



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 10/10/18**

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](mailto:ProbateNotes@sb-court.org)

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. Please do not email to notify that documents have been filed, to request a confirmation whether documents have been received, or to request the clearing of notes. No legal or procedural advice may be given by examiners in response to your email.

09/19/18lh; 10/04/18lh

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**PROBATE**

-----  
DATE: 10/10/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1100152

CASE NAME: DENEEN WARREN LYNCH

**SEE ALSO 2, 3**

HEARING:

Hearing re Final Discharge

COUNSEL:

DONNA B LYNCH

(PET)...GUAY P WILSON

DENEEN WARREN LYNCH

(DEC)...

PUBLIC ADMINISTRATOR

(TP )...

See notes on next matter #2.

(lh)

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

-----  
DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1100152

CASE NAME: DENEEN WARREN LYNCH

**SEE ALSO 1, 3**

HEARING:

Hearing Re: SANCTIONS \$500.00 FOR D.LYNN FTA

COUNSEL:

DONNA B LYNCH	(PET)...GUAY P WILSON
DENEEN WARREN LYNCH	(DEC)...
PUBLIC ADMINISTRATOR	(TP )...

GENERAL INFORMATION

Continued from **05/30/18** to clear notes.

**Continued from 08/23/18. No appearance. Court ordered matter set for OSC why \$500 sanctions should not be imposed for each, petitioner and Counsel.**

THIS CASE IS SET FOR HEARING ON **OSC Re Sanctions \$500**/Final Discharge re Donna B. Lynch, administrator

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

1. **Need** receipts from Donna B. Lynch, Tony Lee Lynch, Robin J. Parson, and Deneen A. Lynch.
2. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

**Court's discretion re OSC.**

Inquire status.

(lh)

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

-----  
DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1100152

CASE NAME: DENEE WARREN LYNCH

**SEE ALSO 1, 2**

HEARING:

Hearing Re: SANCTIONS \$500.00 FOR G.WILSON FTA

COUNSEL:

DONNA B LYNCH	(PET)...GUAY P WILSON
DENEE WARREN LYNCH	(DEC)...
PUBLIC ADMINISTRATOR	(TP )...

See notes on prior matter #2.

(lh)

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

-----  
DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600282

CASE NAME: MTR OF JAMES JOSEPH PIPOLO

**SEE ALSO 5, 6**

HEARING:

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

COUNSEL:

EVAN PIPOLO (PET)...  
JAMES JOSEPH PIPOLO (DEC)...  
ZUMBRUNN LAW CORPORATION (TP )...

GENERAL INFORMATION

Continued from **07/19/17** to file accounting.

Continued from **01/17/18** at request of Counsel.

Continued from **06/27/18**. No appearance. Stipulation re Judge Pro Tem not filed.

Notice given by Judicial Assistant.

**Continued from 08/22/18. No appearance. Court sets OSC re sanctions of \$500, each, for failure to appear and failure to file accounting.**

THIS CASE SET FOR HEARING ON **OSC re Sanctions for Failure to Appear/Failure to File/Accounting review/Status**

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

1. Letters of Administration issued to Evan Pipolo, son, on 05/11/16; full authority, no bond.
2. **Need** final Inventory and Appraisal
3. **Need** accounting or status report.

RECOMMENDATION

**Court's discretion re OSC.**

Need to clear notes 2-3.

(lc/lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600282

CASE NAME: MTR OF JAMES JOSEPH PIPOLO

**SEE ALSO 4, 6**

HEARING:

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

COUNSEL:

EVAN PIPOLO (PET)...  
JAMES JOSEPH PIPOLO (DEC)...  
ZUMBRUNN LAW CORPORATION (TP )...

See notes on prior matter #4.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600282

CASE NAME: MTR OF JAMES JOSEPH PIPOLO

**SEE ALSO 4, 5**

HEARING:

Accounting Review

COUNSEL:

EVAN PIPOLO (PET)...  
JAMES JOSEPH PIPOLO (DEC)...  
ZUMBRUNN LAW CORPORATION (TP )...

See notes on prior matter #4.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600320

CASE NAME: MTR OF JOAN M CLARK

HEARING:

FIRST AND FINAL Account and Report of TAMELA J BANDY and  
Petition for allowance of fees

COUNSEL:

TAMELA J BANDY (PET)...PRO/PER  
JOAN MCLARK (DEC)...

Waiver of Court Fees and Costs filed by TAMELA J BANDY is GRANTED  
TOTAL FEES WAIVED TO DATE: \$1071.00

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of  
Executor and Petition for Final Distribution by Tamela J. Bandy

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

1. Assets on hand: \$4,820.29, cash
2. Petitioner waives statutory fees.
3. **Need** bank/investment statement verifying final ending balance per Local Rule 20-908.
4. **Need** copy of escrow closing statement for sale of real property per Local Rule 20-910.
5. **Need** findings re: sole and separate property.
6. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr. C. § 1064(a)(5).
7. **Need** statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).
8. **Need** verification per Pr. C. §1021.
9. Notice of Proposed Action filed 11/16/16; however, form is missing terms of sale in item #3. **Need verified supplement.**
10. It appears there are sufficient funds to pay for filing fees. Does Court wish to require repayment of filing fees totaling \$1,071? **JTD**
11. Notice is complete.
12. No proposed order submitted. Submit after hearing.



**RECOMMENDATION:**

Need to clear notes #3-9 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **10/23/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600441

CASE NAME: EVELYN LOUIS JACOBSON

HEARING:

Hearing re Final Discharge

COUNSEL:

EILEEN JACOBSON

(PET)...RICHARD J LEE

EVELYN LOUIS JACOBSON

(DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge re Eileen Jacobsen

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

1. Receipts were filed.
2. **Need** Ex Parte Petition for Final Discharge and Order.

#### RECOMMENDATION

Inquire status.

(lh)

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600671

CASE NAME: CHARLES EDWARD CLARK

HEARING:

Petition to Determine Heirship and Entitlement to Estate

COUNSEL:

CHARLES E HARRIS (PET)...FULLERTON LEMANN SCHAEFER & DO  
EDWARD CLARK (DEC)...  
CAROLYN ANNETTE HICKS (PET)...HARTNELL LAW GROUP  
BRYAN HARTNELL (TP )...HARTNELL LAW GROUP  
LIBERTY MUTUAL COMPANY  
STATE OF CA FRANCHISE TAX BOARD (PRO/PER)

Currently under review by legal research.

(LR)

Future Hearing: 2/25/19 Accounting Review

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700320

CASE NAME: MTR OF ERNEST GEORGE NORLUND

**SEE ALSO 11, 12**

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500 FOR FAILURE TO APPEAR

COUNSEL:

SANDRA KAY NORLUND (PET)...BRADLEY KIRK  
ERNEST GEORGE NORLUND (DEC)...  
RICHARD NORLUND (TP )...JOHN C SCHALLER

GENERAL INFORMATION

**Continued from 08/22/18.** Court set OSC re sanctions for \$500, each, for failure to appear as to both Administrator and Counsel for Administrator. Court set OSC re sanctions of \$500, each, for failure to file as to both Administrator and Counsel.

THIS CASE IS SET FOR HEARING ON **OSC Re Sanctions for Failure to Appear/Failure to File/Accounting Review** re Sandra Kay Norlund, spouse/trustee

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

1. Letters Testamentary issued to Sandra Kay Norlund with full IAEA on 06/14/17.
2. **Status Report filed 09/18/18.**

RECOMMENDATION

**Court's discretion re OSC.**

(lh)

Future hearing date: 11/14/18 Status Report

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700320

CASE NAME: MTR OF ERNEST GEORGE NORLUND

**SEE ALSO 10, 12**

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500 FOR FAILURE TO FILE

COUNSEL:

SANDRA KAY NORLUND	(PET)...BRADLEY KIRK
ERNEST GEORGE NORLUND	(DEC)...
RICHARD NORLUND	(TP )...JOHN C SCHALLER

See notes on prior matter #10.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700320

CASE NAME: MTR OF ERNEST GEORGE NORLUND

**SEE ALSO 10, 11**

**VACATED**

HEARING:

Accounting Review

COUNSEL:

SANDRA KAY NORLUND	(PET)...BRADLEY KIRK
ERNEST GEORGE NORLUND	(DEC)...
RICHARD NORLUND	(TP )...JOHN C SCHALLER

See notes on prior matter #10.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700731

CASE NAME: JOYCE WRIGHT

HEARING:

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

COUNSEL:

JOLENE CLIFTON-CHRISTENSON  
JOYCE WRIGHT

(PET)...OLIVER M RILEY  
(DEC)...

Address: 1734 Capri Avenue, Mentone, California 92359

Appraised Value: \$225,000

Sale price: \$222,500, cash

First overbid: \$234,125

Deposit: \$15,000; however, need minimum deposit of 10% of total sales price, unless financed by FHA or VA loan per Local Rule 20-807(a).

Commission: 5%; 2.5% to each broker

Additional bond: Proceeds to be placed in a blocked account.

Reason for Sale: To pay debts and expenses

Exposure to Market: MLS listing

**Need** Notice of Hearing and Proof of Service by Mail per Pr. C. §10308(c) and Local Rule 20-807(e) buyer and any agent for the bid presented to Court

Future Hearing Dates: 01/07/19 - Accounting Review

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800082

CASE NAME: MITSUKO PETROPULOS

HEARING:

First and Final Account and Report of SUSAN PETROPULOS and  
Petition for allowance of fees

COUNSEL:

SUSAN PETROPULOS (PET)...M. BRIAN CULLEN  
MITSUKO PETROPULOS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report; Petition  
for Fees and Final Distribution by Susan Petropulos, Executor

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

1. Assets on hand: \$202,644.49, cash
2. Statutory fees of \$7,400, each, requested by petitioner and attorney. Calculated.
3. Notice is complete.
4. ~Proposed order: 08/03/18

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final  
discharge for **10/22/19**.

(lh)



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

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800831

CASE NAME: Juana R Flores

HEARING:

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

COUNSEL:

LUIS GERRERO RODRIGUEZ (PET)...PRO/PER  
JUANA R FLORES (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Luis Rodriguez, son/sole heir

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

1. Petitioner seeks to waive bond as the sole heir. Alternatively, Court may wish to defer bond until assets are determined. **JTD**
2. **Need** Proof of Publication.
3. ~Proposed Form Order: 09/06/18

#### RECOMMENDATION

Need to clear note #2 then Court's discretion. If approved, set Accounting/Status Review for **12/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800833

CASE NAME: Kathleen Sinnett Skipper

HEARING:  
Spousal Property Petition hearing

COUNSEL:  
DAVID RUSSELL DECKER (PET)...PRO/PER  
KATHLEEN SINNETT SKIPPER-DECKE(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by David Decker,  
spouse

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

1. Petitioner, David Decker, seeks court confirm his half of community property as reflected in item #1a; however, item #7b is marked requesting Court determine property to belong to petitioner.
  - a. **Need** verified supplement clarifying whether petitioner requests property to be determined as having passed to surviving spouse (item #1a/ item#7a), **or** for Court to determine property as having belonged to spouse (item #1b/ item #7b).
2. Petitioner and Decedent were married 04/04/13. Decedent and petitioner purchased stock during marriage. Decedent passed away prior to creating Trust.
3. ~Proposed Form Order: Not Submitted

RECOMMENDATION:

Need to clear note #1 then Court's discretion.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800862

CASE NAME: Robert Bruhn Jr

HEARING:

Spousal Property Petition hearing.

