waive an accounting.
2. Accounting period 11/12/17 to 07/25/18.
3. Assets on Hand \$158,846.21 consisting of cash.
4. Statutory fees of \$10,400 requested. Calculated.
5. Attorney requests extraordinary fees of \$1,265.00 for services rendered in connection with the sale of real property. Billed at \$330/hour for a total of 3.50 hours' attorney time. Itemized [LF, p. 25 to account filed 08/10/18].
6. Petitioners loaned monies to the estate in the amount of \$18,898.42 to pay the decedent's death-related expenses and costs of administration. **Question** whether reimbursement will be requested? If so, need itemization for same.
7. **Need** findings re: sole and separate property.
8. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account per Pr.C. §1064(a)(5).
9. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 6-8 then Court's discretion. If approved, set next hearing for receipts and final discharge for **10/22/19**. (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

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: PRO PS1800827

CASE NAME: JOY V KANE

HEARING:

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

COUNSEL:

JOY V KANE

(DEC)...

KENNETH BRUCE KANE

(PET)...CRAIG M PARKER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by son, Kenneth B. Kane ["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.
2. Estimated estate valued at \$251,500.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
JTD.
3. ~Proposed Form Order/Letters 08/28/18.

RECOMMENDATION:

Court's discretion re: bond. If approved, set hearing for Accounting Review on **12/17/19**. 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: 11

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: PRO PS1800828

CASE NAME: Gerardo G. Flores

HEARING:

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

COUNSEL:

GERARDO G FLORES (DEC)...
LUIS GERRERO RODRIGUEZ (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by step-son, Luis Gerrero Rodriguez ["Petitioner"].

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

1. Decedent was survived by siblings who have higher priority. However, notice has been given.
2. Section 2b is incomplete. **Need** verified supplement.
3. Petition alleges heirs waive bond. **Need** Mandatory Waivers of Bond by Heir or Beneficiary, form DE-142/DE-111, by petitioner, and siblings Guadalupe Flores, Adelina Flores, and Abelina Flores.
4. Section 3d to petition re: character and estimated value of the property of the estate is incomplete. **Need** verified supplement.
5. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
6. **Need** proof of publication.
7. ~Proposed Form Order/Letters 08/28/18.

RECOMMENDATION:

Need to clear notes then Court's discretion re: bond. If approved, set hearing for Accounting Review on **12/17/19**. 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

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 10/09/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800127

CASE NAME: THE MANUEL AND CONNIE HERNANDEZ REVOCABLE TRUST

HEARING:

Petition for ordr confirming trust assets

COUNSEL:

MANUEL HERNANDEZ JR (PET)...THOMAS N LUEBKE
THE MANUEL AND CONNIE HERNANDE (TRU)...

Currently under review by Legal Research.
(LR)

Notice:

Notice given.
(cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/09/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800167

CASE NAME: THE HOWARD AND DONNA FORRESTER TRUST 5/27/1993

HEARING:

Petition for ORDER AUTHORIZING AND DIRECTING TRANSFER OF
PERSONAL PROPERTY FROM THIRD PARTY ETC

COUNSEL:

CATHERINE F BARNETT (PET)...RICHARD S PRICE
THE HOWARD AND DONNA FORRESTER(TRU)...

Currently under review by Legal Research.
(LR)

Need Notice of Hearing with proof of service to parties listed at LF, p. 4 to petition.
(nb)

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

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

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

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

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

CASE#: CON PS0800321

CASE NAME: KENNETH STONEBREAKER

HEARING:

Hearing re Final Discharge

COUNSEL:

DAVID S STONEBREAKER	(PCR)...PRO/PER
KATHLEEN A. STONEBREAKER	(PCR)...PRO/PER
KATHY STONEBREAKER	(PET)...PRO/PER
KENNETH STONEBREAKER	(PCE)...

GENERAL INFORMATION

Continued from **05/04/17**. No appearance. Personal representatives ordered to appear if notes not cleared.

Continued from **07/06/17**. Donnasue Smith Ortiz relieved. Parties given copy of accounting and minute order to assist in preparing order.

Continued from **11/30/17**.

Continued from **02/22/18**. Receipt of order from 04/28/16 hearing.

Continued from 05/08/18 on courts motion to file an order on the final account/distribution. Referred to legal aid.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of David and Kathy Stonebreaker, son and daughter, approved on 04/28/16.
 - a. **Need** Order on Final Account/distribution.
2. No receipts needed as there were \$0 assets.
3. Ex Parte Petition for Final Discharge and Order received and forwarded for processing.

RECOMMENDATION

Need to clear note 1. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with C.C.P. §§ 128 & 1209.

