



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 10/11/18

The notes on the following pages were updated approximately three court days prior to the hearing to reflect newly-filed documents. Documents filed now after that update typically will not be reviewed except on the date of hearing at the judge's discretion.

Destruction of Filed Documents:

Shredding/destruction of all court documents filed and imaged before January 2011 will begin soon. All filed/imaged documents are shredded one year after filing pursuant to court policy. Any filed original documents not retrieved timely will be permanently lost. (Wills and codicils lodged into the will vault will not be affected.)

Contacting the Probate Examiners:

Probate Examiners' email address: ProbateNotes@sb-court.org

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

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: CIV DS1417071

Vacated

CASE NAME: JOHNSON VS ST. MARY

SEE ALSO 2, 3

HEARING: Hearing Re: Petition for approval & payment of atty's fees

COUNSEL:

ARNAB BISWAS DO	(SCHMID & VOILES
CHENNA REDDY R MALLU, MD	(SCHMID & VOILES
DANIEL M VILLAROSA MD	(HULBERT & HULBERT
DAVID LEBEAU, M.D.	(CARROLL, KELLY, TROTTER,
DERRICK N RAPTIS MD	(PETERSON BRADFORD BURKWITZ
DOE NGUYEN MD	()...
FRANCISCO CUELLAR MD	(BROBECK, WEST, BORGES, ROSA &
JENNY CHANG	(PET)...MICHELS & LEW
LEIF JOHNSON	(PLA)...MICHELS & LEW
MALLU C. REDDY M.D	(SCHMID & VOILES
MARK CURRAN MD	(BROBECK, WEST, BORGES, ROSA &
MARY BUI DO	(SCHMID & VOILES
MELVIN CHERNE MD	(CARROLL, KELLY, TROTTER,
MOHAMMAD R AHMADINIA MD	(DAVIS, GRASS, GOLDSTEIN &
MOOTHEDATH A MENON MD	(REBACK, MCANDREWS, KJAR,
MORTEZA SAJADIAN MD	(LEWIS BRISBOIS BISGAARD &
POMONA VALLEY HOSPITAL MEDICAL	(DEF)...BROBECK, WEST, BORGES,
RAIN GRACE JOHNSON	(M/P)...MICHELS & LEW
RAIN GRACE JOHNSON	(MIN)...
RAKESH SINHA MD	(PETERSON BRADFORD BURKWITZ
SHEILA CHERIAN MD	(SCHMID & VOILES
ST. MARY MEDICAL CENTER	(BROBECK, WEST, BORGES, ROSA &
YUNG-TAE KIM MD	(BROBECK, WEST, BORGES, POMONA VALLEY
HOSPITAL MEDICAL	(DEF)...BROBECK, WEST, BORGES, ROSA

Transferred to Solano County

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: CIV DS1417071

Vacated

CASE NAME: JOHNSON VS ST. MARY

SEE ALSO 1, 3

HEARING:

Hearing Re: petition for approval of attys fees

COUNSEL:

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MOHAMMAD R AHMADINIA MD	(DAVIS, GRASS, GOLDSTEIN &
MOOTHEDATH A MENON MD	(REBACK, MCANDREWS, KJAR,
MORTEZA SAJADIAN MD	(LEWIS BRISBOIS BISGAARD &
POMONA VALLEY HOSPITAL MEDICAL	(DEF)...BROBECK, WEST, BORGES,
RAIN GRACE JOHNSON	(M/P)...MICHELS & LEW
RAIN GRACE JOHNSON	(MIN)...
RAKESH SINHA MD	(PETERSON BRADFORD BURKWITZ
SHEILA CHERIAN MD	(SCHMID & VOILES
ST. MARY MEDICAL CENTER	(BROBECK, WEST, BORGES, ROSA &
YUNG-TAE KIM MD	(BROBECK, WEST, BORGES, POMONA
VALLEY HOSPITAL MEDICAL	(DEF)...BROBECK, WEST, BORGES,
ROSA	

Appears to be duplicate set in error.

(lc)

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: CIV DS1417071

Vacated

CASE NAME: JOHNSON VS ST. MARY

SEE ALSO 1, 2

HEARING: Hearing Re: STATUS CONFERENCE RE TRANSFER OF CASE

COUNSEL:

ARNAB BISWAS DO	(SCHMID & VOILES
CHENNA REDDY R MALLU, MD	(SCHMID & VOILES
DANIEL M VILLAROSA MD	(HULBERT & HULBERT
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MARY BUI DO	(SCHMID & VOILES
MELVIN CHERNE MD	(CARROLL, KELLY, TROTTER,
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MOOTHEDATH A MENON MD	(REBACK, MCANDREWS, KJAR,
MORTEZA SAJADIAN MD	(LEWIS BRISBOIS BISGAARD &
POMONA VALLEY HOSPITAL MEDICAL	(DEF)...BROBECK, WEST, BORGES,
RAIN GRACE JOHNSON	(M/P)...MICHELS & LEW
RAIN GRACE JOHNSON	(MIN)...
RAKESH SINHA MD	(PETERSON BRADFORD BURKWITZ
SHEILA CHERIAN MD	(SCHMID & VOILES
ST. MARY MEDICAL CENTER	(BROBECK, WEST, BORGES, ROSA &
YUNG-TAE KIM MD	(BROBECK, WEST, BORGES, POMONA
VALLEY HOSPITAL MEDICAL	(DEF)...BROBECK, WEST, BORGES, ROSA

Transferred to Solano County

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: CON PS1400359

See also 5

CASE NAME: Kirt Lane Campbell

HEARING:

Accounting Review by ***

COUNSEL:

INLAND COUNTIES RERGINAL CENT	(CE)...LAYNE A BARTHOLOMEW
KIRT LANE CAMPBELL	(CEE)...PRO/PER
RICHARD CROW	(PCR)... MARY M. BADER
SANDY TURNER	(PET)...SANDRA TURNER

XREF: PROPS1401103 (*Peggy Ann Campbell; mother's estate*)

GENERAL INFORMATION

Continued from 03/15/18. Counsel indicated that a SNT was established under CONPS1400359.

Continued from 07/16/18. Counsel Bader to provide Layne Bartholomew with life insurance for Carrier, with beneficiaries and policy by 08/09/18.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. **Conservatee passed away on 08/05/17.**
2. IRC appointed conservator of the **estate only** on 03/16/17, \$350,000 bond. Conservator was authorized to establish a SNT and **terminate estate upon filing** that funds are held in SNT and with estate of Peggy Campbell for benefit of conservatee Kirt.
3. Declaration filed by IRC indicating funds of \$247,482.55 are currently held in Master Trust from the Estate of Peggy Campbell PROPS1401103.
4. Court waived requirement of Inventory and Appraisal on 03/16/17.

RECOMMENDATION

Inquire status of SNT accounting.

(lc)

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: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1401103

See also 4

CASE NAME: Peggy Ann Campbell

HEARING:

Hearing re Final Discharge

COUNSEL:

PEGGY ANN CAMPBELL (DEC)...

RICHARD CROW (PET)...MARY M BADER

XREF: CONPS1400359 (*Kirt Lane Campbell; peggy's child*)

GENERAL INFORMATION

Continued from 03/15/18. SNT established under CONPS1400359.

Continued from 07/26/18. Counsel Bader to filed declaration re statement of account by 08/23/18.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Richard Crow, brother, **partially** approved on 02/09/17; **amended** order signed 04/10/17. Court reserved on SNT issue. Will need amended order once SNT issue resolved.
2. Receipts filed.
3. Distribution of **\$262,338.67** was to be distributed to son Kirt Campbell, sole heir who is now **deceased**, in form of SNT. **Declaration filed by IRC indicating funds of \$247,482.55 are currently held in Master Trust from the Estate of Peggy Campbell PROPS1401103. Court to inquire re the discrepancy in amounts.**
4. **Need** Ex Parte Petition for Final Discharge and Order, once updated accounting/order is approved/filed.

RECOMMENDATION

Need to clear notes 1&4. See prior matter re accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501011

CASE NAME: LUPE G. FLIN

SEE ALSO 7, 8

HEARING: Hearing Re: PETITION FOR LETTERS OF ADMINISTRATION

COUNSEL:

CARMEN HERNANDEZ	(OBJ)...GILBERT M GUTIERREZ
GARY S WARD	(PET)...FRIDLEY LAW FIRM
LUPE G FLIN	(DEC)...
SHARLEEN MALDONADO-WARD	(PET)...MICHAEL C MADDUX

GENERAL INFORMATION

Continued from 5/11/16, 7/6/16, 9/14/16, 10/05/16, 01/11/17 and 04/12/17. Mark Flory stated that Jack Osborn is requesting to resign as GAL for Carmen Hernandez. Court set deadline for filing of request to be relieved as GAL for 4/26/17. Written request to be appointed as successor GAL to be filed same day. Opposition to be filed by 05/10/17.

Continued from 06/07/17. Sharleen Maldonado-Ward failed to clear probate notes as previously ordered by Court. Court dismissed her petition with prejudice.

On **08/29/17**, Court ordered objections of Sharleen Maldonado-Ward stricken due to non-appearance. Court granted motion re term sanctions and further monetary sanctions by Gary Ward. Court granted an additional \$1,260 in sanctions for a total of \$4,927.50 against Carmen Hernandez. Court further ordered a stay on any action or filing by Carmen Hernandez until all sanctions are paid in full. Court ordered Carmen Hernandez to comply with all Court orders no later than 4:00PM on 09/12/17. Order to be submitted to Court for signature. Notice to be given by Attorney Hope Mathena.