COUNSEL:

IRENE J BRUHN (PET)...ROSE C ROSADO  
ROBERT BRUHN Jr (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Irene J. Bruhn,  
spouse

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

1. Petitioner, Irene Bruhn, seeks court confirm her half of community property and determine that decedent's half transfers to petitioner without administration.
2. Petitioner alleges she and Decedent were married on 02/11/95. After their marriage, Decedent placed petitioner on title of house located at 11458 7<sup>th</sup> Avenue, Hesperia. On or about 02/2014, petitioner signed a Quitclaim Deed to Decedent to obtain a better interest rate on a loan. Petitioner did not intend to waive her community interest to the home.
3. Petitioner and Decedent purchased a second house at 17214 Birch Street. As petitioner's credit was poor, she was asked to sign an Interspousal Transfer Grant Deed to obtain a better interest rate.
4. Notice is complete.
5. ~Proposed Form Order: 09/06/18

RECOMMENDATION:

Court's discretion.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800863

CASE NAME: Douglas Kent Miller

HEARING:

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

COUNSEL:

DENISE SUE WANZLICH BOCK (PET)...ROSE C ROSADO  
DOUGLAS KENT MILLER (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Denise Bock, spouse/sole heir

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

1. Petitioner is the purported sole heir of decedent and waives bond. Estimated value of assets is \$263,00. **JTD**
2. ~Proposed Form Order: 09/06/18

#### RECOMMENDATION

RFA. Court's discretion re bond. If approved, set Accounting/Status Review for **12/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRUSTS**

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DATE: 10/10/18 TIME: 8:30 DEPT: S35P  
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CASE#: TRU PS1800021

CASE NAME: SALVATORE J SCANDURA

HEARING:

Petition for TO ESTABLISH SPECIAL NEEDS TRUST PURSUANT TO 42  
U.S.C. SECTION 139p(d)(4)(A)

COUNSEL:

LEONARD M SCANDURA  
SALVATORE

(PET)...BUXBAUM & CHAKMAK  
(TRU)...

Currently under review by legal research.

(LR)

Notice was given.

(lh)

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 10/10/18 TIME: 8:35 DEPT: S35P  
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CASE#: TRU PS1800146

CASE NAME: The Alyssa J Mendez Special Needs Trust

HEARING:

Petition for proposed action to establish a special needs trust

COUNSEL:

ANTHONY MENDEZ (PET)...JAMES L HEYWOOD AND ASSOCIATES  
LISA MENDEZ (PET)...JAMES L HEYWOOD AND ASSOCIATES  
THE ALYSSA J MENDEZ SPECIAL NEEDS TRUST (TRU)...

**XREF: CONPS1800210** MTR OF MAURICIO ADAME

Currently under review by legal research.

(LR)

NOTICE

**Need** Notice of Hearing and Proof of Service as to Carline Rohrbaugh (mgm), Carmen Mendez (pgm), and Alec Mendez (brother, if 12 years+), per Pr. C. §2581.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 10/10/18 TIME: 8:35 DEPT: S35P  
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CASE#: TRU PS1800173

CASE NAME: THE HECTOR ARMANDO SANDOVAL TRUST MAY 22,2009

HEARING:

Petition for TO REMOVE SUCCESSOR TRUSTEE AND APPOINTMENT OF  
SUCCESSOR TRUSTEE

COUNSEL:

ARMAND GREGORY SANDOVAL	(PET)...RONALD A STONE
ARNOLD HENRY SANDOVAL	(PET)...RONALD A STONE
SANDRA RENEE SANDOVAL DUGUAY	(PET)...RONALD A STONE
EDMUND VINCENT SANDOVAL	(PET)...RONALD A STONE
THE HECTOR ARMANDO SANDOVAL TRUST (TRU)...	

Currently under review by legal research.

(LR)

Notice

Proof of Service filed 10/02/18 as to Susanna Hernandez, successor trustee. However,  
need attached Notice of Hearing.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**CONSERVATORSHIPS**

-----  
DATE: 10/10/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1500351

CASE NAME: CLARENCE WHITE

**SEE ALSO 23**

HEARING:

Petition for attorney fees

COUNSEL:

JUNE M KIMBERLING

(PET)...CALDWELL, KENNEDY & PORTER

CLARENCE ELMO WHITE

(CEE)...WALTER T. MOORE

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Walter T. Moore

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

1. Petitioner, Walter T. Moore, was appointed counsel for Clarence White on 12/21/15.
2. Petitioner requests fees of \$3,080 for 7.70 hours at 400 per hour for attorney services. Itemized.
3. Notice is complete.
4. ~Proposed Order: 08/27/18

#### RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 10/17/18 Accounting Review



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

-----  
DATE: 10/10/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1500351

CASE NAME: CLARENCE WHITE

**SEE ALS 22**

HEARING:

Second and final Account and Report of JUNE M KIMBERLING and  
Petition for allowance of fees

COUNSEL:

JUNE M KIMBERLING (PET)...CALDWELL, KENNEDY & PORTER  
CLARENCE ELMO WHITE (CEE)...WALTER T. MOORE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2<sup>nd</sup> and Final Account and Report; Petition for Allowance of Fees and Reimbursement by June Kimberling, daughter

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

1. Pre Death Accounting Period: 03/09/17 to 05/31/18  
Post Death Accounting Period: 06/01/18 to 07/06/18
2. Assets on hand \$40,664.97, cash
3. Conservator waives fees; however, requests reimbursement totaling \$17,257.89, consisting of \$15,000 loan and \$1,792.89 for general care items, and \$465 filing fee. Itemized. [Acct, 08/15/18, LFPg4; 14; 16-25].
  - a. **Need** verified supplement regarding \$15,000 loan made to estate and itemization of expenses for which it was used.
    - i. **Supp 10/03/18. Conservator was concerned funds would run out. Conservator executed a Interest Free Promissory Note to herself as an individual. Loan was deposited into Conservatorship checking account shown in statement dated 10/06/17.**
4. Attorney requests fees of \$5,090 for 23.8 hours at \$150/300/350 per hour. Itemized. [Acct. 08/15/18;LFpgs9-10]
5. Current bond is \$40,000.
6. Proposed Order submitted 08/15/18. Property on hand is inconsistent with accounting. Submit revised order after hearing

RECOMMENDATION

Court's discretion. If approved, set hearing re Final Discharge for **10/23/19**. (lh)

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 10/10/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1600132

CASE NAME: MTR OF NAYELY MARGARITA DIAZ

**SEE ALSO 25**

HEARING:

Hearing Re: ISSUE OF FILING NOTICE OF CHANGE OF ADDRESS

COUNSEL:

ROSA E HERNANDEZ (CP )...PRO/PER  
NAYELY MARGARITA DIAZ (CTP)...

See notes on next matter #25.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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CASE#: CON PS1600132

CASE NAME: MTR OF NAYELY MARGARITA DIAZ

**SEE ALSO 24**

HEARING:

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

COUNSEL:

JUNE M KIMBERLING (PET)...CALDWELL, KENNEDY & PORTER  
CLARENCE ELMO WHITE (CEE)...WALTER T. MOORE

GENERAL INFORMATION

Rose Hernandez (mother) was appointed limited conservator of the person on 05/04/17.

**Continued from 08/22/18. No appearance. Court set OSC re sanctions in the amount of \$500 for failure to file. Court orders Conservator to be personally present on October 10, 2018 on 9:30AM.**

**THIS CASE IS SET FOR HEARING ON OSC Re Sanctions of \$500 for Failure to Appear/ Issue of Filing Notice of Change of Address**

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

1. Matter set on Court's own motion upon review of Court Investigator Report filed 06/18/18 to address issue of Conservator to file Notice of Change of Address. Notice given by Judicial Assistant.

RECOMMENDATION

Court's discretion re OSC.

Inquire status.

(lh)

Future Hearing: 10/17/18 Accounting Review

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CASE#: CON PS1700191

CASE NAME: TIMOTHY STAHL

**SEE ALSO 27**

HEARING:

Hearing Re: TWO COMPETING PETITIONS FOR CONSERVATORSHIP

COUNSEL:

MARY ANN GOLDBERG (PET)...FULLERTON LEMANN SCHAEFER & DO  
TIMOTHY STAHL (CTP/CEP)...JENNIFER M DANIEL  
INLAND COUNTIES REG L CNTR (CPE)...LAYNE A BARTHOLOMEW  
JOHN KEVIN STAHL (CPE)...STEVEN K BECKETT  
MARY ANN GOLDBERG (OBJ)...KYLE E WOOLDRIDGE

GENERAL INFORMATION

Ex parte hearing held 05/30/17. Inland Regional Center objects to the petition for conservatorship. Inland Regional Center to file competing petition by 07/18/17. Ex parte orders denied. Attorney Jennifer M. Daniel is appointed for Timothy Stahl. Court appoints Attorney J David Horspool as the Guardian Ad Litem for Timothy Stahl. Continued from **07/18/17**. Steven Beckett indicates that the father has contacted them and reports that father may consider having their recent petition amended to include him as a proposed co-conservator of Timothy Stahl. Court reset date of petition on 10/18/17 to 10/17/17. Amended petition to be filed by 10/03/17 or it will be deemed waived. Court sets trial dates with estimate of 1 week. Court makes Pretrial Orders. Ex parte orders granted on **09/14/17**. Court appointed Inland Regional Center as temporary conservator of the person only.

Continued from **10/17/17** at request of counsel. Court directs that Inland Counties Regional Center is to submit a report to the court but is excused from making a recommendation as to who should be appointed as conservator of Timothy Stahl as IRC is a petitioner in this case. Notice waived.

Continued from **01/30/18**. Court signs stipulation & agreement re: visits.

Continued from **03/20/18** to readiness hearing date of 07/24/18.

On **04/10/18**, Court reset hearing to 06/13/18 and appointed Dr. Chalop as 730 evaluator; vacated trial readiness, trial dates, discovery cut-off, and pre-trial order. Court set TSC for 6/13/18 and status report as to 730 evaluation to be filed by 05/23/18. Transcript to be prepared at Court's expense with copies to be provided to David Horspool (as GAL) and Steven Beckett (counsel for IRC). Court reporter to prepare transcript from today's hearing.