(lc/nb/ww/nb)

Superior Court of Calif, County of San Bernardino

Page: 15

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: CON PS0900167

CASE NAME: MARK JORDAN ELKINS

SEE ALSO 15A

HEARING:

Fourth and final; etc Account and Report of KERINE E ELKINS and
Petition for allowance of fees filed.

COUNSEL:

CALIFORNIA DEPARTMENT OF STATE	(PET)...PRO/PER
DENNIS SHOGREN	(CEP)...JAMES B CHURCH
KERINE E ELKINS	(CPE)...NOREEN T FONTAINE
MARK J ANDREW FLORY	(PET)...BROWN WHITE & OSBORN
MARK J ELKINS	(CTE)...JAMES B CHURCH
MARK JORDAN ELKINS	(CEP)...MARK J. ANDREW FLORY
MARK JORDAN ELKINS	(PET)...MARK J. ANDREW FLORY
MARK JORDAN ELKINS S.N. TRUST	(TRU)...

GENERAL INFORMATION:

Continued from **04/03/18** at request of counsel. Counsel will agree to file a stipulation to approve petitioner's request for compensation of \$10,000. Notice to be given by Ms. Fontaine.

Continued from 06/26/18 at request of Attorney Fontaine. Per the Court Dennis Shogren is to offer any assistance he can to complete the 4th and final accounting.

THIS CASE IS SET FOR HEARING ON Fourth and Final Account and Petition for Fees by Attorney Noreen Fontaine on behalf of former Trustee of SNT, Kerine E. Elkins ["Petitioner"].

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

1. Third Account approved on 07/19/17 for period ending 07/31/14. **Need** Order after Hearing.
2. Accounting period is not specified. **Need** same.
3. Assets on Hand are not specified. **Need** same.
4. No Summary of Account or supporting schedules. **Need** same.

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. Petitioner seeks compensation of \$10,000 for the period from 2014 to 2017. **Need** itemization via verified supplement.
6. Attorney requests fees of \$43,995.00. Billed at \$350/hour for 125.7 hours' attorney time. Itemized [Acct., LF, pgs. 6-13]. JTD.
7. Attorney requests reimbursement of costs advanced of \$1,786.50. Itemized.
8. **Need** bank/financial statements.
9. Distribution is not addressed. **Need** same.
10. **Need** Notice of Hearing with proof of service.
11. Proposed Order 08/13/18

RECOMMENDATION:

This purported accounting does not appear to be a true and complete accounting of the SNT and should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting period. Need complete, amended account to be set on first check calendar no sooner than **11/27/18**.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 15A ADD ON

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

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

CASE#: CON PS0900167

CASE NAME: MARK JORDAN ELKINS

SEE ALSO 15

HEARING:

Hearing re: ACCOUNTING REVIEW (MR. SHOGREN)

COUNSEL:

CALIFORNIA DEPARTMENT OF STATE	(PET)...PRO/PER
DENNIS SHOGREN	(CEP)...JAMES B CHURCH
KERINE E ELKINS	(CPE)...NOREEN T FONTAINE
MARK J ANDREW FLORY	(PET)...BROWN WHITE & OSBORN
MARK J ELKINS	(CTE)...JAMES B CHURCH
MARK JORDAN ELKINS	(CEP)...MARK J. ANDREW FLORY
MARK JORDAN ELKINS	(PET)...MARK J. ANDREW FLORY
MARK JORDAN ELKINS S.N. TRUST	(TRU)...

GENERAL INFORMATION

Continued from 09/19/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review of Dennis Shogren,
Successor Conservator

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

1. Matter set on 06/26/18 for fourth and final accounting to be completed. Court ordered Dennis Shogren to offer any assistance he can to complete the fourth and final accounting.

RECOMMENDATION

Inquire status.

(lh/nb)

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: CON PS1600067

CASE NAME: MTR OF ROSARIO BERNAL RADOS

SEE ALSO 17

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ALEXANDER ORONOS

COUNSEL:

ALEXANDER ORONOS (CPE)...JACK B. OSBORN
ROSARIO BERNAL RADOS (CEP)...DONNASUE ORTIZ

GENERAL INFORMATION

Continued from **12/14/16**.

Continued from **01/17/17**. Matter trailing other hearing set.

Continued from **03/21/17** at request of counsel. Attempting settlement.

Continued from **06/20/17**. Matter continued to trial other hearings set.

Continued from **10/17/17 and 11/21/17** at request of counsel. Counsel indicates parties are waiting for final inventory and appraisal.