Continued from 02/07/18, 02/26/18 and 08/02/18. Parties have reached a settlement. Sharleen Maldonado-Ward is no longer a litigant in this matter; her signature is not needed. Settlement to be submitted by 10/04/18. If not submitted, matter will be Taken off calendar.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with **full** authority under IAEA by Gary Ward, grandson.

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

1. Petitioner alleges that will waives bond. However, will waives bond as to named executors. Estimated estate value is \$279,000. **Supp. (12/10/15): probate opened to transfer real property. Court may wish to grant Limited authority and waive bond. JTD**

2. Petitioner alleges that the first named executor is unable to act and lacks capacity to decline to act [11/4/15 Petition LF p.3]. The second named executor is deceased and petitioner is nominated by one of the beneficiaries.
3. **Supp. (12/10/15):** petitioner states that the estate of a beneficiary of decedent's will is being probated in Los Angeles and that petitioner is beneficiary in the Los Angeles matter.
4. Petitioner attaches a copy of decedent's will dated 9/16/69 and a Second Codicil dated 7/26/84. **Need** copy of First Codicil to Decedent's Will. **Supp. (12/10/15): petitioner believes decedent destroyed the First Codicil as no person has allegedly seen the document.**
5. **Objection to appointment and supporting declaration filed 12/15/15 by daughter, Carmen Hernandez.**
6. **Will Contest filed 12/15/15 by Carmen Hernandez. Proof of service of summons filed 3/15/16 and 4/18/16.**
7. **Reply to objections filed 4/26/16.**
8. **Need Order re Sanctions per 08/29/17 minute order.**
9. Settlement order approved 09/04/18.
10. ~Proposed form order: 11/4/15

RECOMMENDATION:

Need to clear note 8. If approved, set hearing for Accounting/Status Review on **12/19/19**. Any accounting to be filed at least 30 days in advance. Note Local Rule requirements.

(sa/lc/lh/ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501011

CASE NAME: LUPE G. FLIN

SEE ALSO 6, 8

HEARING:

Hearing Re: CONTROL DATE FOR SETTLEMENT AGREEMENT

COUNSEL:

CARMEN HERNANDEZ	(OBJ)...GILBERT M GUTIERREZ
GARY S WARD	(PET)...FRIDLEY LAW FIRM
LUPE G FLIN	(DEC)...
SHARLEEN MALDONADO-WARD	(PET)...MICHAEL C MADDUX

GENERAL INFORMATION

Taken off calendar on 04/30/18 as report was filed.

Continued from 06/14/18 and 08/02/18. Settlement to be submitted by 10/04/18.

THIS CASE SET FOR HEARING ON Control Date for Settlement Agreement.

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

1. Matter set at 02/26/18 Trial when a full agreement was reached by parties.
2. Control date will go off calendar upon signature of settlement.
3. Settlement order approved 09/04/18.

RECOMMENDATION

See prior matter.

(cs/lc)

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501011

CASE NAME: LUPE G. FLIN

SEE ALSO 6, 7

HEARING:

Probate status report filed.

COUNSEL:

CARMEN HERNANDEZ

GARY S WARD

LUPE G FLIN

SHARLEEN MALDONADO-WARD

(OBJ)...GILBERT M GUTIERREZ

(PET)...FRIDLEY LAW FIRM

(DEC)...

(PET)...MICHAEL C MADDUX

GENERAL INFORMATION

Continued from 06/14/18 and 08/02/18.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Gary Ward, grandson, has **not yet** been appointed as administrator.
2. Report states that Gary Ward will file a final accounting in order to terminate estate; however, it does not appear that Gary is special or general administrator. It is unclear if Mr. Ward will be filing a request for dismissal or seeking letters of administration be issued at this time.
3. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600673

Vacated

CASE NAME: MTR OF GLENDA LEE YOSHIDA

HEARING:

Accounting Review by ***

COUNSEL:

GLENDA LEE YOSHIDA (DEC)...

JOHN YOSHIDA (PET)...LAW OFFICE O F DAVID PICK ARD

(lc)

Future hearing dates: 11/27/18 Waiver of Account and final distribution

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601272

CASE NAME: RUBY L EDWARDS

HEARING:

Probate status report filed.

COUNSEL:

HENRY HART	(PET)...BYRON D GROVES
RUBY L EDWARDS	(DEC)...
SONJA BURROUGHS	(PET)...BYRON D GROVES

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Henry Hart & Sonja Burroughs, on 05/17/17; full authority, no bond; however, any surplus to be deposited into blocked account.
2. Partial Inventory and Appraisal filed 08/16/18.
3. Administrators seek an additional year in order to clean up the real property and list for sale. There are no liquid assets at this time.
4. Counsel states that one administrator may be in the hospital; Henry. **Need** verification of co-administrator Sonja Burroughs per Pr.C. § 1021.
5. **Need** notice of hearing and proof of service for Department of Health Services who recently requested special notice.
6. No proposed order submitted. Submit after hearing.

RECOMMENDATION

Need to clear notes 4-5.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700710

Vacated

CASE NAME: ASHER EMMANUEL

HEARING:

Hearing Re: PROOF OF BLOCKED ACCOUNT

COUNSEL:

ASHER EMMANUEL (DEC)...

SABA MASIH (PET)...DALE K BETHEL

Proofs of blocked accounts filed 09/14/18.

(lc)

Future Hearing: 09/12/19 Final Discharge

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800313

Vacated

CASE NAME: MTR OF JUSTICE BARAMEY THACH ET AL

HEARING:

Hearing Re: PROOF OF DEPOSIT

COUNSEL:

JUSTICE BARAMEY THACH (MIN)...

RI KIM THACH (PET)...FULLERTON LEMANN SCHAEFER &

VICTORIA REACHNY THACH (MIN)...

Proofs of blocked accounts filed on 08/08/18.

(lc)

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800392

CASE NAME: KYLE WESTLEY SCHMIDT

HEARING:

Inventory list and list of Account and Report of VERONICA J
SCHMIDT and Petition for allowance of fees filed.

COUNSEL:

KYLE WESTLEY SCHMIDT (DEC)...
VERONICA J SCHMIDT (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Inventory list and accounting by Veronica Schmidt,
mother.

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

1. Letters Testamentary issued to Veronica Schmidt on 07/11/18. Four months have **not yet lapsed** since issuance of letters; therefore, accounting also appears to be premature. An accounting cannot be filed until after 11/11/18.
2. Documents/accounting is not proper. Executor must file a final report of administration per CRC§7.550 with proper accounting Pr. C. § 1064 and Pr. C. §10954(c)(1) or Status Report of Administration per Pr.C. §12201.

RECOMMENDATION

Need proper accounting or status report filed after 11/11/18.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800482

CASE NAME: THOMAS R WILSON, SR.

HEARING:

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

COUNSEL:

PATRICIA ANN SMITH (PET)...D M DAVIS
THOMAS R WILSON SR (DEC)...

GENERAL INFORMATION

Continued from 06/28/18 and 08/02/18.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Patricia Ann Smith, named executor.

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

1. Will waives bond. Net estate value is \$112,250 according to Inventory and Appraisal, of which none is cash. Court for good cause could require bond per Pr.C. § 8481(b). Petitioner seeks no bond as real property is daughter's residence who is alleged "sole heir". However, there is a will which gifts Teri Francis as beneficiary of 75% of the real property and 25% to son Thomas, subject to life estate to Teri. JTD
2. Supp re due diligence for step-son Timothy Muggleberg per CRC 7.52 filed 06/22/18 pg4. **JTD**
3. ~Proposed Form Order: 05/09/18.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800541

SEE ALSO 15A, 15B

CASE NAME: FRANCISCO ANAYA

HEARING:

Petition for APPLICATION FOR PRELIMINARY INJUNCTION MEMORANDUM P&A

COUNSEL:

ARMANDO RAMOS ANAYA (PET)...BERL HILLEL SELSKI
FRANCISCO ANAYA (DEC)...

Currently under review by legal research.

No notes – JTD

(lc)

Future Hearing:

11/05/18 Hearing re: Petition for letters of admin. w/ full etc.

11/05/18 Hearing re: OSC re: Dismissal of petition for letters etc.

Superior Court of Calif, County of San Bernardino
Page: 15A
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800541

CASE NAME: FRANCISCO ANAYA

SEE ALSO 15, 15B

HEARING:

Hearing Re: OSC Re: Dismissal of Petition for Letters

COUNSEL:

ARMANDO RAMOS ANAYA (PET)...BERL HILLEL SELSKI
FRANCISCO ANAYA (DEC)...

GENERAL INFORMATION

Letters of special administration with limited IAEA, no bond issued to Armando Ramos Anaya, son, on 06/14/18.

OSC set on 07/09/18 when petitioner failed to appear for today's hearing (matter is called at 9:25am). If petitioner fails to appear at next hearing date, Court will dismiss the petition. **Matter reset from 11/05 after request to advance hearing was approved on 09/11/18.**

THIS CASE SET FOR HEARING ON **OSC re Dismissal of** Petition for Letters of Administration with Full Authority under IAEA by Armando Ramos Anaya, son

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

1. Petitioner states bond not be required; however, section 3e as to reasons why is blank; however, attachment 3e [LF pg. 8] indicates that the estate is only being opened to deal with the reverse mortgage. The estate consists of **negative-\$41,540.64** equity in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b). **JTD.**
2. ~Proposed Form Order: 06/05/18

RECOMMENDATION

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

(ww/cs/lc)

Superior Court of Calif, County of San Bernardino

Page: 15B

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800541

CASE NAME: FRANCISCO ANAYA

SEE ALSO 15, 15A

HEARING:

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

COUNSEL:

ARMANDO RAMOS ANAYA (PET)...BERL HILLEL SELSKI
FRANCISCO ANAYA (DEC)...