Continued from **06/13/18**.

**Continued from 08/15/18. Matter ordered continued to allow for a new evaluator to be selected.**

THIS CASE SET FOR HEARING ON

- Petition #1 [filed 05/23/17] for Appointment of Conservator person only **by Mary Ann Goldberg**
- Amended Petition #2 [filed 08/22/17] for Appointment of Conservator of person only **by IRC and John Kevin Stahl (father)**

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

**Petition #1 by Mary Ann Goldberg**

1. Proposed conservatee is developmentally disabled. It appears a Petition for Limited Conservatorship is appropriate.
2. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, an IRC report is optional per Pr.C. 1827.5(b). Does court wish to require? JTD
3. Petitioner seeks orders that conservatee be adjudicated to lack the capacity to make medical decisions under Pr. C. §2355. JTD
4. Petitioner seeks medical powers. **Need** Capacity Declaration.
5. Petition alleges Mary Ann Goldberg (petitioner/mother) was appointed conservator of Timothy Stahlwas (proposed conservatee) in Suffolk County, New York on 05/30/97, index no: 4947/97. **Supp. filed 07/18/17. Conservatee was flown to Palm Springs, CA on 06/29/14. Need copy of Suffolk County Court Order fixing residence in California.**
6. **Need** report of J David Horspool, GAL.
7. **Need** return of Citation.
8. **Need** Notice of Hearing and Proof of Service.
9. Certificate of Completion of the Conservatorship Training Class filed
10. CI Report filed 07/13/17.
11. Report of Jennifer Daniel filed 09/13/17.
12. Supporting Declaration of Carole Lieberman, M.D.M.P.H. filed 09/14/17.
13. ~Proposed Form Order: 05/23/17

**Amended Petition #2 by IRC and John Kevin Stahl (father)**

14. Petitioner seeks powers re habilitation, treatment, training, medical etc under Pr. C. §2351.5. JTD
15. Petitioner seeks civil rights be limited. JTD
16. Petitioner seeks medical powers. Capacity Declaration filed 08/25/17.
17. Proposed conservatee is developmentally disabled. **Need** report of Counsel Jennifer Daniel as to general petition.
18. Proposed conservatee is developmentally disabled. **IRC report filed.**
19. Certificate of Completion of the Conservatorship Training Class filed.
20. Return of Citation with Proof of Personal Service filed 08/25/17; however, proof of service is incomplete as to date and time of service. Amended proof of personal service filed 10/12/17.

21. Special Report by Court Investigator filed.
22. **Objection of Mary Ann Goldberg filed 09/08/17 with proof of service.**
23. ~Proposed Form Order: 08/22/17

#### RECOMMENDATION

Matter is contested.

Need to clear notes 4-8; 17. If approved, set hearing for Compliance Review for **05/15/19** 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/lh)

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CASE#: CON PS1700191

CASE NAME: TIMOTHY STAHL

**SEE ALSO 26**

HEARING:

Hearing Re: SELECTION OF NEW EVALUATOR

COUNSEL:

MARY ANN GOLDBERG (PET)...FULLERTON LEMANN SCHAEFER & DO  
TIMOTHY STAHL (CTP/CEP)...JENNIFER M DANIEL  
INLAND COUNTIES REG L CNTR (CPE)...LAYNE A BARTHOLOMEW  
JOHN KEVIN STAHL (CPE)...STEVEN K BECKETT  
MARY ANN GOLDBERG (OBJ)...KYLE E WOOLDRIDGE

See notes on prior matter #26.

(lh)

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CASE#: CON PS1700387

CASE NAME: DUGLAS HERNANDEZ

**VACATED**

HEARING:

Motion Re: TO COMPEL CONSERVATEE ATTEND EXAMINATION Filed by  
Petitioner MARIA ESTHER HERNANDEZ

COUNSEL:

MARIA ESTHER HERNANDEZ (CP )...MOISES A AVILES  
DUGLAS HERNANDEZ (CTP)...MITCHELL I ROTH  
ESTHER HERNANDEZ (PET)...MOISES A AVILES

Waiver of Court Fees and Costs filed by DUGLAS HERNANDEZ is GRANTED

**XREF: CIVDS1707848** *HERNANDEZ -V- HERNANDEZ*

Currently under review by legal research.

(LR)

Future Hearing: Petition for Appointment of Conservatorship



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DATE: 10/10/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1800113

CASE NAME: Billie Jean Allen

**SEE ALSO 30**

**VACATED**

HEARING:

Petition for Appointment of Conservator of the Person and Estate

COUNSEL:

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

**GENERAL INFORMATION**

Continued from **05/30/18**. Report of Court Investigator has been read and considered by Court. A competing petition has been filed by Sheila Allen this date. Court orders any and all assets of Billie Jean Allen are frozen effective immediately. Attorney Jeanne E. Kennedy is appointed for Billie Jean Allen.

**Continued from 07/18/18. Court appointed Mitchell Roth as Guardian Ad Litem. Court appoints Mitchell Roth as Guardian Ad Litem for Billie Jean Allen. Matter re-referred to Court Investigator for both petitions to be investigated. A report to be prepared by 09/12/18.**

THIS CASE SET FOR HEARING ON

Petition #1 [filed 4/18/18] for Appointment of Conservator of the *person only* by Sonja Allen (daughter/nominee)

Petition #2 [filed 05/30/18] for Appointment of Conservator of the *person and estate* by Sheila Allen (daughter)

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

Petition #1 by Sonja Allen

1. Petitioner was nominated by proposed conservatee, Billie Jean Allen. Nomination attached to Petition at LFpg10.
2. Petitioner seeks medical powers. **Need** Capacity Declaration.

3. List of required contacts filed 04/18/18; however, relationships of relatives differ from petition, item #11. Relationships should be reflected as to the proposed conservatee, Billie Jean Allen—not proposed conservator Sonja Allen. **Need** verified supplement clarifying relatives within 2<sup>nd</sup> degree.
4. Proof of Completion of the Conservatorship Training Class filed 05/22/18.
5. Note: competing petition filed 05/30/18 by Sheila Allen reflects multiple relatives within the second degree who were not identified in Sonja's petition. **Need verified supplement clarifying proposed conservatee's relatives and notice.**
6. Notice was given to Sheila Allen, Sherard Allen, and Mariah Estes.
7. Return of Citation filed 05/24/18.
8. CI Report filed 05/22/18.
9. ~Proposed Form Order: 04/18/18

Petition #2 by Sheila Allen

10. Requested bond: \$20,000 appears sufficient.
11. Petitioner alleges a petition for conservatorship has been filed in Los Angeles County Superior Court on 02/05/18 as *case number 18STPB00207*; however, it appears case may have been dismissed. Court to confirm status.
12. Petitioner seeks medical powers. **Need** Capacity Declaration.
13. Petitioner seeks dementia powers. **Need** report of Counsel Jeanne E. Kennedy.
14. **Return** of citation filed 06/25/18; however, item #4 is incomplete re server's name, address, and telephone number. **Need** same.
15. **CI Report filed 07/10/18.**
16. Proof of Completion of the Conservatorship Training Class filed.
17. ~Proposed Form Order: 05/30/18

RECOMMENDATION

Matter is contested.

Need to clear notes #2-3; #5; #12-14 then Court's discretion.

If approved, set hearing for Compliance Review for **02/20/19** 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 and hearing re Accounting Review for **09/25/19**. Any accounting to be filed 30 days in advance.

(lh)

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CASE#: CON PS1800113

CASE NAME: Billie Jean Allen

**SEE ALSO 29**

**VACATED**

HEARING:

Petition for Appointment of Conservator

COUNSEL:

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

Waiver of Court Fees and Costs filed by BILLIE JEAN ALLEN is GRANTED

See notes on prior matter #29.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 10/10/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1800262

CASE NAME: RUBY N LAKE

HEARING:

Petition for Appointment of Conservator

COUNSEL:

PHYLLIS M TINER (CPE)...HARTNELL LAW GROUP  
RUBY N LAKE (CEP)...PRO/PER

#### GENERAL INFORMATION

Ex parte orders granted 09/04/18. Oral report given by Sandy Turner. Phyllis M. Tiner appointed Temporary Conservator of person and estate; no bond.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Phyllis Tiner, daughter

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

1. Petitioner seeks minimum bond of \$20,000. Assets are currently unknown, although it appears all assets may be community property. **JTD**
2. Petitioner seeks dementia powers. **Report of Counsel Sandy Turner filed 09/06/18.**
3. Petitioner seeks medical powers. **Need** Capacity Declaration.
4. **CI report filed 10/03/18.**
5. **Need** return of Citation.
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. ~Proposed Form Order: 08/28/18

#### RECOMMENDATION

Need to clear notes #4-6. If approved, set hearing for Compliance Review for **05/15/19** 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)

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CASE#: PRO PS1400931

CASE NAME: Larry Davis

HEARING:

Hearing Re: COURT TRIAL (SECOND SESSION)

COUNSEL:

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

No notes—Court Trial—JTD

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**PROBATE**

-----  
DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1200064

CASE NAME: LOUIS KARL MATHES

HEARING:

Accounting Review

COUNSEL:

WANDA TAYLOR

(PET)...CHARLES R SUTTON

LOUIS KARL MATHES

(DEC)...

ANNA-ELISABE TH BARBIER

(TP )...PABLO BLESSI NG

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Status Report approved on 11/08/17. **Need order.**
2. **Need** accounting and status report.

#### RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1300794

CASE NAME: Lawrence Alf

HEARING:

Hearing re Final Discharge

COUNSEL:

PATRICK O'HAIR (PET)...JOHN F WEBER  
LAWRENCE ALF (DEC)...

GENERAL INFORMATION:

**Continued from 12/19/17; 02/06/18; and 04/18/18** at request of counsel to file required documents.

**Continued from 07/18/18. Counsel states receipts and final discharge were submitted last week. Court is not showing them in ROA. Continuance is given so they can be processed or filed.**

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Receipts by Kent Cremolini, Janice Cremolini, Patrick O'Hair, and Sully Vintus filed 07/13/18; however, property received in each receipt does not match distribution prescribed in Final Order entered 02/02/17. **Need** revised receipts clarifying that all beneficiaries have received their entire distribution.
2. Ex-parte Petition/Order for Final Discharge submitted 07/13/18; however; item 2c is missing recording information for **each** parcel of real property mentioned in Final Distribution Order entered 02/02/17.
3. Ex Parte Petition for Final Discharged received 07/24/18 is not in LF at time of review however, ROA indicates it was forwarded to department for review. **JTD**

RECOMMENDATION:

Inquire status.