Continued from 01/23/18, 04/03/18 and 06/26/18 at request of counsel.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Alexander Oronos, son appointed conservator of the person and estate on 05/18/16, \$200,000 bond.
2. Notification of Conservatee's Rights per Pr.C.§1830(c) filed 12/07/16.
3. Determination of Conservatee's Appropriate Level of Care filed 12/7/16.
4. Care Plan in accord with Pr.C. §2352 filed 12/7/16.
5. **Need** final Inventory & Appraisal per Pr.C. §2610.
6. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. Proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313 filed 06/01/16.

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

Inquire status. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. §2614.5.

(lc/lh/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: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: CON PS1600067

CASE NAME: MTR OF ROSARIO BERNAL RADOS

SEE ALSO 16

HEARING:

Accounting Review by ***

COUNSEL:

ALEXANDER ORONOZ (CPE)...JACK B. OSBORN

ROSARIO BERNAL RADOS (CEP)...DONNASUE ORTIZ

GENERAL INFORMATION

Continued from 01/23/18, 04/03/18 and 06/26/18.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

- 1 Order appointing conservator of the person and estate, Alexander Oronoz, entered 05/18/16, \$200,000 bond.
- 2 **Need** final Inventory & Appraisal per Pr.C. §2610.
- 3 No accounting or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status. Clerk to notice surety.

(nb)

Superior Court of Calif, County of San Bernardino

Page: 18

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: CON PS1600117

CASE NAME: MTR OF JEFFREY CRAIG ANDERSON

HEARING:

FIRST Account and Report of DOUGLASS LEE GROVES and Petition for allowance of fees filed.

COUNSEL:

DOUGLASS LEE GROVES (CPE)...RONALD W ASK

JEFFREY CRAIG ANDERSON (CEP)...

GENERAL INFORMATION:

Continued from **02/05/18** at request of Court to clear probate notes. Court approves petitioner's request for reimbursement of costs in the amount of \$5,450 and attorney fee requests in the amount of \$10,805.89

Continued from 04/16/18 and 07/16/18.

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees, by Douglass Groves [Conservator/Petitioner/Cousin]

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

1. Assets on hand \$20,832.93 consisting of \$20,082.93 in cash and \$750 personal property.
2. Accounting period **11/29/16 -11/16/17**
3. **Schedule C- Disbursements [Supp. 06/14/18, LF, p. 10-12] indicate several entries as cash withdrawals as spending money for conservatee. Need clarification via verified supplement.**
4. **Supp. 06/14/18 includes Schedule C – Disbursement [LF p. 12] with a total which does not match disbursements on Summary of Account [LF, p. 15]. Need reconciliation of same via verified supplement.**
5. Current bonds of \$20,000. Suggest bond of \$23,000 (includes recovery costs). **JTD.**
6. **Supp. (06/14/18) includes Chase Statement for Acct. XXX8939 dated 03/20/17 to 04/18/17 vested in Petitioner's name in his capacity as Conservator that indicates a "Special Needs Trust opened." [LF, p. 21]. Need further clarification via verified supplement.**
7. **Need case number for Conservatee's late mother's 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.

8. Petitioner requests that the court reserve the issue of compensation of the conservator at this time.
9. Request for reimbursement of costs advanced of \$5,450.00 to attorney Ronald Ask approved on 02/05/18.
10. Attorney fee of \$10,805.89 approved on 02/05/18.
11. Notice given.
12. No proposed Order. Submit after hearing.

RECOMMENDATION:

Need to clear notes 3-4 & 6 & 7, then Court's discretion. If approved, set next hearing for Accounting Review for **02/04/19 (if one year) or 02/03/20 (if two years)**.

Accounting to be filed 30 days in advanced. Note requirements of local rule 20-908.
(cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 19

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: CON PS1800108

CASE NAME: MTR OF BETTY NICOLE SLADWICK

HEARING:

Petition for (Amended) appointment of conservatorship of
The person limited

COUNSEL:

BETTY NICOLE SLADWICK (CTP)...JENNIFER M DANIEL

DANIEL C ZAMORANO JR (CP)...PRO/PER

GENERAL INFORMATION

Ex parte hearing held on 04/19/18. Court finds the 5-day notice has not been given. Attorney Jennifer Daniel appointed for Betty Nicole Sladwick. Matter continued for petition to give notice and for Counsel to speak with client. Current hearing continued to 05/03/18

Court denied orders for temporary conservatorship on 05/03/18. Competing petition will be filed. Competing petition to be set 05/30/18 to trail this petition. Case referred to Legal Aid for assistance.