See notes on matter 15A.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800601

Vacated

CASE NAME: VALERIE POPTTELECAN

HEARING:

Hearing Re: STATUS OF BOND

COUNSEL:

MONICA FINARU

(PET)...ROGER VON KAESBORG

VALERIE POPTTELECAN

(DEC)...

Bond filed, letters issued.

(lc)

Future Hearing: 10/10/19 *Accounting Review*.

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

DATE: 10/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800842

CASE NAME: ~~GISELLE CORRAL~~ EFREN CORRAL

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

EFREN CORRAL (DEC)...
GISELLE CORRAL (PET)...RODRIGO LAW FIRM

GENERAL INFORMATION

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

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

1. Both heirs waive bond. Net estate value is \$240,000 of which \$130,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b). Petitioner is nominated by other heir.
2. ~Proposed Form Order: 08/30/18.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

Page: 17A

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800861

CASE NAME: MTR OF GERALDINE KING

HEARING:

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

COUNSEL:

GERALDINE KING (DEC)...
ROSE KING (PET)...PRO/PER

GENERAL INFORMATION

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

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

1. All heirs waive bond. Net estate value is \$0. **Need** bond waivers for:
 - a. Barbara, Lonnie and Lent [sic] King; children.
 - b. Court to inquire as it appears to be a no asset estate.
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Need** proof of publication
4. Court to clarify decedent's date of death of 11/29/11, as it is partially illegible.
5. Court to clarify if decedent was divorced or spouse died.
6. ~Proposed Form Order: 09/05/18

RECOMMENDATION

Amended petition filed to be heard on 10/29/18 which supersedes this petition Cal Rules of Ct 7.3(3).

(lc)

Future hearing: 10/29/18 Hearing re: Petition for letters of admin. w/full etc.

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 10/11/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800078

CASE NAME: LENHERT FAMILY TRUST CREATED BY AGREEMENT ETC

HEARING: FIRST AND SECOND Account and Report of MARILYN MATHRE, REX MATHRE and Petition for allowance of fees filed.

COUNSEL:

LENHERT FAMILY TRUST CREATED B	(TRU)...
MARILYN MATHRE	(PET)...JENNIFER L FIELD
REX MATHRE	(PET)...JENNIFER L FIELD

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st and 2nd Accounts by Marilyn and Rex Mathre, Trustees.

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

1. 1st Accounting period 08/02/12 - 01/31/16.
2. 2nd Accounting period 02/01/16 – 03/14/18.
3. Assets on hand
 - a. 1st account \$629,312.73 in cash, real property and vehicle.
 - b. 2nd account \$267,303.74 in cash.
4. Trustees have not paid themselves compensation.
5. Trustees made several distributions to Trust beneficiaries after death of Trustor.
6. Trustees advanced \$19,061.62 in costs and are listed as a liability [LFpg41-47, 66].
7. **Need** report verified per Pr.C. § 1021.
8. **Need** statements to support beginning and ending cash balances per local rule 20-908.
9. Disbursements indicate the following that **need** verified supplement further explaining/itemization.
 - a. American Express \$3,955.64 on 03/31/14.
 - b. Verizon \$1,212.32 on 01/10/14.
 - c. American Express \$2,187.79 on 07/24/14.
10. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 7-9. No future hearing dates needed unless court determines continuing jurisdiction is needed.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/11/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800083

CASE NAME: The Zamorano Family Trust

SEE ALSO 20

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

MONALIZA FACI

THE ZAMORANO FAMILY TRUST

(PET)...EDWARD J O'REILLY

(TRU)...

T.S.C. – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/11/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800083

CASE NAME: The Zamorano Family Trust

SEE ALSO 19

HEARING:

Petition for Invalidate Purported Trust Amendment

COUNSEL:

MONALIZA FACI

(PET)...EDWARD J O'REILLY

THE ZAMORANO FAMILY TRUST

(TRU)...

Currently under review by legal research.

Continued matter. Notice not re-reviewed.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS0900010

CASE NAME: MTR OF LESTER LYNN ACKERMAN

HEARING:

Hearing Re: STATUS OF CONSERVATORSHIP

COUNSEL:

LESTER LYNN ACKERMAN (CTP)...
MARION MCFARLAND (CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Conservatorship.

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

1. Marion McFarland, Sister, is current Conservator of person only.
2. Matter set after review of Court Investigator report filed 08/07/18.

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1100183
CASE NAME: ANTONIA RODRIGUEZ
HEARING: Second and final Account and Report of ANTONIA RODRIGUEZ and
Petition for allowance of fees filed.

COUNSEL:

ANDREA VELARDE	(TEE)...BUCKNER, ALANI & MIRKOVICH
ANTONIA RODRIGUEZ	(CEP)...
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
SANDRA CROWELL	(CE)... JENNIFER M DANIEL
SANDRA CROWELL	(CP)...PRO/PER
SANDRA CROWELL	(CPE)... JENNIFER DANIEL
SANDRA I CROWELL	(CPE)...PRO/PER

GENERAL INFORMATION

Continued from 06/14/18. Jennifer Daniel relieved as counsel for Conservatee.

THIS CASE SET FOR HEARING ON 2nd and Final Account and Request for Transfer of Assets in Lieu of compensation by Sandra Crowell, daughter.

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

1. 1st account approved as submitted on 04/15/15. Conservatee passed away on 03/07/18.
2. Assets on hand \$4,505.15 [LFp6] of which \$4,500 is vehicle.
3. Accounting period 08/13/14 – 03/06/18 pre-death and 03/07/18 - 03/27/18 post-death.
4. Conservator seeks transfer of 03 Ford Taurus in exchange for compensation. **JTD**
5. Disbursements indicate petty cash of \$1,000 per month on average, plus ATM withdrawals etc. [LFpg10-12] Court may wish to require detailed itemization. **Supp 10/01/18: Conservator alleges Counsel Daniel advised her that she would not have to account for monies given to her mother. JTD**
6. ~Proposed Order: 10/01/18.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **10/24/19**.

(lc)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500301

CASE NAME: RONALD ANDERSON

HEARING: Petition for order authorizing abandonment or donation of personal property

COUNSEL:

HIGHLAND SPRINGS CARE CENTER	(TP)...RITA A REHASTE
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
RONALD ANDERSON	(CEP)...HARTNELL LAW GROUP
RONALD ANDERSON	(HARTNELL LAW GROUP
SHERRI L KASTILAHN	(PET)...SHERRI L KASTILAHN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for authority to abandon or donate personal property by Public Guardian.

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

1. Public Guardian alleges that the conservatee owns certain personal property being held in storage at the Public Guardian warehouse with a total value of \$3,755 consisting of 1992 Ford Crown Victoria and a 1990 Kawasaki motorcycle. Petitioner alleges that it would cost more to arrange and sell these articles than they are worth.
2. Pr.C.§2465 provides that a conservator may abandon or dispose of valueless property. However, as the personal property had some value, question who or what organization received the benefit of conservatee's personal property. Question if sibling Brian will be receiving the personal property? **Need** verified supplement.
3. ~Proposed Order: 08/23/18.

RECOMMENDATION:

Need to clear note 2. Court may wish to continue to Monday calendar as is Public Guardian matter.
(lc)

Future Hearing: 11/19/18 *Accounting Review*.

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500302
CASE NAME: MURIEL ENID BRYANT

SEE ALSO 28

HEARING: Second Account and Report of LINDA JEAN HENRY and Petition for allowance of fees filed.

COUNSEL:

LINDA HENRY	(CE)...VOORHEES LAW GROUP
LINDA JEAN HENRY	(CE)...VOORHEES & RATZLAFF LAW
MURIEL ENID BRYANT	(CEP)...DONNASUE ORTIZ
TERRY WAYNE ATTKISSON	(CP)...VOORHEES & RATZLAFF LAW ,

XREF: CONPS1600017 (*James William Bryant, spouse*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2nd Conservatorship Account Current, 1st Summary of Trust Account and Petition for Allowance of Fees by Linda Henry, daughter/Trustee.

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

1. Substituted Judgment to Create Muriel Bryan Revocation Trust approved on 07/20/17. Conservatorship funded Trust on 12/12/17. There does not appear to be any bond required for Trust.
 - a. Court may wish to revisit bond requirement. **See note 12.**
 - b. And whether the conservator will seek termination of conservatorship of estate.
2. Conservatorship accounting period 01/13/17 – 12/12/17.
3. Trust accounting period 12/12/17 – 02/28/18.
4. Trust assets on hand \$284,559.35
5. Conservator of person Terry Attkisson seeks fees of \$1,162.50 for 38.75 hours at \$30 per hour and expenses of \$205.33 for a total of \$1,367.83; however, itemization indicates 47.08 hours. [Acct.08/28/18 LFpg35-38]. Question if expenses are duplicative of spouses accounting as they appear to be the same? **Need** verified supplement.
6. Conservator of Estate Linda Henry requests fees of \$2,520 for 84 hours at \$30 per hour. Itemized [Acct.08/28/18 LFpg26-32].
7. Attorney seeks fees of \$6,642.50 for 32.8 hours at \$125/350 per hour for paralegal and attorney services. [Acct.08/28/18 LFpg40-42].
8. Attorney seeks reimbursement of costs totaling \$36.50. Itemized with fees.

9. **Need** Oakmont Assisted Living statements and/or written verification of rent per Pr.C. §2620(c)(5) during conservatorship accounting.
10. **Need** Conservatee's list of addresses per local rule 20-1406 (a).
11. Current conservatorship bond is \$335,216.46; however, the bond covers conservatorship not Trust. Court may wish to revisit bond requirement as no assets appear to be in the conservatorship.
12. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 5 & 9-10. If approved, set hearing on the next accounting review for **04/19/19** (if one year) or **04/16/20** (if two years). Accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500341

CASE NAME: MTR OF SARA ANDRADE

SEE ALSO 26, 27

HEARING:

Petition for discharge/termination of conservator filed by Hilda Andrade

COUNSEL:

HILDA ANDRADE

(CPE)...MARK J. ANDREW FLORY

SARA ANDRADE

(CEP)...