(nb/lh)

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HONORABLE: JAMES MICHAEL WELCH

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600035

CASE NAME: RUTH PRICE

HEARING:  
Probate Status Report

COUNSEL:

SALLY PRICE (PET)...JOHN F WEBER  
RUTH VALORA PRICE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status Report re Sally Price, Executor

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

1. Estate is not in a condition to close as the real property and water rights have been listed for sale but have not sold.
2. Petitioner requests an additional 12 months to close the estate.
3. ~Proposed Order: 08/22/18

RECOMMENDATION:

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

(lh)



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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700134

CASE NAME: Michael Ray Alexander

HEARING:

Petition for final Distribution on Waiver of Account and Report of CHRISTOPHER ALEXANDER and Petition for allowance of fees filed.

COUNSEL:

CHRISTOPHER ALEXANDER (PET)...LAW OFFICE OF KAZUAKI UEMURA  
MICHAEL RAY ALEXANDER (DEC)...

GENERAL INFORMATION:

**Continued from 08/22/18. Inventory and Appraisal needs to be filed.**

THIS CASE IS SET FOR HEARING ON Waiver of Account and Report and Petition for Final Distribution and Fees by Christopher Alexander

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

1. Assets on hand consist of two parcels of real property and cash. **Need** verified supplement itemizing values of each asset.
2. Attorney requests statutory fees of **\$8,280**. Calculated.
3. Petitioner does not request statutory fees.
4. Inventory and Appraisal not filed as alleged. **Need final Inventory and Appraisal.**
5. **Need** bank/investment statements verifying date of death balances and final ending balance per Local Rule 20-908.
6. **Need** verified supplement with supporting schedule reflecting gains/losses per CRC 7.550(b)(6).
7. Petitioner alleges both heirs waive accounting; however, missing waiver of account from Larry Ray Alexander. **Need same.**
8. Notice is complete.
9. No proposed order submitted.

RECOMMENDATION:

Need to clear notes #1; #4-7 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **09/11/19**.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800460

CASE NAME: FRANK WILLIAM MARLOWE

HEARING:

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

COUNSEL:

DOMINIC PURDY	(PET)...JOHN F WEBER
AMANDA PURDY	(PET)...JOHN F WEBER
FRANK WILLIAM MARLOWE	(DEC)...

GENERAL INFORMATION

Ex parte orders entered 07/10/18. Dominic and Amanda Purdy appointed Special Administrators; no bond.

**Continued from 08/15/18.**

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Dominic Purdy and Amanda Purdy

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

1. **Matter appears moot as Petition for Termination of No Asset Estate was filed 09/19/18. Court to trail to 10/31/18.**
2. Petitioner requests bond \$0.
3. Petitioners seek appointment as administrator for the sole purpose of preventing foreclosure on real property. Subject real property was the sole asset of estate which passed to petitioners without administration per Order Determining Succession entered 06/12/18.
4. **Need** Proof of Publication.
5. ~Proposed Form Order: 06/28/18

RECOMMENDATION

Court to trail to 10/31/18.

Need to clear note #4. If approved, set Accounting/Status Review for **10/23/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

***Future hearing date: 10/31/18 Petition for Termination of No Asset 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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given

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HONORABLE: JAMES MICHAEL WELCH

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CASE#: PRO PS1800515

CASE NAME: MTR OF ROBIN GALE DONOHUE

HEARING:

Petition for LETTERS OF ADMINISTRATION W/LIMITED

COUNSEL:

JAMES J DONOHUE (PET)...STEPHEN E GRANT  
ROBIN GALE DONOHUE (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with **Limited** Authority under IAEA by James Donahue, nominee

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

1. All heirs waive bond. Estimated assets are currently unknown. **JTD**
2. **Proof of Publication filed 10/04/18; however, not in LF at time of review.**
3. ~Proposed Form Order: 08/21/18

#### RECOMMENDATION

Need to clear note #2 then Court's discretion re bond. If approved, set Accounting/Status Review for **12/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800646

CASE NAME: Mtr of Edna V Ford

HEARING:

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

COUNSEL:

BETTY JEAN LOTZ	(PET)...PRO/PER
EDNA V FORD	(DEC)...
MARTI GERARDI	(PET)...BYRON R LANE

GENERAL INFORMATION

Petition was previously filed on 07/20/93 by executor, Betty Jean Lotz. Matter was taken off calendar due to no certificate of assignment filed. Certificate was never filed. Matter was never heard; personal representative was never appointed. Executor and alternate executor are now deceased.

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

THIS CASE SET FOR HEARING ON Petition for Probate of Will and Letters of Administration with Will Annexed by Marti Gerardi, nominee

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

1. Petitioner requests \$175,000 bond based on real property. **JTD**
2. ~Proposed Form Order: 07/24/18

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **12/16/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800714  
CASE NAME: William P Benson

HEARING:  
Petition for (AMENDED) SPOUSAL PROPERTY PETITION

COUNSEL:

CLAUDELLA MAY BENSON (PET)...IGNAZIO FICARA  
WILLIAM P BENSON (DEC)...  
LAURA SUSAN BENSON (OBJ)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Claudella May Benson, spouse

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

1. Petitioner, Claudella May Benson, seeks Court to her half of community property.
2. Petitioner alleges the real property and promissory note should pass pursuant to Section Pr. C. §13650 because said real property and promissory note were community assets of petitioner and Decedent. Petitioner and Decedent were married on 12/18/1971. Said real property and promissory note were acquired during their marriage with community funds. Title was held in Decedent's name for ease of management.
3. Petitioner alleges she has become aware of an additional ¼ interest in an unimproved 2-acre parcel of property in Yucca Valley. Decedent inherited this interest in real property per Order Determining Succession to Real Property entered 02/26/01.
  - a. It appears this property is Decedent's separate property per Family Code Sections 760, 770. As Decedent's spouse, petitioner would only be entitled to 1/3 share per intestate succession per Pr. C. §6401(c).  
**Question how this asset should be deemed community property? Need verified supplement with points and authorities.**
4. Notice is complete as to 10/10/18 hearing date. See note below.
5. Note: The Amended Petition filed 08/30/18 was given a hearing date of 10/16/18; however, matter was inadvertently set for 10/10/18. **Does Court wish to continue for proper notice? JTD.**
6. ~Proposed Form Order: 08/30/18

**RECOMMENDATION:**

Need to clear note #3, then Court's discretion.

(lh)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800795

CASE NAME: MTR OF MERIBETH HUEGEL

HEARING:

Petition for Probate of Will & Letters of Testamentary With Full Under IAEA

COUNSEL:

JOSHUA PAUL BAY

(PET)...PRO/PER

MERIBETH HUEGEL

(DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Joshua Bay, son/executor

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

1. Will waives bond. Estimated assets valued at \$397,000, consisting of real property and \$22,000 in personal property. **JTD**
2. **Need** Notice of Petitioner to Administer Estate.
3. **Proof of Publication filed 10/03/18; however, not in LF at time of review.**
4. **Need** Proof of Subscribing Witness [Form DE-131]. Witnesses did not sign attestation clause.
5. ~Proposed Form Order: 08/20/18

#### RECOMMENDATION

Need to clear notes #2-4, Court's discretion re bond. If approved, set Accounting/Status Review for **12/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800804

CASE NAME: HOWARD G WRIGHT

HEARING:

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

COUNSEL:

BARBARA ANN WRIGHT (PET)...PRO/PER  
HOWARD G WRIGHT (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with  
Full Authority under IAEA by Barbara Ann Wright, Executor

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

1. Will waives bond. Estimated value of estate assets is \$629,000 based on personal property. **JTD**
2. **Need** Notice of Petitioner to Administer Estate as to Trustee of the Wright Family Trust and to stepchildren, Bridgette L. Thomas and Dane E. Thomas, who are mentioned in will.
3. 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**
4. ~Proposed Form Order: 08/22/18

RECOMMENDATION

Need to clear notes #2-3 then Court's discretion re bond. If approved, set Accounting/Status Review for **12/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)



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

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800856

CASE NAME: Michael Steven Englert

HEARING:

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

COUNSEL:

RUSSELL ENGLERT (PET)...SILVA & SILVA  
MICHAEL STEVEN ENGLERT (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Russell Englert, brother

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

1. All heirs waive bond. However, petitioner is a non-resident and the court may require bond if the proposed personal representative resides outside California per and Pr. C. § 8571. Court also has discretion to require bond per Pr. C. § 8481(b). Does court wish to require minimum bond of \$20,000 or alternatively based on real and personal property of \$500,000? **JTD**
2. **Need** Proof of Publication.
3. ~Proposed Form Order: 09/05/18

#### RECOMMENDATION

Need to clear note #3. If approved, set Accounting/Status Review for **12/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: TRU PS1800154

CASE NAME: MTR OF THE WILLIAM R WALTON SEPARATE

**SEE ALSO 13**

HEARING:

Petition for TO RECOVER TRUST PROPERTY

COUNSEL:

WILLIAM L WALTON	(PET)...HART KING & COLDREN
BARBARA L BLACKAMORE	(PET)...HART KING & COLDREN
STEVEN R WALTON	(PET)...HART KING & COLDREN
THE WILLIAM R WALTON SEPARATE TRUST (TRU)...	
URSULA M BALL	(PET)...LAW OFFICE OF DAVID PHILIPSON

Currently under review by legal research.

(LR)

Notice is complete.

(lh)

Superior Court of Calif, County of San Bernardino  
Page: 12A Add-On  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: TRU PS1800154

CASE NAME: MTR OF THE WILLIAM R WALTON SEPARATE

**SEE ALSO 12**

HEARING:

Petition for an Order Compelling Trustee to Perform Duties

COUNSEL:

WILLIAM L WALTON	(PET)...HART KING & COLDREN
BARBARA L BLACKAMORE	(PET)...HART KING & COLDREN
STEVEN R WALTON	(PET)...HART KING & COLDREN
THE WILLIAM R WALTON SEPARATE TRUST (TRU)...	
URSULA M BALL	(PET)...LAW OFFICE OF DAVID PHILIPSON

Currently under review by legal research.

(LR)

Notice is complete.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S36P  
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CASE#: VPR VS002864

CASE NAME: ESTATE OF ERNEST MAYFIELD

HEARING:

FIRST AND FINAL Account and Report of NINA KAYE MAYFIELD and  
Petition for allowance of fees

COUNSEL:

YVETTE MAYFIELD	(PET)...RANDALL & ASSOCIATES
ERNEST ANTHONY MAYFIELD	(DEC)...
DERRICK MAYFIELD	(PET)...RANDALL & ASSOCIATES
NINA KAYE MAYFIELD	(PET)...LAW OFFICES OF C L FARRELL PC
DERRICK MAYFIELD	(PET)...JOHN GUY
CAROL L KUNDERT	(PET)...PRO/PER
BOND SERVICES OF CALIFORNIA	(PET)...PRO/PER
PUBLIC ADMINISTRATOR	(PET)...CRAIG M PARKER
CAROL L KUNDERT	(PET)...GARY E. MUNGER
RICHARD A CHERRY	(TP )...PRO/PER
AMERICAN CONTRACTORS INDEMNITY	(LANAK & HANNA)

GENERAL INFORMATION:

On **02/26/07**, Letters of Administration were issued to Carol L. Kundert with limited authority, \$50,000 bond.