Continued from **05/30/18**. Amended petition for limited conservatorship to be filed. Competing petition for limited conservatorship will be filed. Court requests it be set to trail this petition. Court gives tentative decision of denying this petition for conservatorship. Court requests IRC to provide a report for the court. Case referred to Legal Aid for legal assistance.

Continued from 08/22/18 on courts motion to 12/06/18. Competing petitions are being filed. Court admonished parties present: Betty is to continue living exactly where she is currently living. Clerks' Office to notify Inland Regional of next hearing.

THIS CASE SET FOR HEARING ON **Amended (08/23/18)** Petition for Appointment of **Limited** Conservator, person only, by Daniel C. Zamorano, Jr. (father)

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

1. Section 1 to petition does not specify the type of powers being sought. **Need** verified supplement specifying powers requested.
2. Section 5f to petition as to whether proposed conservatee is developmentally disabled is blank. **Need** verified supplement.

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

3. Section 9d to petition as to whether proposed conservatee is an adherent of a religion that relies on prayer alone for healing is blank. **Need** verified supplement.
4. Petitioner appears to request Pr. C. §2351.5 powers [no statutory basis provided] 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. Court to review Attachment 5c(1) [LF, page 11 to amended petition filed on 08/23/18]. Does Court wish to refer matter to DCFS? **JTD**.
6. Signature page is not dated. **Need** same.
7. Petitioner seeks medical powers. **Need** Capacity Declaration.
8. **Need** IRC Report. IRC correspondence filed 09/18/18.
9. Return of citation with proof of mailed service filed 04/24/18; however, signed Notice and Acknowledgment of Receipt not attached as alleged. **Need** proper personal service.
10. **Need** notice of hearing and proof of service to include 30 days' notice to Inland Regional Center. IRC correspondence received. Does Court wish to deem notice to IRC waived? **JTD**.
11. CI report filed 05/25/18.
12. Report of Counsel Jennifer McDaniel filed 05/30/18 and indicates Betty's last name is Villegas, not Sladwick. The Sladwick surname was changed upon adoption. **Clerk to correct**.
13. Proof of Completion of Conservatorship Training Class filed 05/03/18.
14. ~Proposed Form Order/Letters : 04/16/18 & 08/23/18
15. No competing petition(s) as of the review of this matter.

RECOMMENDATION

Need to clear notes #1-3, 6-10 then Court's discretion re: notes 5 & 10. Clerk to correct surname. If approved, set hearing for Compliance Review for **05/14/19** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5

(lh/nb)

Future Hearing:

12/06/18 Petition for appointment of conservator

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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

CASE#: CON PS1800169

CASE NAME: JOSEPH MICHAEL BARREDA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JOSEPH MICHAEL BARREDA (CTP)...DONNASUE ORTIZ

NANCY CHERYLANN BARREDA (CP)...PRO/PER

GENERAL INFORMATION

Continued from 07/16/18. The Court is shown copies of the capacity declaration, notice of hearing and citation filed 7/11/18. The Court is also shown a copy of the proof of completion of conservatorship class. Nancy Cherylann Barreda is appointed the temporary conservator of the person and estate of Joseph Michael Barreda. No bond will be required. Order to be filed. The case is referred to Legal Aid for legal assistance. Civil lawsuit will be filed by 8/7/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator, of the person only, by mother Nancy Barreda, Petitioner

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

1. **Notice of hearing, Capacity Declaration, and Citation filed 07/11/18; however, not in laserfiche at time of review.**
2. No Bond- Person only.
3. Section 5 of petition indicates proposed conservatee is in a coma; however, section 8a indicates proposed conservatee will be attending the hearing. Court to clarify.
4. Petitioner seeks medical powers. **Need** Capacity Declaration.
5. **Need** return of Citation.
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. **Need** notice of hearing and proof of service. .
8. **Need** report of Donnasue Ortiz, Court appointed counsel.
9. Court Investigator report filed 07/09/18.
10. ~Proposed Form Order: 06/07/18

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

RECOMMENDATION:

Need to clear notes 4-8. If approved, set hearing for Compliance Review for **05/06/19** 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.