See notes on matter 27.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500341

CASE NAME: MTR OF SARA ANDRADE

SEE ALSO 25, 27

HEARING:

Petition for final distribution of conservatorship estate

COUNSEL:

HILDA ANDRADE

(CPE)...MARK J. ANDREW FLORY

SARA ANDRADE

(CEP)...

See notes on matter 27.

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500341

CASE NAME: MTR OF SARA ANDRADE

SEE ALSO 25, 26

HEARING: amended first & final account and Report of HILDA
ANDRADE and Petition for allowance of fees filed.

COUNSEL:

HILDA ANDRADE (CPE)...MARK J. ANDREW FLORY
SARA ANDRADE (CEP)...

GENERAL INFORMATION

Conservatorship of estate terminated on 05/23/17. Conservatee passed away on **08/24/17**.

Continued from **11/16/17**. Matter reset as no stip for pro tem signed.

Continued from 02/01/18 at request of conservator to clear notes.

Continued from 05/10/18. Supplement or accounting to be filed by 09/11/18.

Nothing new filed.

THIS CASE SET FOR HEARING ON **AMENDED** [01/09/18] 1st and Final Account and
Petition for Discharge by Hilda Andrade, daughter.

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

1. This accounting supersedes all other accountings **as it is amended** per Cal Rules of Ct 7.3(3).
2. **Conservatee passed away on 08/24/17.**
3. Assets on hand \$440,042.42 of which \$159,442.42 is cash and remaining in real property located in Mexico and a mini-van.
4. Accounting period **02/09/17 – 05/23/17. Need amended account to include pre & post death accounting periods per Pr. C. §2620.**
5. **Summary of Account has the following issues:**
 - a. **Total Charges and Total Credits to Summary of Account do not match.**
 - b. **Total Property on Hand at End of Account Period reflected is incorrect.**
 - c. **Amount for Receipts is incorrect.**
6. **Need** financial statements to include beginning and ending period per local rule 20-1404(c) and Pr. C. § 2620(c).
7. **Need** signed verification from Karla Loaiza, Osiris Roriguez [sic], Ruth Valdez and "Enriqueta" [sic] for services she performed, the date of service and a receipt for payment per local rule 20-1406(c).

8. Disbursements indicate quite a few foreign transaction fees and purchases in Ensenada. **Need** verified supplement as conservatee allegedly resided in California at time of appointment. **Supp 01/09/18:** home was allegedly purchased due to prices in California being too high.
9. It appears **Conservator purchased a house for conservatee in Mexico** for \$131,000 plus deposit of \$5,499.01 on 05/31/16 [Acct. 10/05 LFpg24]. Original order indicates Pr.C. § 2590 powers to purchase primary residence; however, **no indication to purchase property outside of the state/country. Question under what authority or order did Conservator have? Need verified supplement.**
10. Disbursements indicate substantial repairs and labor of the same to the property purchased totaling over \$40,000. Question why such substantial repairs? **Supp 01/09/18: home in Mexico, conservatee' alleged residence,** was in need of handicap modifications. Illegible photos attached. Court may wish to require detailed receipts on purchases/labor over \$500.
11. Disbursements indicate \$4,276.81 to Juan Huerta for bathroom modifications [Acct. **Supp 01/09/18:** modifications were to rental home. Question if conservatee was reimbursed by landlord? **Need** verified supplement.
12. **Need** residential facility statements for Imperial Home **and to Sergio Andrade for back rent** and/or written verification of rent per Pr.C. §2620(c)(5).
13. Notice filed 01/09/18; however, appears notice does not appear to be to each individual, but group notice. JTD
14. Disbursements indicate substantial credit card payments totaling over \$10,000 which appear to be payoffs [Acct. 10/05LFpg53].
15. Disbursements indicate a purchase of a minivan for \$5,600. Appears purchase was made per Pr.C. § 2451.5.
16. **Disbursements include 2 unidentified checks on 06/07/16 [see amended account filed 01/09/18, LF, p. 65] and various payments for caregiver lodging while conservatee was in the Hospital [see amended account filed 01/09/18, LF, p. 66]. Question what the checks were used for and the need for caregiver(s) as conservatee was hospitalized? Need further clarification via verified supplement.**
17. Petitioner seeks discharge; however, petitioner cannot be discharged until receipts and discharge is filed as there are assets.
18. Conservatee's list of addresses per local rule 20-1406 (a) filed; however, current address is still not clear. Court to clarify.
19. **Petition for Final Distribution affixes waivers of account and requests remaining assets to be released and distributed to decedent's children. However, it appears the estate will have to be formally probated. Also, real property is located in Mexico.**
 - a. **Petition is not verified ["signed under penalty of perjury under the laws of the State of California"]**
 - b. **Need Notice of Hearing with proof of service.**
20. **Petition for Discharge/Termination filed requests discharge of Conservator. However, while conservatorship of the estate terminated upon conservatee's demise, the Court retains jurisdiction for accounting purposes. Therefore,**

discharge cannot occur until the Court approves a final account; receipts are filed and a discharge entered.

a. Petition is not verified [“signed under penalty of perjury under the laws of the State of California”]

b. Need Notice of Hearing with proof of service.

21. Amended Account is not properly verified [“signed under penalty of perjury under the laws of the State of California”]

22. Need Notice of Hearing with proof of service for amended accounting.

23. No proposed order.

RECOMMENDATION:

Need amended accounting. Continue matter to a **Tuesday** Calendar. If approved, set hearing on the filing of receipts and final discharge for **10/22/19**.

(/nb)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600017

CASE NAME: JAMES WILLIAM BRYANT

SEE ALSO 24

HEARING: Second Account and Report of LINDA JEAN HENRY and Petition for allowance of fees filed.

COUNSEL:

JAMES WILLIAM BRYANT	(CEP)...DONNASUE ORTIZ
LINDA HENRY	(CE)...VOORHEES LAW GROUP
LINDA JEAN HENRY	(CE)...VOORHEES & RATZLAFF LAW
TERRY WAYNE ATTKISSON	(CP)...VOORHEES & RATZLAFF LAW

XREF: CONPS1500302 (*Muriel Enid Bryant, spouse*)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 2nd Conservatorship Account Current, 1st Summary of Trust Account and Petition for Allowance of Fees by Linda Henry, daughter/Trustee.

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

1. Substituted Judgment to Create Muriel Bryan Revocation Trust approved on 07/20/17. Conservatorship funded Trust on 12/12/17. There does not appear to be any bond required for Trust.
 - a. Court may wish to revisit bond requirement. **See note 10.**
 - b. And whether the conservator will seek termination of conservatorship of estate.
2. Conservatorship accounting period 01/13/17 – 12/12/17.
3. Trust accounting period 12/12/17 – 02/13/18.
4. Trust assets on hand \$209,100.31 in cash.
5. Conservator of person Terry Attkisson seeks fees of \$735 for 34.5 hours at \$30 per hour and expenses of \$205.33 for a total of \$940.33; however, itemization indicates 24.5 hours. [Acct.08/28/18 LFpg34-36]. Question if expenses are duplicative of spouses accounting as they appear to be the same? **Need** verified supplement.
6. Conservator of Estate Linda Henry requests fees of \$2,655 for 88.5 hours at \$30 per hour. Itemized [Acct.08/28/18 LFpg25-30].
7. Attorney seeks fees of \$6,292.50 for 26.4 hours at \$125/350 per hour for paralegal and attorney services. [Acct.08/28/18 LFpg38-40]

8. **Need** Oakmont Assisted Living statements and/or written verification of rent per Pr.C. §2620(c)(5) during conservatorship accounting.
9. **Need** Conservatee's list of addresses per local rule 20-1406 (a).
10. Current conservatorship bond is \$308,915; however, the bond covers conservatorship not Trust. Court may wish to revisit bond requirement as no assets appear to be in the conservatorship.
11. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 5 & 8-9. If approved, set hearing on the next accounting review for **04/19/19** (if one year) or **04/16/20** (if two years). Accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 28A ADD ON

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600120

CASE NAME: MTR OF VINCENT RAPHAEL MASONGSONG

SEE ALSO 28B

HEARING:

Hearing Re: STATUS OF TRIAL READINESS

COUNSEL:

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

Status of Trial Readiness – No notes – JTD

(lc)

Future hearing: 10/24/18 Court trial

Superior Court of Calif, County of San Bernardino

Page: 28B ADD ON

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600120

CASE NAME: MTR OF VINCENT RAPHAEL MASONGSONG

SEE ALSO 28A

HEARING:

Petition for Termination of Conservatorship

COUNSEL:

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

GENERAL INFORMATION

Continued from 09/27/18. 10/18/18 hearing vacated and matter set for trial.

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

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

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

RECOMMENDATION

Matter is contested.

(lc)

Future hearing 10/24/18 Court trial

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700102

CASE NAME: HORTENCIA M. DE LA CRUZ

HEARING: First and Final Account and Report of RUDY DE LA CRUZ and
Petition for allowance of fees filed.

COUNSEL:

HORTENCIA M DE LA CRUZ (CEP)...PRO/PER
RUDY DE LA CRUZ (CPE)...PRO/PER

GENERAL INFORMATION

Continued from 09/20/18. Eric Ontiveros to personally appear.

THIS CASE SET FOR HEARING ON 1st and Final Account and Petition for Termination by
Rudy De La Cruz, son.