On **03/11/14**, Court removed Carol L. Kundert and appointed Public Administrator.

On **01/05/15**, Court relieved Public Administrator and reappointed Carol L. Kundert.

On **09/24/15**, Court re-referred matter to Public Administrator.

At trial on **07/18/16**, Court approved First and Final Account of Carol Kundert (as modified). Court approved Surcharge on Carol Kundert as follows: \$30,000 with 10% interest from 10/24/13; \$3,800 with 10% interest from 09/04/12; \$10,408.41 with 10% interest from 03/22/12. Court set hearing re discharge of Carol Kundert for 11/14/16.

Court removed Carol Kundert as Administrator and appointed Nina Mayfield as Special Administrator with all funds to be placed in blocked account. All assets, books, and records to be turned over to Nina Mayfield.

On **09/22/16**, Court appointed Nina Mayfield as Success Administrator.

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of  
Successor Administrator; Petition for Fees, Reimbursements, and Final Distribution by  
Nina Mayfield

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

1. Assets on hand: \$59,788.74, cash held in blocked account held with Bank of America, savings account x0874.
2. Prior Administrator, Carol L. Kundert and her Surety American Contractors Indemnity Company were surcharged a total of \$57,999.63, including prejudgment interest, for unauthorized disbursements. Sum was received by petitioner on 02/01/17 as full payment and satisfaction.
3. Statutory fees of **\$4,037.63**, each, requested by petitioner and attorney. Calculation is based on combined inventory and appraisals accounted for in First and Final Account and marshalled by prior administrator, Carol Kundart. Court reserved on issue of statutory commission and extraordinary commission of Carol Kundart in order entered 09/28/16.
  - a. *Question authority to calculate statutory fees based on assets marshalled by prior administrator. **Need verified supplement.***
4. Petitioner requests Order authorizing legal fees incurred from awarded surcharge.
  - a. **Need** verified supplement with specified [extraordinary] fees requested and itemization.
5. Petitioner received \$18,756.04 from prior administrator, Carol L. Kundert, which was held in Decedent's Wells Fargo Bank account x8655. Petitioner alleges Court had previously reserved on the issue of whether this disbursement was a preliminary distribution. [See Order entered 09/28/16]. Petitioner requests Court order that the \$18,756.04 was not a preliminary distribution to Nina Kaye Mayfield, but was rather an asset within Decedent's estate used to pay Estate expenses and debts. Itemized in Exhibit A. [Acct, 08/17/18, LFpg13; 28-33]. **JTD**
6. Petitioner requests reimbursement for advanced costs in the amount of \$36,934.33. Itemized in Exhibit B. [Acct, 08/17/18, LFpg34-43].
7. Petitioner requests Court order authorizing and directing payment to outstanding income taxes and accrued interest and penalties due to Federal and State tax authorities for Decedent's 2005 taxes using Estate funds.
8. Petitioner requests reserve of \$1,499 for closing expenses.
9. Notice was given.
10. No proposed order.

RECOMMENDATION:

Need to clear notes #3-4 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **10/22/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**CONSERVATORSHIPS**

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DATE: 10/10/18      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1300026

CASE NAME: CHERI LYNN AUCOIN

HEARING:

Trial Setting Conference

COUNSEL:

CHERI CLAYTON                      (CP )...PRO/PER  
CHERI LYNN AUCOIN                (CTP)...ROSE C ROSADO  
PUBLIC GUARDIAN                    (CP )...COUNTY COUNSEL  
DEPART OF DEVELOPMENTAL SERVICES (CP )

No notes—TSC—JTD

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1400016

CASE NAME: Escott M Nicholson

HEARING:  
Accounting Review

COUNSEL:

LINDA CONLEY	(CPE)...HORSPOOL & HORSPOOL
ESCOTT M NICHOLSON	(CEP)...DONNASUE ORTIZ
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
ESCOTT M NICHOLSON	(CEP)...FRANK JOHN PIRO

GENERAL INFORMATION

**Continued from 08/01/18 to file accounting.**

THIS CASE IS SET FOR HEARING ON Accounting Review re Linda Conley,  
Conservator/granddaughter

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

1. Third Account Current approved on 12/06/17 for period ending 05/31/17.
2. Fourth Account Current now due for period commencing 06/01/17.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600032

CASE NAME: JACQUELINE BEARCE

HEARING:

Accounting Review

COUNSEL:

ROBERT L BEARCE	(PCR)...PRO/PER
SHERI L KASTILAHN	(PET)...SHERRI L KASTILAHN
KATHLEEN BEARCE CLARKE	(CPE)...PRO/PER
JACQUELINE BEARCE	(CEP)...SHERRI L KASTILAHN

GENERAL INFORMATION

Continued from **06/13/18** to file accounting.

**Continued from 08/22/18 at request of Counsel.**

THIS CASE IS SET FOR HEARING ON Accounting Review by Kathleen Bearce  
Clarke, sister-in-law

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

1. Kathleen Bearce Clarke was appointed successor conservator of the person and estate on 04/05/17 with \$80,000 bond.
2. On 10/04/17, Court waived the filing of a final accounting of prior conservator, Robert L. Bearce. **Need** Order after hearing.
3. **Need** Inventory and Appraisal.
4. **Need** accounting.

RECOMMENDATION

Inquire status.

(lh)



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

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DATE: 10/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1600185

CASE NAME: MTR OF JOSEPH JAMES STRUCK

HEARING:

Fourth Account and Report of LARRY E HOOVER and Petition for allowance of fees

COUNSEL:

JOSEPH JAMES STRUCK	(CEP)...
DAVID STRUCK	(CTP)...MICHELE L ABERNATHY
MIRIAM STRUCK	(CTE)...MICHELE L ABERNATHY
DENISE WEINSTOCK	(CEP)...PATRICIA A LOBELLO
RUSSELL POTTHARST	(CPE)...GLORIA SCHARRE PITZER
LINDA CALLAWAY	(CE )...M DANIEL SAYLOR
LARRY E HOOVER	(CE )...LAW OFFICE OF SU P CHEAH

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Fourth Account Current and First Report of Successor Conservator; Petition for Fees; Petition for Authority to Execute New Will for Conservatee by Larry E. Hoover

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

1. Accounting period 08/10/17 to 08/15/18
2. Assets on Hand \$93,265.52; consisting of \$59,984.15 in cash and remaining in stock and furniture. **Confidential statements filed separately; however, need Desert Community Bank x1532 to reflect ending balance as of 08/15/18.**
3. Petitioner paid \$23,972.00 to Solstice for room and board. **Need** verified supplement with residential facility statements and/or written verification of rent per Pr. C. §2620(c)(4).
4. Petitioner requests Order for \$200 allowance to Conservatee for personal use.  
**JTD**
5. Conservatee currently has a holographic will dated 04/20/15. See attached. [Acct, 08/29/18, LFpgs15-17]. Conservatee desires to change executors for his will. Conservatee also wishes to specifically disinherit his three children, Miriam Struck, David J. Struck, Sharon Struck, and their issue. Petitioner requests Court to provide an Order for substituted judgement under Pr. C. §2580(13) to authorize Conservator to execute a new will for Conservatee. Said will would change executors, provide 100% distribution to Jeannette N. Passty, niece, with

alternate beneficiary as radio station, KUSC91.5 FM. See attached proposed will. [Acct, 08/29/18, LFpgs18-19]. **JTD**

6. Petitioner requests Court to approve attorney's fees to Law Office of Su P. Cheah totaling **\$2,735** for 101.10 hours at \$230 per hour, plus \$52.50 in costs. Itemized. [Acct, 08/29/18, LFpg23]. **JTD**
7. Petitioner requests Conservator fees totaling **\$8,810** for 88.10 hours at \$100 per hour. Itemized. [Acct, 08/29/18, FLpgs20-22]. **JTD**
8. Current bond in the amount of \$160,000. Petitioner requests bond be reduced to \$118,000. Calculated. Appears sufficient. **JTD**
9. Proposed Order submitted 08/29/18. However, no attachments to follow Judge's signature per Local Rule 20-614(d). Submit revised order after hearing.

**RECOMMENDATION:**

Need to clear notes #2-3. If approved, set next accounting review hearing for **10/16/19**.

(lh)

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700235

CASE NAME: MARICA KAY BISSONNETTE

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of KRISTIN COX

COUNSEL:

KRISTIN COX (CPE)...MARIELLEN ROSS  
MARCIA KAY BISSONNETTE (CEP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from **03/21/18**. Required documents not filed. Court orders Attorney Bradley Hague to be present at next hearing. Attorney Roth to give notice.

Continued from **05/16/18**.

**Continued from 07/25/18 to file required documents.**

THIS CASE IS SET FOR HEARING ON Compliance Review

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

- 1 Kristin Cox (daughter) was appointed conservator of the person and estate of Marcia Kay Bissonnette on 08/16/17; \$82,000 bond filed.
- 2 Notification of Rights filed 04/25/18; however, proof of service, item #5, does not indicate whether a copy of the Order dated 08/16/17 was served per Pr.C. §1830(c). **Need same.**
- 3 **Need** Statement of Care Plan in accord with Pr.C.§2352.5.
- 4 **Need** final Inventory & Appraisal per Pr.C. §2610.
- 5 **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
- 6 If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION:

Inquire status.

(lh)

Future Hearing: 10/24/18: Accounting Review

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1800274

CASE NAME: Mtr of Joshua Tulk

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
KARIN POWELL (PET)...MITCHELL I ROTH  
JOSHUA TULK (DEC)...

GENERAL INFORMATION

Ex Parte Orders granted 09/12/18.; \$60,000 bond.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator of the  
**Estate Only** by Karin Powell, mother

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

1. Court requires \$60,000 bond.
2. **Report of No Report filed by Court Investigator.**
3. **Need** Certificate of Completion of the Conservatorship Training Class.
4. **Need** return of Citation. **Citation filed 10/4/18 not in LF at time of review.**
5. ~Proposed Form Order: 09/05/18

RECOMMENDATION

Need to clear notes #2-4. If approved, set hearing for Compliance Review for the filing of the required documents on **05/15/19** and hearing re Accounting Review for **12/18/19**. Any accounting to be filed 30 days in advance.