(cs/nb)

Superior Court of Calif, County of San Bernardino

Page: 21

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

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

CASE#: CON PS1800239

CASE NAME: RODNEY E. LEE

HEARING:
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

BRENDA G LEE (CPE)...PRO/PER
RODNEY E LEE (CEP)...ELIZABETH IKEMIRE

GENERAL INFORMATION:

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

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

1. Wife, Brenda G. Lee, appointed Temporary Conservator of the person and estate on 04/26/17 and 08/09/17 in Sacramento. **Letters expired on 10/18/17.**
2. Case transferred to Riverside County on 10/26/17.
3. Case transferred to San Bernardino County on 08/08/18.
4. Declaration by Sacramento Court-Appointed Counsel, Elizabeth A. Ikemire, filed on 09/04/18 requests discharge as court-appointed counsel and recommends appointment local court-appointed counsel. **JTD.**
5. **Need** CI Report.
6. **Need** to file Post-Move Notice of Change of Address per Pr.C. §2352 and CRC 7.1013(c).
7. Last Medical Capacity Declaration filed on 07/17/17 in Sacramento. Does Court wish to require an updated capacity declaration? **JTD.**

RECOMMENDATION:

Need to clear notes then require the filing of temporary and general petitions as letters have expired.

(nb)

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

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

CASE#: RC RS729

CASE NAME: IN THE MTTR OF KENNETH LEE ANDERSEN

HEARING:

Eleventh Account and Report of RICHARD E HOLDAWAY and Petition for allowance of fees filed.

COUNSEL:

HAL ANDERSEN	(CP)...PRO/PER
KENNETH LEE ANDERSEN	(CEP)...JAMES B CHURCH
MARK J ANDREW FLORY	(PET)...JAMES B CHURCH
RICHARD E HOLDAWAY	(CE)...ROBBINS & HOLDAWAY
RICHARD E HOLDAWAY	(CPE)...LEE BROWN
RICHARD E HOLDAWAY	(CPE)...ROBBINS & HOLDAWAY

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Eleventh Account Current and Petition for Fees by Conservator of Estate, Kenneth Lee Andersen ["Petitioner"].

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

1. Accounting covers 07/01/16 to 06/30/18.
2. Assets on hand: \$218,705.29 (113,705.29 cash and \$105,000 in carry value of promissory note secured by deed of trust).
3. Petitioner makes no allegation as to sufficiency of the bond. Bond is currently fixed and posted in the amount of \$54,078.00. Insufficient. Suggest bond in the sum of \$148,500.00 (includes recovery). **JTD**.
4. Petitioner requests fees of \$1,000.00. Generally described [LF, p. 3 of account filed on 08/15/18]. **Need** itemization to include rate and dates via verified supplement.
5. Last CI Report filed 04/17/17.
6. **Need** copies of investment/bank statements to support cash balances on hand per Local Rule 20- 908.
7. **Need** residential facility statements and/or **written verification of rent** per Pr.C. §2620(c)(5).
8. **Need** Notice of Related Case re: Rugraff Trust.
9. Proposed Order 08/15/18 does not include account period or address 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 4. 6-8 then Court's discretion re: fees and bond. If approved, set hearing on the next accounting review for **08/27/19** (if one year) or **08/25/20** (if two years). 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
Page: 23
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

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

CASE#: SC SS02219

CASE NAME: MATTER OF MARIAN DRAYMAN

HEARING:

Accounting Review by ***

COUNSEL:

BARBARA DRAYMAN	(PRO/PER
CARYN VELASCO	(OBJ)...PRO/PER
LINDA JOHNSON	(CP)...C.L. FARRELL
LINDA JOHNSON	(CPE)...C.L. FARRELL
MARIAN DRAYMAN	(CEP)...ROBERT C CHANDLER

GENERAL INFORMATION

Continued from **03/27/17**. No appearances. Linda Johnson and/or counsel are ordered to be present if accounting not filed.

Continued from **06/26/17**. Another asset found/accounting to be filed.

Continued from **09/18/17** continued at request of counsel due to newly discovered asset/file accounting. Notice to be given by Mr. Farrell

Continued from **01/22/18** on courts motion. Counsel reports there is an unclaimed asset she is waiting for prior to filing accounting. The Court requests accounting be filed prior to the claiming of the unclaimed asset.

Continued from 03/27/18 and 06/19/18 at request of counsel. Notice of Conservatee's death and petition to dispense with accounting to be filed.

THIS CASE IS SET FOR HEARING ON Accounting Review (Trust)

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

1. Ex Parte Petition to Dispense with Accounting and Order entered 04/08/15.
2. **Need** pre & post death trust accounting or waiver of accounting beginning with 03/01/15.
3. **Conservatee passed away on 03/21/16.**
4. Ex Parte Petition to Dispense with Accounting and Order (Pr. C. §2628) filed on 09/28/18. However, all final accountings, including estates qualifying under Pr. C. §2628, shall be set for hearing. Local Rule 20-1406.

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 note 2. When the trustee fails to file an accounting as ordered, the court may take action as specified in Pr.C. §800 and C.C.P. §128.

(nb/ww/cs/nb)