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

1. Accounting period 08/29/17 – 12/31/17; post-death 01/01/18 – 05/31/18.
2. Assets on hand \$166,667.00 in real property interest, date of death value now \$126,667.
3. Conservator does not appear to seek fees.
4. There were allegedly no receipts or disbursements. Court to inquire.
5. Conservator seeks to distribute property through a petition to Determine Succession to Real property to Nikole De La Cruz and Eric Ontiveros [grandchildren].
 - a. Question why Conservator is not an intestate heir per Pr.C. § 6402, yet the grandchildren are? **Supp 09/24/18:** Conservator states he assigns his interest to Nikole and Eric.
6. Conservator seeks discharge and bond exonerated; however, as property remains, receipts and discharge must be filed after final account is approved in order to be discharged.
7. ~Proposed Order submitted 08/06/18.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of final discharge for **10/24/19**.
(lc)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700387
CASE NAME: DUGLAS HERNANDEZ

SEE ALSO 34A

HEARING: Petition for APPOINTMENT OF CONSERVATOR OF PERSON

COUNSEL:

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

XREF: CIVDS1707848 (*Hernandez-v-Hernandez*)

GENERAL INFORMATION

Prior petition filed by Maria Hernandez, mother, **dismissed on 08/28/18** for failure to comply with filing of Capacity Declaration.

Temporary orders denied **with** prejudice on 09/20/18. Petitioner to file legally sufficient Capacity Declaration by 11/29/18. If deadline not met, court will dismiss petition filed. No distribution to be made to Duglas, proposed conservatee, as test has not been complied with. Moises Aviles to serve a copy of all documents to both Mitchell Roth and Sherri Kastilahn by 09/21/18. Motion set for 10/10/18 to be resent to 10/11/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Esther Hernandez, sister.

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

1. Petition states petitioner is sister; however, confidential screening form states sister-in-law. Court to clarify.
2. Declaration filed by proposed on 08/28/18 conservatee re drug test. Signature not dated.
3. Confidential Drug Screening filed 09/05/18.
4. Petitioner seeks medical powers. Capacity Declaration filed 08/23/18; however, is incomplete and filled out by proposed conservatee. **Need** Capacity Declaration filled out by physician.
5. **Need** return of citation *as to this petition*.
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. **Need** Court Investigator report.
8. **Need** proof of service for documents sent to counsel.
9. Petitioner seeks notice be excused as to maternal grandmother as she lives in El Salvador and petitioner has no contact information. **JTD**
10. ~Proposed Form Order: 08/23/18.

RECOMMENDATION

Need to clear notes 4-8. If approved, set hearing for Compliance Review for **05/16/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.
(lc)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700433

CASE NAME: MTR OF HUGO A. UGARTE

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of SILVANA SOLIS

COUNSEL:

HUGO A UGARTE	(CTP)...E JOAN NELMS
MARIO UGARTE	(CP)...PRO/PER
SILVANA SOLIS	(CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Silvana Solis and Mario Ugarte, parents, appointed **limited** conservators of the person only 03/08/18.
2. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c) [GC-341].
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.

RECOMMENDATION

Need to clear notes 2-4.

(lc)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700441

CASE NAME: MTR OF SERGIO HERNANDEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JOSE D HERNANDEZ

COUNSEL:

JOSE D HERNANDEZ (CP)...PRO/PER
SERGIO HERNANDEZ (CTP)...JENNIFER M DANIEL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Jose Hernandez, father, appointed **limited** conservator of the person only on 03/08/18.
2. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c) [GC-341].
3. Determination of Conservatee's Appropriate Level of Care and Care Plan filed 03/08/18.

RECOMMENDATION

Need to clear note 2.

(lc)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800263

See also 33

CASE NAME: VICTORIA TORRES

HEARING: Petition for Appointment of Conservator

COUNSEL:

BERTHA TORRES	(PET)...PRO/PER
MARCELA TORRES	(PET)...PRO/PER
VICTORIA TORRES	(CEE)...

XREF: CONPS1800264 (*Cirilo Torres Gonzalez, spouse*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Marcela and Berth Torres, daughters.

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

1. Citation returned served.
2. Petitioners seek medical powers. Capacity Declaration filed 08/28/18; however, physician phone number is missing in section 2 and last seen date is incomplete. **Need** completed form.
3. Petitioners seek dementia powers. **Need** appointment of counsel for report.
4. **Need** Certificates of Completion of the Conservatorship Training Class.
5. Notice filed 08/28/18; however, **Need** notice of hearing and proof of service for spouse and other 42 grandchildren listed in required contacts.
6. **Need** due diligence for daughter Alfonsa Torres and son Reyes Torres.
7. Court Investigator report filed 10/02/18.
8. ~Proposed Form Order: 08/28/18

RECOMMENDATION

Need to clear notes 2-6. If approved, set hearing for Compliance Review for **05/16/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800264

See also 32

CASE NAME: CIRILO TORRES GONZALEZ
HEARING: Petition for Appointment of Conservator

COUNSEL:

BERTHA SERRANO TORRES	(PET)...PRO/PER
CIRILO TORRES GONZALEZ	(CEE)...
MARCELA SERRANO TORRES	(PET)...PRO/PER

XREF: CONPS1800263 (*Victoria Torres, spouse*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Marcela and Berth Torres, daughters.

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

1. Citation returned served.
2. Petitioners seek medical powers. Capacity Declaration filed 08/28/18.
3. **Need** Certificates of Completion of the Conservatorship Training Class.
4. Notice filed 08/28/18; however, **Need** notice of hearing and proof of service for spouse and other 42 grandchildren listed in required contacts.
5. **Need** due diligence for daughter Alfonsa Torres and son Reyes Torres.
6. Court Investigator report filed 10/03/18.
7. ~Proposed Form Order: 08/28/18

RECOMMENDATION

Need to clear notes 3-5. If approved, set hearing for Compliance Review for **05/16/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 9:30 DEPT: S35P

CASE#: RC RS00121

CASE NAME: CONSERVATORSHIP OF ANGELA DENISE DEJONG

HEARING:

Accounting Review by ***

COUNSEL:

ANGELA DENISE DEJONG (PCE)...
DONNA DEJONG (PET)...PRO/PER
ROBERT DEJONG (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Previous Account dispensed for Donna and Robert DeJong, parents, approved on 11/16/18.
2. **Need** next Account beginning with 10/12/16. Petition to dispense returned for corrections on 09/25/18.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 34A ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 10/11/18 TIME: 9:35 DEPT: S35P

CASE#: CON PS1700387

CASE NAME: DUGLAS HERNANDEZ

SEE ALSO 29

HEARING:

Hearing Re: MTN TO COMPEL CONSERVATEE ATTEND EXAMINATION

COUNSEL:

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

XREF: CIVDS1707848 (*Hernandez-v-Hernandez*)

Currently under review by legal research.

No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC

DATE: 10/11/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1601072

CASE NAME: POPPY ANN WALKER SEPARATE PROPERTY TRUST

HEARING:

Hearing Re: COURT TRIAL

COUNSEL:

JAY JAY HENDERSON

(OBJ)...THE GROSSMANLAW FIRM,

JAY JAY HENDERSON

(PET)...THE GROSSMAN LAW FIRM

MICHAEL WALKER

(PET)...GAUDY LAW, INC

POPPY ANN WALKER TRUST DATED

(TRU)...

Trial – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **Readiness Calendar**

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: CON PS1300065

CASE NAME: LIDIA DEKTEROV

SEE ALSO 2

HEARING:

Readiness Calendar

COUNSEL:

DIANE D HARKISON	(CE)...MARIELLEN ROSS
LIDIA DEKTEROV	(PRO/PER
DIANE D HARKISON	(PET)...MARIELLEN ROSS
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
GEORGE DEKTEROV	(CP)...ELIZABETH MCDONOUGH BARRY
GEORGE DEKTEROV	(CPE)...ROY A BARRY
LIDIA DEKTEROV	(CEP)...PRO/PER
LIDIA KEKTEROV	(PCE)...THE ALVAREZ FIRM
SURETEC INSURANCE COMPANY	(PRO/PER
VICTOR DEKTEROV	(APP)...AMY M COHEN
VICTOR DEKTEROV	(APP)...PRO/PER
VICTOR DEKTEROV	(OBJ)...

XREF: PROPS1400495 (*The Savage Trust*)

Readiness – No notes – JTD

(lc)

Future Hearing: 10/24/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400495

CASE NAME: THE SAVAGE TRUST

SEE ALSO 1

HEARING:
Readiness Calendar

COUNSEL:

DIANE D. HARKISON	(PET)...MARIELLEN ROSS
DIANE D. HARKISON	(STE)...MARIELLEN ROSS
GEORGE DEKTEROV	(PET)...BARRY & BARRY
SAVAGE TRUST	(TRU)...
VICTOR DEKTEROV	(PRO/PER

XREF: CONPS1300065 (*Lidia Dekterov*)

Readiness – No notes – JTD

(lc)

Future Hearing:10/24/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: CIV DS1614969

CASE NAME: ARCINIEGA-V-RAMIREZ

HEARING:
Trial Setting Conference

COUNSEL:

DEBRA JEANNE RAMIREZ (DEF)...LAW OFFICES OF JOHN SETLICH
VIRGINIA TAPIA ARCINIEGA (PLA)...TETLEY LAW OFFICES

T.S.C. – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500514

CASE NAME: ANN M CHAFFEE

HEARING:

Accounting Review by ***

COUNSEL:

ANN M CHAFFEE

(DEC)...