(lh)

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: SC SS01254

CASE NAME: IN THE MATTER OF ALLEN RHAJIVE CARABALLO

HEARING:

Second Account and Report of EDUARDO Y GONZALEZ LOPEZ and  
Petition for allowance of fees

COUNSEL:

ALLEN RAHJIVE CARABALLO	(CEP)...MITCHELL I ROTH
ALLEN RAHJIVE CARABALLO	(CEP)...HORSPPOOL & H ORSPOOL
AMERICAN CONTRACTORS INDEMNITY	(TP )...LANAK & HANNA
ANNETTE G DEBELLEFEUILLE	(PET)...ANNETTE DEBELLEFEUILLE
ARDIS ENRIGHT	(CPE)...PRO/PER
EDUARDO Y GONZALEZ LOPEZ	(CPE)...PRO/PER
RON OLUND	(CE )...J. DAVID HORSPPOOL
VERLENE CAMERON	(CPE)...JOHN D MICKUS
VERLENE CAMERON	(PCR)...VICTOR CLARK COHEN

GENERAL INFORMATION:

**Continued from 07/18/18. No appearance. Matter continued. Notice to be given by Mitchell I Roth.**

THIS CASE IS SET FOR HEARING ON Second Account Current by Successor Conservator of the Estate, Eduardo Gonzalez Lopez.

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

1. Amended First Account Current approved 11/16/17. **Need order**
2. Accounting period 10/01/16 to 02/28/18
3. Accounting is not verified per Pr. C. §1021. **Need** same.
4. **Need** Notice of Hearing as to Allen Rahjive Caraballo; Mitchell I Roth, appointed counsel.
5. Assets on Hand \$12,056.02, cash. However, Summary of Account does not reflect non-cash assets, including 2005 Chevrolet Impala. **Need** verified supplement with corrected Summary of Account or explain status of non-cash assets.
6. **Need** bank statement verifying ending balance.
7. Conservatee received allowance totaling \$34,220.11 during accounting period and additional Schedule C disbursements as follows:

- a. Bank charges totaling \$487.99 include multiples charges of \$35 increments. Question if charges are due to bank overdraft fees? **Need verified supplement.**
  - b. A total of \$5,929.72 was spent on clothing and accessories at various retailers during an 8-month period. **Need** verified supplement clarifying purchases.
  - c. Travel expenses include \$14,345.24. **Need** verified supplement clarifying expenses.
8. Petitioner alleges conservatee's substance abuse has worsened, and in January, 2018 suffered from renal failure. Medical bills are attached totaling \$13,997.96 for rehab and miscellaneous medical expenses. Expenses also include multiple vehicle impounds and vehicle repairs due to automobile accident totaling \$11,638.40. Insurance companies will no longer insure conservatee. Conservatee hired counsel for representation in a misdemeanor action on 11/28/2016, and was also evicted from apartment in February, 2017.
- a. It appears petitioner's access to conservatee is limited as he resides in Connecticut. Petitioner alleges conservatee requires assistance with daily living and finances. [See 2<sup>nd</sup> Acct, LFpg4; 13-14; 18; 35; 39]. **JTD**
9. Petitioner requests fees of **\$13,730** for 343.25 hours at \$40 per hour for services rendered during accounting period. Hourly rate was set by Court order entered 12/05/17. Itemized. [2<sup>nd</sup> Acct, 06/05/18, LFpg25]. However, it does not appear there are sufficient cash assets to cover fees. Court to determine if fees are just and reasonable. **JTD**
10. Petitioner requests Court order Attorney Mitchell I Roth to submit request for fees as it has been two years since last request. **JTD**
11. Current bond \$134,000. Suggested bond \$136,000. **JTD**
12. No proposed order submitted.

**RECOMMENDATION:**

*Need Order approving Amended First Accounting.*

Need to clear note #1; 3-7. If approved, set hearing on the next accounting review for **04/24/19** (if one year) or **04/22/20** (if two years). Accounting to be filed 30 days in advance.

(lh)

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: SC SS02446

CASE NAME: MTR OF MELODY A. MYKING

HEARING:

Accounting Review

COUNSEL:

LUZVIMINDA SALAGAN (CPE)...PRO/PER  
MELODY A. MYKING (CEP)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order approving dispensing with account on 10/06/16 for account period ending 08/15/16.
2. **Need** accounting or waiver of account for period commencing 08/16/16.

#### RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1200054

CASE NAME: MTR OF ABRAHAM GOMEZ

HEARING:

Hearing Re: Concerns in CI Report

COUNSEL:

MILAGROS RUIZ (CP )...PRO/PER  
ABRAHAM GOMEZ (CTP)...MITCHELL I ROTH

#### GENERAL INFORMATION

**Continued from 06/06/18.** Counsel reports the conservator is not cooperating with Ms. Kennedy and suggests the Court appoint a Guardian Ad Litem for Abraham Gomez. Court appoints Mitchell I. Roth as Guardian Ad Litem for Conservatee. Matter continued for GAL report.

**Continued from 08/08/18.** Attorney Jeanne Kennedy has a conflict on the matter. Court removed Jeanne Kennedy as Counsel for Abraham Gomez and appointed Sandy L. Turner.

**Continued from 09/19/18 for Attorney Roth to contact his client. Court orders Milagros Ruiz to personally be present at next hearing. Attorney Turner to give notice.**

THIS CASE IS SET FOR HEARING ON Concerns in CI Report

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

1. Matter set on 05/11/18 upon Court's review of memo by Court investigator filed 04/27/18. Court reappointed Jeanne E Kennedy and set for hearing.
2. **Need** report from Mitchell Roth (GAL).
3. **Report of Counsel Sandy L. Turner filed 09/06/18.**

#### RECOMMENDATION

Inquire status.

(lh)



Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**TRIAL**

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DATE: 10/10/18      TIME: 1:30      DEPT: S36P  
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CASE#: CON PS1800085

CASE NAME: MTR OF COOKIE GILESPIE

HEARING:

Hearing Re: COURT TRIAL ON GUARDIANSHIP PETITION

COUNSEL:

CLAUDIA MCKEE

(CPE)...PRO/PER

COOKIE GILESPIE

(CEE)...SHERRI L KASTILAHN

INLAND COUNTIES REG CNTR

(STEVEN K BECKETT)

Waiver of Court Fees and Costs filed by COOKIE GILESPIE is GRANTED

No notes—Court trial—JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

-----  
DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1300689

CASE NAME: Joanne L. De Loof

HEARING:

Report Account and Report of RICHARD DE LOOF and Petition for allowance of fees

COUNSEL:

RICHARD DE LOOF

(PET)...PRO/PER

JOANNE L DE LOOF

(DEC)...

JUDITH L JORDAN

(TP )...PRO/PER

GENERAL INFORMATION:

**Continued from 07/11/18. Third verified supplement has been filed. Court will not approve attorney fees and executor fees as requested. Calculation for statutory fees to be submitted and attorney and executor fees to be calculated pursuant to that calculation. Court requests attorney's request for costs to be detailed. Court will approved request for \$650 for helping nieces to "get out of here."**

THIS CASE IS SET FOR HEARING ON Second Amended Final Accounting and Report of Executor with Proposed Distribution

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

1. Accounting period: 01/21/13 to 02/01/17; Court to determine whether to require accounting to be brought more current **JTD**
2. Assets on hand: \$20,427.86, cash
3. Petitioner waives statutory compensation.
4. Petitioner advanced **\$25,785.50** to the estate for administrative expenses. **Supp filed 4/6/18**, LFpg10, includes list of expenditures including home insurance, house appraisals, property taxes, etc.
  - a. **Supp filed 07/06/18**. Petitioner seeks reimbursement of remaining \$11,116.01 for advanced funds for which he is owed.
5. Petitioner seeks reimbursement of advanced costs totaling \$5,200 for attorney services during asbestos litigation. **Supp filed 4/6/18** petitioner was requested by Court to explain why \$5,200 was paid without Court approval. Petitioner alleges statutory fees in Pr. C. §10813 refer to probate court and not the process of probate. Petitioner initiated probate in pro per, and

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](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given

attorney's fees paid were not statutory fees, but rather a flat fee for assistance completing petition.

- a. **Need verified supplement with calculation for attorney statutory fees and itemization of costs by attorney.**
6. Summary of Account does not balance as Charges total \$0 and Credits total \$27,785.50. Need amended accounting or verified supplement with proper, balanced Summary of Account to include receipts per Pr. C. §1061. **Supp filed 07/03/18 includes revised Schedules.**
7. Petitioner alleges the decedent owned real property subject to a reverse mortgage; however, real property is not reflected in the Inventory and Appraisal. Question what is the status and character of real property? How is title held? Is it currently occupied? Is there any remaining equity? **Supp 07/03/18 real property was relinquished to mortgage company in 2014 as there was no equity in real property. Property is rented by petitioner from current owner.**
  - a. *It appears real property was an estate asset as of decedent's date of death [03/08/13] and should be accounted for as a loss. Does Court wish to require a third amended Inventory and Appraisal with valuation from probate referee? **JTD***
  - b. *Does Court wish to require vesting document? **JTD***
8. Petitioner requests proposed distribution of any and all future asbestos claims to be distributed directly to petitioner as successor trustee of the Joanne L. De Loof Family Trust to be distributed to beneficiaries per terms of will. [Supp. 04/06/18, LFpg3].
  - a. **Points and Authorities in Support of Request to Settle Estate and Distribute Residuary of Litigation Proceeds. Referred to Legal Research for review and memo.**
9. Notice was given.
10. Proposed Order submitted 07/03/18 is missing findings re assets; sole and separate property; taxes; creditors' claims; distribution to recipients.

**RECOMMENDATION:**

Need to clear note #5. If approved, court to set hearing on filing of receipts and final discharge for **10/23/19**.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600608

CASE NAME: CREIG ALLEN SCHMALTZ

HEARING:  
Accounting Review

COUNSEL:  
SHELLEY LORENE SCHMALTZ (PET)...PRO/PER  
CREIG ALLEN SCHMALTZ (DEC)...

GENERAL INFORMATION

Continued from **01/08/18**. No appearance. OSC set re sanctions for FTA and file accounting.

Continued from **03/28/18**. A petition to terminate may be filed as this is a zero asset estate. The house was foreclosed upon and the only remaining asset is the car.

**Continued from 07/11/18. No appearance. Court orders Shelley Schmaltz to be present at next hearing if accounting is not filed.**

THIS CASE SET FOR HEARING ON Accounting Review/Status re Shelley Schmaltz

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

1. Letters of Administration issued to Shelley Schmaltz, spouse, on 10/31/16 full authority, no bond.
2. Final Inventory and Appraisal filed 03/20/18.
3. **Need** accounting or status report.

RECOMMENDATION:  
Inquire status

(cs/lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600797

CASE NAME: DONALD RAYMOND GABBARD

HEARING:  
Accounting Review

COUNSEL:

BETSY MOORE (PET)...THEODORE  
DONALD RAYMOND GABBARD (DEC)...

**GENERAL INFORMATION**

**Continued from 01/10/18** at request of Court. Amended Inventory and Appraisal to be filed. Court discussed storage claim and sale of house with Counsel.

Continued from **04/11/18** at request of Counsel to file accounting or status report and for legal research to review amended final inventory and appraisal filed 04/06/18.