MELODIE Z SCOTT

(PET)...BRYAN C. HARTNELL

PACIFIC WESTERN BANK

(TP)...HEMAR, ROUSSO & HEALD, LLP

XREF: CONPS1100153 (*Ann M Chaffee, conservatorship*)

GENERAL INFORMATION

Continued from 07/12/18.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration WWA to Melodie Scott, PPF, on 02/26/18; **limited** authority, \$55,000 bond.
2. Previous status report approved on 09/21/17.
3. Final Inventory and Appraisal filed 10/27/17; however, **need** bank statement to support date of death balance per local rule 20-908.
4. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 3-4.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600034

CASE NAME: THE EVA LOUISE MINTZ REVOCABLE TRUST

HEARING:

Accounting Review by ***

COUNSEL:

JANINE MARIE CARGILL (PET)...JOHN F WEBER
THE EVA LOUISE MINTZ REVOCABLE (TRU)...

GENERAL INFORMATION

Continued from 08/02/18.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. On 03/01/17, Court granted petition to Establish Irrevocable SNT by beneficiary of Eva Louise Mintz Trust, **Janine Marie Cargill**. **Karen Bivens** appointed Trustee with \$120,000 bond.
2. **Need** accounting.

RECOMMENDATION

Inquire status of accounting.

(lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600694

CASE NAME: CATHERINE M CONNOR

HEARING:
Hearing re Final Discharge

COUNSEL:
CATHERINE M CONNOR (DEC)...
JULIET CONNOR (PET)...GREGORY T ANNIGIAN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Juliet Connor, daughter, approved on 10/05/17.
2. **Need** receipts for Roxanne Rhoades; Michael, Patrick and Camille Connor.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipts and discharge order.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600926

CASE NAME: MTR OF WILLIAM LEROY BIXENMAN

HEARING: FIRST AND FINAL Account and Report of MARLENE BIXENMAN and
Petition for allowance of fees filed.

COUNSEL:

MARLENE BIXENMAN (PET)...HARTNELL LAW GROUP
MARLENE BIXENMAN (PET)...RYAN J GALLANT
WILLIAM LEROY BIXENMAN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Marlene Bixenman, sister-in-law.

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

1. Assets on hand \$277,449.23 in cash.
2. Administrator and counsel seek statutory fees of \$8,978.94 each. Ok.
3. Marlene Louis Nisbet, sister, assigned her interest to decedent's brother Ronald Bixenman increasing his distribution by 1/3rd. It appears sister and administrator/sister-in-law share same first name.
4. Counsel seeks extraordinary fees of \$1,790 for 7.4 hours at \$75/425 for paralegal and attorney services re sale of real property. **JTD**
5. Administrator seeks a reserve of \$1,400.
6. **Need** notice of proposed action re sale of real property.
7. Administrator seeks reimbursement of costs totaling \$945.34 for funeral costs.
8. ~Proposed Order:

RECOMMENDATION

RFA subject to note 6, Court's discretion re extraordinary fees. If approved, set hearing on the filing of receipts and final discharge for **10/24/19**.

(lc)

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600995

CASE NAME: MTR OF TAMARA KAY HANSON

HEARING:

PETITION FOR SETTLEMENT OF FIRST Account and Report of CRAIG A HANSON and Petition for allowance of fees filed.

COUNSEL:

CRAIG A HANSON (PET)...BUXBAUM & CHAKMAK
JULIET KANE (TP)...BUXBAUM & CHAKMAK
TAMARA KAY HANSON (DEC)...

GENERAL INFORMATION

Continued from 09/06/18. No appearance.

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Craig Hanson, brother/sole heir.

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

1. Assets on hand \$50,323.10 which appears to be cash; however, is not clear.
2. Administrator is sole heir and waives accounting.
3. Administrator and counsel seek statutory fees of \$6,335.35 each. Question if administrator is waiving compensation as he is sole heir? **Need** verified supplement.
4. **Need** final Inventory and Appraisal in order to determine statutory fees are correct.
5. Administrator allegedly distributed \$35,000 to himself. A personal representative **may only preliminary distribute personal property per Pr.C. § 10520; if it is pecuniary per terms of a will under \$10,000 and/or personal property under \$50,000.** There is no will. However, the estate/creditors do not appear to have suffered harm.
6. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-4. If approved, set hearing on the filing of receipts and final discharge for **10/24/19.**

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601014

CASE NAME: MTR OF REBECCA PORTILLO

HEARING:

First Account and Report of YOLANDA VALDEZ and Petition for allowance of fees filed.

COUNSEL:

CALIFORNIA VICTIM COMPENSATION (TP)...
REBECCA PORTILLO (DEC)...
YOLANDA VALDEZ (PET)...MEDEIROS & ASSOCIATES

GENERAL INFORMATION

Continued from 04/05/18, 05/31/18, 07/26/18 and 09/06/18 to clear notes.

THIS CASE SET FOR HEARING ON 1st Account Current by Yolanda Valdez, daughter

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

1. Accounting period 06/17/16 – 01/08/18.
2. Assets on hand \$239,753.48 in cash, real property and vehicle.
3. There appears to be a current liability with a Civil Judgment. **Need** notice of related case.
4. **Need** statement to support Inventory and Appraisal date of death balance 06/17/16 per local rule 20-908.
5. Substitution of attorney filed 09/19/18. Administrator is now pro per.
6. Due diligence filed 07/16/18 as to Jimmy Carmona. **JTD**
7. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-4. If approved, set Accounting/Status Review for **06/07/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700435

Vacated

CASE NAME: MTR OF NANCY FEDEROFF

HEARING:

Accounting Review by ***

COUNSEL:

MISTY BAKER (PET)...BEYER, PONGRATZ & ROSEN
NANCY FEDEROFF (DEC)...

(lc)

Future hearing dates: 11/21/18 Status Report.

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800636

CASE NAME: JAMES LEVADO LOCKHART

HEARING:

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

COUNSEL:

ANITA STIGER BEY (PET)...PRO/PER
JAMES LEVADO LOCKHART (DEC)...

GENERAL INFORMATION

Continued from 08/09/18.

THIS CASE SET FOR HEARING ON Probate of Will and for Letters of Administration
WWA with full authority under IAEA by Anita Bey, granddaughter.

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

1. All beneficiaries waive bond and nominate petitioner. Net estate value is \$396,000
in real property. **JTD**
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Need** receipt for lodged will.
4. ~Proposed Form Order: 07/02/18.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800796

CASE NAME: MTR OF GWENDOLYN MARIE MCCLINTIC

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

BARTHOLOMEW WILLIAM MCCLINTIC (PET)...PRO/PER
GWENDOLYN MARIE MCCLINTIC (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Bartholomew McClintic, son.

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

1. All heirs waive bond. Net estate value is negative equity of -\$16,533.96.
 - a. **Need** bond waivers for 3 other children Richard, Anthony and Claudia.
2. **Need** proof of publication.
3. ~Proposed Form Order: 08/21/18.

RECOMMENDATION

Need to clear notes 1-2, Court's discretion re bond. If approved, set Accounting/Status Review for **12/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800805

CASE NAME: MTR OF MARIE A MACKINTOSH

HEARING:

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

COUNSEL:

MARIE A MACKINTOSH (DEC)...
RANDAL J MACKINTOSH (PET)...DIANE E ROBBINS

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Randal Mackintosh, son.

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

1. Other heir waives bond and nominates petitioner. Net estate value is \$200,000 in personal property.
2. ~Proposed Form Order: 08/22/18

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800824

CASE NAME: Robert Theodore Dyer Jr

HEARING:

Petition for letters of administration w/full IAEA

COUNSEL:

KENNETH W DYER (PET)...KIMBERLIE A HALL ATTORNEY AT
ROBERT THEODORE DYER Jr (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Kenneth Dyer, son.

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

1. All heirs waive bond. Net estate value is \$381,500 of which \$1,500 is personal property.
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Need** proof of publication.
4. ~Proposed Form Order: 08/27/18.

RECOMMENDATION

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

(lc)

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800837

CASE NAME: Mtr of Evelyn M Adair

HEARING:

Petition for Will and for Letters of Admin w/ Full IAEA

COUNSEL:

EVELYN M ADAIR

(DEC)...

ROBIN E HUMENIK

(PET)...ROGER VON KAESBORG

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Robin Humenik, daughter.

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

1. Will waives bond. Net estate value is \$370,000 of which \$7,000 is personal property.
2. First named executor declined to act.
3. Notice and publication filed; however, department is incorrectly stated as S37. Does court wish to require corrected notice and publication? **JTD**
4. ~Proposed Form Order: 08/29/18.

RECOMMENDATION

RFA subject to note 3, Court's discretion re bond. If approved, set Accounting/Status Review for **12/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800861

CASE NAME: MTR OF GERALDINE KING

MOVED TO DEPT S35P SEE PAGE 17A in S35

HEARING:

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

COUNSEL:

GERALDINE KING

(DEC)...

ROSE KING

(PET)...PRO/PER

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 10/11/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800106

CASE NAME: The Matter of Maria Delgadillo aka Maria Alonzo De

HEARING:

Petition for instructions and for an order determining that
the assets should be sold

COUNSEL:

JOSE FLORES

(PET)...WILLIAM J BRUNICK

THE MATTER OF MARIA DELGADILLO (TRU)...

Currently under review by legal research.

Notice complete – Objections filed by Manuel Sahagun on 10/02/18.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSRVATORSHIP**

DATE: 10/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300106

CASE NAME: MTR OF MARIGOLD MOFFITT

HEARING: Hearing re Final Discharge

COUNSEL:

MARIGOLD MOFFITT	(CEE)...BROWN WHITE & OSBORN LLP
MARIGOLD MOFFITT	(CEP)...JACK B. OSBORN
MARK J ANDREW FLORY	(PET)...MARK J. ANDREW FLORY
QUANSHAY MOFFITT	(CPE)...LENITA A SKORETZ
QUANSHAY MOFFITT	(CPE)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Quanshay Moffitt approved on 10/05/17; However, it does not appear there was a distribution clause in accounting [original accounting did not include post death accounting] or order. Assets on hand were approximately \$155,000 after fees/costs. After fees for Counsel Flory, assets now appear to be under \$150,000 in real property. **Need** supplement with asset distribution and corrected order with same.
2. **Need** receipt for counsel Flory.
3. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b).