**Continued from 07/11/18. No appearance. Court orders Betsy Moore and/or Counsel to be present at next hearing if accounting is not filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review re Betsey Moore, administrator

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

1. Letters of Administration with full authority issued to Betsey Moore, \$275,000 bond.
2. **Amended** final Inventory and Appraisal filed 04/06/18.
3. No accounting or status report of administration. Need same.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1601169

CASE NAME: MICHAEL RAFAEL GONZALES

HEARING:

Accounting Review

COUNSEL:

FIDEL GONZALES (PET)...CHRISTOPHER V MARKARIAN ESQ  
MICHAEL RAFAEL GONZALES (DEC)...

GENERAL INFORMATION

**Continued from 07/11/18. Court orders Fidel Gonzales and/or Counsel to be present at next hearing if accounting not filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review re Fidel Gonzalez  
(administrator/father)

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

1. Letters of Administration with full authority were issued to Fidel Gonzalez on 04/26/17.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700868  
CASE NAME: MTR OF HAROLD WEIZENECKER

HEARING:  
FIRST AND FINAL Account and Report of WENDY E LOPEZ and Petition  
for allowance of fees

COUNSEL:

WENDY E LOPEZ (PET)...ELISABETH KEMPE-OLINGER  
HAROLD WEIZENECKER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report; Petition  
for Fees; Confirmation of Preliminary Distribution by Wendy E. Lopez,  
Executor/Successor Trustee

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

1. Assets on hand: \$372,043.91, cash
2. Statutory fees of **\$11,023.17**, each, requested by petitioner and attorney. Calculated.
3. Petitioner requests reimbursement of advanced funds totaling \$705.83 as a portion of the beginning balance of estate checking account. **JTD**
4. Prior to Decedent's death, the mobile home located in Ontario, California, was listed for sale. Escrow began prior to Decedent's death but closed after Decedent's death. Pursuant to an agreement among beneficiaries, a portion of proceeds of the sale were distributed to Allan Christopher Weizenecker, son. Petitioner requests confirmation of preliminary distribution. **JTD**
  - a. Exhibit C/ copy of agreement is not attached as alleged. **Need** same.
5. Decedent's Trust provides for 100% distribution to Wendy Lopez as Trustee of the Harold Weizenecker Trust. As trustee, petitioner requests Court to distribute residue directly to beneficiaries: Wendy Lopez; Allan Weizenecker; and Mark Weizenecker.
6. Petitioner requests reserve of \$1,450 for closing expenses. **JTD**
7. ~Proposed order: 09/11/18

RECOMMENDATION:

Need to clear notes #4-5 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **10/22/19**. (lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700929

CASE NAME: THE MARY JO SOHOVICH INTER VIVOS TRUST

**SEE ALSO 7**

HEARING:

Hearing Re: STATUS OF MEDIATION

COUNSEL:

DONNA SOHOVICH	(PET)...GAUDY LAW, INC
MICHELE SOHOVICH	(PET)...GAUDY LAW, INC
THE MARY JO SOHOVICH INTER VIVOS TRUST (TRU)...	
DENISE KIMBERLIN	(OBJ)...RICHARD A KENNEDY

No notes—Status only—JTD



Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700929

CASE NAME: THE MARY JO SOHOVICH INTER VIVOS TRUST

**SEE ALSO 6**

HEARING:

Mediation Settlement Conference

COUNSEL:

DONNA SOHOVICH	(PET)...GAUDY LAW, INC
MICHELE SOHOVICH	(PET)...GAUDY LAW, INC
THE MARY JO SOHOVICH INTER VIVOS TRUST (TRU)...	
DENISE KIMBERLIN	(OBJ)...RICHARD A KENNEDY

No notes—Mediation—JTD

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1701257

CASE NAME: ALBERT & BEATRICE CHAMPAGNE FAMILY TRUST

**SEE ALSO 9**

HEARING:

Petition for ORDER REMOVING TRUSTEE APPOINTING SUCCESSOR  
TRUSTEE AND ACCTING ETC

COUNSEL:

DANI C PODWYS (PET)...PRO/PER  
ALBERT & BEATRICE CHAMPAGNE FAMILY TRUST (TRU)...  
MICHELE C WHEELER (OBJ)...PRO/PER

Currently under review by legal research.

(LR)

Notice: Summons issued to respondent Michele Wheeler. **Need** proof of service for summons. Michele appeared at last hearing. Court may wish to deem Michele served. JTD

(lc/lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1701257

CASE NAME: ALBERT & BEATRICE CHAMPAGNE FAMILY TRUST

**SEE ALSO 8**

HEARING:

Trial Setting Conference

COUNSEL:

DANI C PODWYS (PET)...PRO/PER

ALBERT & BEATRICE CHAMPAGNE FAMILY TRUST (TRU)...

MICHELE C WHEELER (OBJ)...PRO/PER

No notes—TSC—JTD

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800838

CASE NAME: LINETTE DARA SULLIVAN

HEARING:

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

COUNSEL:

MICHAEL ADAIRE OXFORD (PET)...ROSE C ROSADO  
LINETTE DARA SULLIVAN (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Michael Oxford, spouse

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

1. Petitioner alleges all heirs waive bond; however, missing bond waivers from siblings, Renae Sartain and Douglas Hillman. Suggested bond \$146,000 based on estimated assets. **JTD**
2. ~Proposed Form Order: 08/29/18

#### RECOMMENDATION

RFA. Court's discretion. If approved, set Accounting/Status Review for **12/22/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800839

CASE NAME: RICHARD FRANK JOLIN

HEARING:

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

COUNSEL:

KEVIN JOLIN (PET)...ROSE C ROSADO  
RICHARD FRANK JOLIN (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Kevin Jolin, son/sole heir

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

1. Petitioner is sole heir and waives bond; however, he is a non-resident. Court may require bond if petitioner resides outside California per Pr. C. § 8571. Court also has discretion to require bond per Pr. C. § 8481(b). Estimated assets total \$430,839. **JTD**
2. ~Proposed Form Order: 08/29/18

#### RECOMMENDATION

RFA. Court's discretion re bond. If approved, set Accounting/Status Review for **12/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800848

CASE NAME: Mira Maximous

HEARING:

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

COUNSEL:

MINA MAXIMOUS (PET)...MARIAN BISHAY  
MIRA MAXIMOUS (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Mina Maximous, brother

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

1. Both heirs waive bond. Estimated value of estate is \$300,000, real property only. The court may for good cause require that a bond be given, either before or after issuance of letters. (Prob. Code, § 8481(b)). **JTD**
2. Decedent's parents have higher priority; however, no objections filed.
3. No proposed order submitted.

#### RECOMMENDATION

RFA. Court's discretion re bond. If approved, set Accounting/Status Review for **12/18/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**TRUSTS**

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DATE: 10/10/18      TIME: 8:30      DEPT: S37P  
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CASE#: SPR SS05118

CASE NAME: MTTR OF GUSTAVO VARGAS SPECIAL NEEDS TRUST

HEARING:

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

COUNSEL:

INLAND COUNTIES REG CNTR (PET)...BRUNICK MCELHANEY & BECKETT  
GUSTAVO VARGAS SPECIAL NEEDS TRUST (TRU)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 11<sup>th</sup> Account and Report of IRC and Petition  
for Approval of Trustee's Fees and for Attorney's Fees

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

1. Accounting covers period: 06/01/16 to 05/31/18
2. Assets on hand: \$67,943.52; \$30,785.52 in cash and lien holder interest in converted Dodge Caravan.
3. Petitioner requests approval of trustee fees already taken by Master Trust of California in the amount of **\$2,000**. Billed at \$1,000 for the first \$50,000; 2% of the next \$250,000; 1.65% of the next \$450,000 and 1.50% of the next \$250,000.
4. Petitioner requests authority to allow Master Trust to take its annual fee according to fee schedule dated 06/13/17. [See, Acct, 08/07/18, LFpg55]. **JTD**
5. Attorney requests fees of **\$1,488** for 9.1 hours at \$100/300 per hour for paralegal and attorney services. Itemized in separate declaration filed 08/07/18.
6. Disbursements are primarily vehicle related, taxes, insurance, fees, and clothing. Itemized. [Acct, 08/07/18, LFpg22].
7. Petitioner requests Court approval of amendment to Trust to include reimbursement for any state's Medicaid program, and not just California. Proposed Amended Trust attached as Exhibit A. [See Acct 08/07/18, LFpg30-53]. **JTD**
8. Current bond \$47,000. Petitioner requests bond reduction to \$34,000. Appears sufficient if based on cash only. **JTD**
9. ~Proposed Order: 08/07/18

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **08/14/19** (if one year) or **08/12/20** (if two years). Accounting to be filed 30 days in advance.

(lh)



Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 8:30 DEPT: S37P  
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CASE#: TRU PS1800159

CASE NAME: Hazel W Otto Trust Dated June 22 1978

HEARING:

Petition for Verified ptn to appoint successor trustee

COUNSEL:

RAYMOND F OTTO (PET)...FULLERTON LEMANN SCHAEFER & DO  
HAZEL W OTTO TRUST (TRU)...

Currently under review by legal research.

(LR)

Notice

Notice is complete.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 8:35 DEPT: S37P  
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CASE#: PRO PS1700389

CASE NAME: VINCENT QUINTERO REVOCABLE LIVING TRUST

HEARING:

Motion Re: notice of motion for summary adjudication of issues  
Filed by Petitioner ROSALVA CRUZ QUINTERO

COUNSEL:

ROSALVA CRUZ QUINTERO (PET)...CHANDLER LAW FIRM  
THE VINCENT QUINTERO REVOCABLE TRUST (TRU)...  
JOSE QUINTERO (OBJ)...GAUDY LAW, INC

Currently under review by legal research.

(LR)

Future Hearings:

1/17/19 Readiness Calendar

1/17/19 Hearing Re: 1<sup>st</sup> Amended Petition to Invalidate Trust

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 8:35 DEPT: S37P  
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CASE#: TRU PS1800168

CASE NAME: THE FERRE FAMILY TRUST

HEARING:

Petition for TO DETERMINE TRUST'S TITLE TO REAL PROPERTY

COUNSEL:

LINDA WATTERS	(PET)...GLEN J BIONDI
BRIAN FERRE	(PET)...GLEN J BIONDI
RODNEY FERRE	(PET)...GLEN J BIONDI
THE FERRE FAMILY TRUST	(TRU)...

Currently under review by legal research.

(LR)

Notice was given.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

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DATE: 10/10/18      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS1100080

CASE NAME: CECELIA ANN MATTHESIUS

HEARING:

Petition for to fix residence outside the state of California

COUNSEL:

ANN E STAUB	(CPE)...BANDY & BANDY
CECELIA ANN MATTHESIUS	(CEP)...DONNASUE ORTIZ
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
ANN E. STAUB	(CPE)...ROBERT J SPITZ
PAULA EADE	(SC/OBJ)...PRO/PER
US SPECIALITY INSURANCE	(PRO/PER).