RECOMMENDATION

Need to clear notes 1-3.

(lc)

Future hearing dates: 10/31/18 Petition for Order Surcharging Conservator for Attorney's Fees.

Superior Court of Calif, County of San Bernardino

Page: 19

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

DATE: 10/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600146

CASE NAME: MTR OF PATRICK RICHARD CAVENAUGH

SEE ALSO 19A

HEARING:

Hearing Re: VISITATION

COUNSEL:

COLLEEN ANN CAVENAUGH	(CPE)...SHERRI L KASTILAHN
COLLEEN CAVENAUGH	(DINA I FARHAT
KARIN HORSPOOL	(PET)...PRO/PER
KATHY BREITENBACH	(PCR)...PRO/PER
PATRICK M CAVENAUGH	(OBJ)...PRO/PER
PATRICK M CAVENAUGH	(PET)...GUY A BOVEE
PATRICK RICHARD CAVENAUGH	(CEP)...

XREF: CONPS1600145 (*Betty May Cavanaugh-spouse*)

Visitation – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 19A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600146

CASE NAME: MTR OF PATRICK RICHARD CAVENAUGH

SEE ALSO 19

HEARING:

Petition for payments of atty fees to court appointed guardian
ad litem for cnsvtee

COUNSEL:

COLLEEN ANN CAVENAUGH	(CPE)...SHERRI L KASTILAHN
COLLEEN CAVENAUGH	(DINA I FARHAT
KARIN HORSPOOL	(PET)...PRO/PER
KATHY BREITENBACH	(PCR)...PRO/PER
PATRICK M CAVENAUGH	(OBJ)...PRO/PER
PATRICK M CAVENAUGH	(PET)...GUY A BOVEE
PATRICK RICHARD CAVENAUGH	(CEP)...

XREF: CONPS1600145 (*Betty May Cavanaugh*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Mitchell Roth.

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

1. Counsel Roth was appointed GAL for conservatee on 06/14/16.
2. Counsel seeks fees of \$36,843.75 for 104.25 hours at \$375 per hour and costs of \$862.93 for a total of \$37,706.68.
3. Notice of intent to register conservatorship in Weld County, CO filed by Coleen Cavanaugh on 09/10/18.
4. ~Proposed order: 09/11/18.

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800146

CASE NAME: SANTIAGO CERDA

HEARING:
Petition for Appointment of Conservator

COUNSEL:
MARIA DE LOURDES CERDA (PET)...PRO/PER
REYES CERDA (PET)...PRO/PER
SANTIAGO CERDA (CEE)...DONNASUE ORTIZ

GENERAL INFORMATION

Continued from 06/28/18 and 09/06/18. Donnasue Smith Ortiz appointed counsel.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Reyes and Maria Cerda, parents.

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

1. Petition indicates proposed conservatee is not developmentally disabled; however, appears may be as he suffers from Autism per section 5c of petition and lists IRC in relatives' section. IRC report is therefore optional per Pr. C. § 1827.5(b). **IRC requested a 30 day continuance on 09/27/18.**
2. Report of Counsel Donnasue Smith Ortiz filed 10/03/18.
3. Petitioners seek medical powers. Capacity Declaration filed 06/11/18.
4. Citation returned as served.
5. Court Investigator report filed 06/22/18.
6. Certificates of completion of Conservatorship Training class filed.
7. ~Proposed Form Order: 05/15/18.

RECOMMENDATION

Court may wish to continue to **11/08/18 or later** per request of IRC. If approved, set hearing for Compliance Review for **05/16/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/11/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS01006

Vacated

CASE NAME: IN THE MATTER OF SCOTT J ROBINSON

HEARING:

Accounting Review by ***

COUNSEL:

MARGIE NEAL (CPE)...PRO/PER

REGENA L GRAVELY (CPE)...PRO/PER

SCOTT J ROBINSON (CEP)...PRO/PER

XREF: SC SS8402 (Phillip A Bower)

(lc)

Future hearing dates: 09/05/19 Accounting review.

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

DATE: 10/11/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS02605
CASE NAME: MTTR OF ROBERT V GOMILLION
HEARING: Seventh and Final Account and Report of STEPHANIE D CONTRERAS
and Petition for allowance of fees filed.

COUNSEL:

BOND SERVICES OF CALIFORNIA	(PRO/PER
ROBERT V GOMILLION	(CEP)...
STEPHANIE D CONTRERAS	(CPE)...BRYAN C HARTNELL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 7th and Final Account and petition for fees by Stephanie Contreras, daughter.

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

1. Conservatee passed away on 12/30/17.
2. Accounting period covers 03/02/16 – 12/30/17 pre-death; 12/31/17 – 04/30/18 post-death.
3. Assets on hand \$6,228.74 consisting of cash and personal property.
4. Conservatee waives compensation.
5. Conservator seeks bond be exonerated nunc pro tunc to 12/30/17.
Conservatorship terminates by operation of law; however, accounting was not yet approved. **JTD**
6. Attorney requests fees of \$12,702.50 for 39.8 hours at \$50/425 per hour for paralegal and attorney services. Itemized [LFpg26-31]. There is not sufficient assets to pay fees.
7. Conservator seeks to distribute funds to personal representative of estate; however, there are not enough assets for an estate to open or to pay all fees requested. It appears any assets, if any, would qualify under Pr.C. § 13100. **Need** verified supplement.
8. Proposed Order: 08/30/18; however, distribution is to personal representative.

RECOMMENDATION:

Need to clear note 7. If approved, set hearing on the filing of receipts and final discharge for **10/24/19**

(lc)

Superior Court of Calif, County of San Bernardino

Page: 23 ADD ON

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

DATE: 10/11/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1601084

CASE NAME: GARY SCOTT MESTAS

SEE ALSO 24, 25

HEARING:
Hearing Re: MEDIATION HEARING

COUNSEL:

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

Mediation – No notes – JTD

(lc)

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

DATE: 10/11/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1601084

CASE NAME: GARY SCOTT MESTAS

SEE ALSO 23, 25

HEARING: Accounting Review by ***

COUNSEL:

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

GENERAL INFORMATION

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

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

Continued from 07/25/18 and 09/26/18. Nothing new filed. Matter not re-reviewed.

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

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

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

RECOMMENDATION

Inquire status.
(lh)

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

DATE: 10/11/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1601084

CASE NAME: GARY SCOTT MESTAS

SEE ALSO 23, 24

HEARING:

Petition to determine succession to Real Property

COUNSEL:

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

GENERAL INFORMATION

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

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

Continued from 07/25/18 and 09/26/18. Nothing new filed. Matter not re-reviewed

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

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

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

RECOMMENDATION

Matter is contested.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 1 ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 10/11/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1400045

CASE NAME: Vivian Bertrand

SEE ALSO 1A, 1B

HEARING: AMENDED SECOND Account and Report of MELODIE Z SCOTT and Petition for allowance of fees filed.

COUNSEL:

ANNMARIE M SCOTT	(PET)...RYAN J GALLANT
BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP
JAMES L OBERMAN	(PET)...DONNASUE ORTIZ
JEANNE E KENNEDY	(PET)...CALDWELL, KENNEDY &
MELODIE Z SCOTT	(CPE)...BRYAN C HARTNELL
PACIFIC WESTERN BANK A CALIFOR	(FABOZZI & MILLER
SURETEC INSURANCE COMPANY	(PET)...PRO/PER
SURETEC INSURANCE COMPANY	(TP)...WOLKIN CURRAN LLP
VIVIAN BERTRAND	(CEP)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION:

Continued from **05/02/17**. Compliance review re Melodie deemed moot.

Continued from 06/14/17. The Court confirms Judge McCarville's order that **Melodie Scott's fees are not to be paid to Melodie Scott, but instead go to Pacific Western Bank. Petition for surcharge may be filed.** Amended 2nd or 3rd & final accounting to be filed. Melodie Scott's posted bond amount and whether AnneMarie Scott's bond has been brought current to be addressed. The Court orders accounting to be filed by 8/16/17.

Continued from 10/02/17 for Counsel to file reply to written objections. Court orders request for attorney's fees to be filed by Ms. Scott. At request of Counsel, matter is set on a Wednesday. Notice is waived.

Continued from 12/06/17 at request of Counsel. Attorney Bryan Hartnell represents responses have been recently filed and additional time is needed to review responses. Counsel are encouraged to meet and confer regarding setting a Court Sponsored Mediation date.

Continued from 03/14/18. Ms. Ortiz reports remaining bank statements have been provided to her and Ms. Kennedy. Counsel to meet and confer re settlement of issues. Meet and Confer may include bonding company. Mediation set. Bond company rep with authority to settle matter may be available by telephone.

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

Continued from 05/16/18 and 09/20/18. Matter not re-reviewed as nothing new filed.

THIS CASE IS SET FOR HEARING ON **Amended (08/16/17) 2nd** Account Current to Create Second and Final Account and Petition for Fees by **former** Conservator of the Person and Estate and Successor Trustee, Melodie Scott.