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to Fix Residence Outside the State of California by Conservator, Ann Staub (daughter)

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

1. Ann E. Staub (daughter) was appointed Conservator of the person and estate of Cecelia Matthesius on 06/07/11.
2. Petitioner, Ann E. Staub, requests the Court authorize the residence for Conservatee to be fixed outside the State of California to Florida. Petitioner owns a home in Florida and came out to California in 2011 to care for Conservatee despite Conservatee's home being both hazardous and inconvenient. Conservatee has enjoyed visits to Florida in the past and does not object to moving to Florida. Conservator's home in Florida is more comfortable as a one-story. Conservatee has no other friends or family in California that would prevent the move from being in Conservatee's best interest.
3. Petitioner alleges the expected duration of the out-of-state move is more than 4 months and the Conservatorship of the person and estate will be commenced in the place of the new residence. If approved, suggest Court order petitioner to serve and file Post-Move Notice of Change of Minor's Residence (mandatory) with proof of mailed service within 30 days of the date of any change.
4. Notice of Hearing with proof of mailed service filed 09/24/18; however, notice has incorrect Court address. **Need** proper notice with correct address.
5. ~Proposed Form Order: 08/21/18

## RECOMMENDATION

Require notice then Court's discretion. If approved, suggest Court set status re proof of Conservatorship in Florida for **12/12/18**.

(lh)

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1100269

CASE NAME: KENNETH BRIAN BOX

HEARING:

Petition for APPOINTING CO CONSERVATORS OF THE PERSON / LIMITED

COUNSEL:

DALTON M BOX JR	(CP )...CHRISTOPHER A POULOS
PHYLLIS R. BOX	(CP )...CHRISTOPHER A POULOS
KENNETH BRIAN BOX	(CTP)...MITCHELL I ROTH
DENICE MCCREARY	(CP )...CHRISTOPHER A POULOS
WILLAM MCCREARY	(CP )...CHRISTOPHER A POULOS

GENERAL INFORMATION

Phyllis R. Box was appointed Limited Conservator of the person only on 6/30/86 in Los Angeles County Superior Court.

Matter was transferred and received by San Bernardino County Superior Court on 11/18/11.

Amended Letters were issued to Phyllis R. Box on 05/22/18.

**Continued from 06/20/18. Hearing continued at request of Court. Amended petition to be filed/probate notes to be cleared. Attorney Mitchell I Roth appointed for Kenneth Brian Box. All existing orders to remain in full force and effect.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Co-Conservators of the person only by Phyllis Box, limited conservator/mother

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

1. Petitioner Phyllis Box seeks appointment of limited co-conservators to include Phyllis Box, Denice McCreary (aunt) and William McCreary (uncle). As Phyllis R. Box is currently the limited conservator of the person, **need** amended petition excluding appointment of Phyllis Box.
2. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, consent or withhold consent of marriage, access confidential records, limit right to contract, control social/sexual contacts, and make decisions re education.

**JTD**

3. Proposed conservatee's civil rights described in note #2 are to be limited.
4. Petitioner seeks medical powers. **Need** Capacity Declaration.
5. Proposed conservatee is developmentally disabled. **Need** report of Counsel Mitchell I Roth.
6. Proposed conservatee is developmentally disabled. **Need** IRC report.
7. **Need** Court Investigator report.
8. **Need** Confidential Supplemental Information.
9. List of required contacts is missing proposed co-conservators, William and Denise McCreary. **Need** completed form.
10. **Need Proof of Completion of** Certificate of Completion of the Conservatorship Training Class of William McCreary.
11. **Need** return of Citation.
12. Note: Amended Petition for Limited Conservatorship by Phyllis R. Box was filed 11/05/18. Court to trail to 11/05/18.
13. ~Proposed Form Order: 05/09/18

#### RECOMMENDATION

Matter appears moot due to amended petition. Trail to 11/05/18.

Need to clear notes #1; 3-11. If approved, set hearing for Compliance Review for **05/15/19** 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)

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1400327

CASE NAME: GREGORY SMITH

HEARING:

Amended First Account and Report of Conservator and Petition for  
Reimbursement of Expenses

COUNSEL:

HEATHER ROBINSON	(CPE)...RICHARD A. LEPORE
GREGORY SMITH	(CTE)...MATTHEW E. SHEASBY
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
CASEY HAGOOD	(CP)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON **SECOND AMENDED** (08/07/18) First  
Account Current by Conservator of the Estate, half-brother, Casey Hagood  
["Petitioner"].

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

1. Accounting period: 12/16/15 to 01/05/18
2. Assets on Hand \$59.19 consisting of cash.
3. Current bond of \$45,000. Petitioner requests Court waive bond due to size of estate. It appears estate qualifies for bond waiver per Pr. C. §2628. **JTD**
4. Petitioner does not request compensation.
5. Petitioner requests reimbursement for costs totaling **\$5,052.00. Need verified supplement with itemization of costs advanced.**
6. Petitioner indicates payments totaling **\$4,250.00** have been made for attorney services to Bristol Hayes & Associates. Question in what capacity attorneys provided service as petitioner is still pro per and accounting still has deficiencies?
  - a. **Supp filed 08/07/18** alleges firm was hired to help with the accounting; however, the fees were becoming too costly. They did not complete the scope of their service, and accounting was left incomplete. Petitioner has currently paid out of pocket \$4,250 for attorney fees and seeks compensation. **Need verified supplement with itemization of attorney's fees.**



7. Disbursements – Schedule C include several “Customer Withdrawals” totaling \$13,740.00 and a “Teller Withdrawal” for \$3,700.00. Need further clarification via verified supplement.
  - a. **Supp filed 08/07/18.** Withdrawals were used to give to Heather Robinson, Conservator of the person, before petitioner was told to transfer to Heather electronically.
    - i. *Question who gave authority to make withdrawals/transfers?*  
**Need verified supplement to include itemization of expenditures from Heather Robinson.**
8. Disbursements – Schedule C includes monthly transfers to Heather Robinson. What does \$3,300 pay for? Need clarification via verified supplement.
  - a. **Supp filed 08/07/18** indicates monthly payments are sent to Heather Robinson, Conservator of the person only of Gregory Smith, totaling \$88,685.24. However, petitioner does not know what fees are used for, nor has an itemization of what money is used for.
    - i. *It appears Heather Robinson may be acting outside her capacity of Conservator of the person, as petitioner indicates he has no knowledge of expenses or ability to itemize same.* **Need itemization of expenses from Heather Robinson.**
9. **Need** Notice of Hearing with proof of service as to Richard Lepore, attorney for Heather Robinson.
10. **Objections by Matthew Sheasby, appointed Counsel for Gregory Smith filed 08/16/18 and 09/13/18 regarding unaccounted disbursements.**
11. *Note: First Amended Account continued to 11/13/19. Court may wish to vacate future hearing as it is superseded by this account. JTD*
12. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Matter is contested.

Need to clear notes #5-9. If approved, Court to set next Accounting Review for **03/06/19.**

(lh)

Future Hearing: 11/13/19 1<sup>st</sup> Account & Report of Casey Hagood

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1500328

CASE NAME: NORMA PIMENTEL

HEARING:

Accounting Review

COUNSEL:

THE NORMA L PIMENTEL LIVING Trust (PET)...JONATHAN LACOUR  
SYLVIA PIMENTEL (PET)...GREGORY T ANNIGIAN  
NORMA PIMENTEL (CEE)...DONNASUE ORTIZ  
VERONICA TREJO (BANKS GARCIA & JANIS)

**CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN**

**XREF: PROPS1501107** *THE NORMA L PIMENTEL LIVING TRUST*

GENERAL INFORMATION

**Continued from 06/20/18. Compliance approved. Accounting to be filed.**

THIS CASE SET FOR HEARING ON Accounting Review

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

1. On 09/20/16, Stip filed that **Veronica Trejo** will be **successor Trustee**; \$180,000 bond. **Sylvia Pimentel** was appointed Conservator of person only and **Veronica** was also appointed Conservator of estate only \$20,000 bond, posted 11/28/16.
2. Final Inventory and Appraisal filed 01/10/18 indicating assets held in trust.
3. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C. §2610.
4. First Account Current now due.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700407

CASE NAME: MTR OF VIOLETA SANCHEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of MARTHA A AGUILAR

COUNSEL:

MARTHA A AGUILAR (CP )...PRO/PER  
VIOLETA SANCHEZ (CTP)...DONNASUE ORTIZ

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Martha A. Aguilar (mother) appointed Conservator of the person of Violeta Sanchez on 03/07/18.
2. **Need** Notification of Conservatee's rights per Pr. C. §1830(c).
3. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C.§ 2352.5 (form GC-355).
4. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1800157

CASE NAME: MTR OF JESUS MERCADO JR

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JESUS MERCADO ORTIZ (CP )...PRO/PER  
GLORIA FLORES MUNOZ (CP )...PRO/PER  
JESUS MERCADO JR (CTP)...WALTER T. MOORE

GENERAL INFORMATION

**Continued from 06/27/18. Report of Court Investigator is read and considered.  
Attorney Walter T. Moore appointed for Jesus Mercado, Jr.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Jesus Mercado Ortiz, parents

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

1. Petitioner seeks medical powers. Capacity Declaration filed 05/23/18.
2. Proposed conservatee appears to be developmentally disabled. Court to determine whether a limited conservatorship is appropriate. **JTD**
3. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship an IRC report is therefore optional per Pr. C. § 1827.5(b). **JTD**
4. CI Report filed.
5. **Need** Report of Counsel Walter T. Moore.
6. Proofs of Completion of the Conservatorship Training Class filed 06/07/18.
7. Return of citation filed 06/11/18.
8. ~Proposed Form Order: 05/23/18.

RECOMMENDATION

Need to clear note #5. If approved, set hearing for Compliance Review for **05/15/19** 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)

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

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DATE: 10/10/18 TIME: 9:30 DEPT: S37P  
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CASE#: RC RS00329

CASE NAME: LJUJICA BOGGIO

HEARING:

Accounting Review

COUNSEL:

LJUJICA BOGGIO (PCE)...PRO/PER  
LUBA BOGGIO (PCR)...PRO/PER  
ROMULO BOGGIO (PCR)...PRO/PER

Waiver of Court Fees and Costs filed by LUBA BOGGIO is GRANTED

#### GENERAL INFORMATION

**Continued from 07/11/18. No appearance. Court orders Luba and Romulo Boggio to be present at next hearing.**

THIS CASE IS SET FOR HEARING ON Accounting Review re Luba and Romulo Boggio, co-conservators

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

1. Order dispensing with account entered 12/21/16 for period ending 05/10/16.
2. **Need** accounting and or waiver for period commencing 05/11/16.

#### RECOMMENDATION

Inquire status.

(lh)