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

1. Accounting period 03/12/15 to **09/16/16 (Conservatorship)**
Accounting period 03/12/15 to 09/30/16 (Trust)
2. Assets on Hand \$0.00 (Conservatorship)
Assets on Hand \$0.00 (Trust)
3. Current bond set at \$735,000.
4. Petitioner indicates she is entitled to reasonable fees for her services as Conservator of the person and estate and as Trustee of the Trust. Court ordered fees to be paid to Pacific Western Bank per m/o on 06/14/17.
5. Petitioner acquired authority to make periodic payments of compensation to herself in an amount of 80% equal to her monthly billing. Supp filed 12/05/17 the fees of \$2,744.58 and \$12,700 paid on 11/12/15 from Trust were approved in prior account leaving \$6,400 paid toward fees. Said paid sum of \$6,400 will be used for fees earned and unpaid during this account period; however, petitioner does not have current time records available. **Supp 04/16/18 remaining \$6,400 will be against fees earned and unpaid for present period of account. Time records attached at LFpgs 7-27. JTD**
6. Attorney requests reimbursement of costs advanced of \$3,072.34. Itemized [LF, p. 72]. **JTD**
7. During this accounting period, petitioner paid caregiving services; case management fees; and account management fees. **Supp 12/06/17 fee acknowledgments attached** by Danielle Temby; Deborah Diaz; Jodi Loera; Annmarie Scott; Raumeay Wilson; Vivian Kavigan; Lindsey Fillian; Carol Voll-Buschez; Carie Bashez; Sheryl Cook; Christopher Scott; and Right at Home Inland Valley; **see LFpgs7-25. JTD**
8. Supp 09/29/17 residential facility statements for Rose Garden Residential from 01/2015 to 08/2015. **Supp 12/05/17 includes residential statements through 09/2016 at LFpgs28-37.**
9. Supp 09/29/17 requests attorneys' fees **\$39,610.00** for 166.90 hours at ranging from \$250-\$425/hour for attorney services; \$50-125/hour for paralegal services, and \$25/hour for book keeper. Itemized at LFpg24-42. **JTD**
10. **Objections filed 09/27/17 by James Oberman, current conservator and trustee.**
11. **Declaration joining objection filed by appointed Counsel Jeanne Kennedy on 10/04/17.**
12. **Reply to Objection to Amended Second Account by Melodie Scott filed 12/05/17.**
13. Proposed Order 08/16/17 indicates the fees for Petition and her counsel as requested are approved; no fees have been requested. Fees remaining due and owing the Petitioner are blank; attorney fees are blank; allows discharge and

exoneration of bond upon filing of documents instead of upon entry of discharge order.

RECOMMENDATION:

Matter is contested. If approved, set hearing for receipts and final discharge for **10/24/19**.
(nb/lc/nb/lh)

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

DATE: 10/11/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1400045
CASE NAME: Vivian Bertrand

SEE ALSO 1, 1B

HEARING: Third Account and Report of JAMES L OBERMAN and Petition for allowance of fees filed.

COUNSEL:

ANNMARIE M SCOTT	(PET)...RYAN J GALLANT
BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP
JAMES L OBERMAN	(PET)...DONNASUE ORTIZ
JEANNE E KENNEDY	(PET)...CALDWELL, KENNEDY &
MELODIE Z SCOTT	(CPE)...BRYAN C HARTNELL
PACIFIC WESTERN BANK A CALIFOR	(FABOZZI & MILLER
SURETEC INSURANCE COMPANY	(PET)...PRO/PER
SURETEC INSURANCE COMPANY	(TP)...WOLKIN CURRAN LLP
VIVIAN BERTRAND	(CEP)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION:

Continued from 03/14/18, 05/16/18 and 09/20/18. Matter not re-reviewed as nothing new filed.

THIS CASE IS SET FOR HEARING ON Third Account Current and First Report of Successor Conservator, Petition for Settlement, Fees and Reimbursements by James L. Oberman, second successor conservator

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

1. **Conservatee passed away on 04/28/18.**
2. Assets on hand: \$367,211.82, cash. Note: it is unclear if the starting balance of the third account matches the ending balance of the second account. See prior matter. Need Order approving second account prior to approval of third account.
3. Accounting period: 09/30/16 to 09/30/17. Note: accounting period lapses one day.
4. Petitioner will file separate supplements conservator fee's and attorney's fees. **Need same.**
5. During this accounting period, petitioner paid caregiving services to a Debbie Diaz, nurse's aide. **Need** verified declaration for acknowledgment of receipt of fees per Local Rule 20-1406(c)

6. **Need** residential statements for Braswell Leisure Manor per Pr. C. §2620(c)(5).
7. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. §1064(a)(4).
8. Current bond is \$20,000. Petitioner requests bond increase of \$386,413 for a total bond of \$406,413.00. **Need** bond calculation via verified supplement.
9. No Proposed Order submitted.

RECOMMENDATION:

Need to clear notes 4-8, then Court's discretion. If approved, Court to set next *final* accounting review hearing **12/18/18**.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 1B ADD ON

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

DATE: 10/11/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1400045

CASE NAME: Vivian Bertrand

SEE ALSO 1, 1A

HEARING:
Readiness Calendar

COUNSEL:

ANNMARIE M SCOTT	(PET)...RYAN J GALLANT
BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP
JAMES L OBERMAN	(PET)...DONNASUE ORTIZ
JEANNE E KENNEDY	(PET)...CALDWELL, KENNEDY &
MELODIE Z SCOTT	(CPE)...BRYAN C HARTNELL
PACIFIC WESTERN BANK A CALIFOR	(FABOZZI & MILLER
SURETEC INSURANCE COMPANY	(PET)...PRO/PER
SURETEC INSURANCE COMPANY	(TP)...WOLKIN CURRAN LLP
VIVIAN BERTRAND	(CEP)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Readiness – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1C

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

DATE: 10/11/18 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1700670

CASE NAME: EMMANUEL CABALLERO & BRIANNA CABALLERO

SEE ALSO 1D

HEARING: Hearing Re: PTN FOR GUARDIANSHIP

COUNSEL:

BRIANNA CABALLERO (MIN)...
EMMANUEL CABALLERO (MIN)...
SILVIA CABRERA (PET)...PRO/PER

GENERAL INFORMATION:

Temporary Orders denied on 12/27/17. Matter referred to DCFS hotline for immediate investigation. Court requests DCFS provide a report to the court.

Continued from 01/29/18. The Court determines the minors are currently residing with mother. Due Diligence Declaration denied as to father. Mother to file written objections. Court orders matter referred to Department of Children and Family Services pursuant to Probate Code 1513(b) for investigation in compliance with Welfare and Institutions Code 328 and 329. Notice by Judicial Assistant

Continued from 05/08/18. Court cleared note 3 as mother appeared. Minors live with mother. Matter is contested, Trial requested.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Silvia Cabrera (non-relative), minors: Emmanuel, 7 and Brianna, 8

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

1. Request to Excuse Notice filed 01/10/18 as to father Manuel Caballeri **Denied 01/29/18**. Father mailed notice filed to Mexico; however, when a person who is to receive personal notice of a guardianship proceeding resides in Mexico, service may be either by a) **international registered mail, return receipt; b) service by agent (typically an attorney in Mexico)**; c) service by Letters Rogatory; or (d) service via the Mexico Ministry of Foreign Affairs. CCP section 413.10(c); Pr.C. 1511; In re Alyssa F. (2003) 112 Cal. App. 4th 846, 885, fn. 10; Convention on the "Service Abroad of Judicial and Extrajudicial Documents" in Civil or Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. No. 6638 (Hague Service Convention). **Need** proper notice and proof of service.
2. Petition, section 11 as to whether petitioner is a foster home, adoption etc. **Need** verified supplement.

3. Request to Excuse Notice with Due Diligence Declarations filed 01/10/18 as “unknown” paternal grandparents and maternal grandparents. JTD
4. Mother Octavia Hernandez appeared.
5. DCFS Narrative filed 04/20/18.
6. Children and Family Services Report filed 07/26/18.
7. **Objections filed by mother, Octavia Hernandez.**
8. ~Proposed form Order submitted: 12/19/17

RECOMMENDATION:

Matter is contested. Need to clear notes 1-2.

(cs/nb/lc)

Superior Court of Calif, County of San Bernardino

Page: 1D

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

DATE: 10/11/18 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1700670

CASE NAME: EMMANUEL CABALLERO & BRIANNA CABALLERO

SEE ALSO 1C

HEARING:
Readiness Calendar

COUNSEL:

BRIANNA CABALLERO	(MIN)...
EMMANUEL CABALLERO	(MIN)...
SILVIA CABRERA	(PET)...PRO/PER

Readiness – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0801057

CASE NAME: MICHAEL J MCGOOKIN

HEARING:

Accounting Review by ***

COUNSEL:

BONNIE L FISKE

(PET)...CHARTER CALIBORNE HUGHES

MICHAEL J MCGOOKIN

(DEC)...

GENERAL INFORMATION

Continued from 04/05/18 as **executrix's spouse recently passed away.**

Continued from 06/28/18 to clear notes.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Bonnie Fiske, executrix, on 01/15/09, full authority no bond. Bond of \$1.3M later ordered on 01/18/18, posted 02/01/18.
2. Partial Inventory and Appraisals filed. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1100709

CASE NAME: MANUEL OCHOA

HEARING:

Probate status report filed.

COUNSEL:

MANUEL OCHOA (DEC)...
MELINDA HERBER (PET)...M. BRIAN CULLEN

GENERAL INFORMATION:

Continued from 10/12/17.

THIS CASE IS SET FOR HEARING ON Status Report.

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

1. Letters of administration issued to Melinda Herber, stepdaughter, on 06/04/12.
2. Petitioner alleges the estate is not in a condition to be closed as there are no funds available to pay attorney's statutory compensation. Estate must remain open until death of Sally Ochoa, surviving spouse, as there is no reasonable wait to divide title to subject real property without resulting in further litigation.
3. Petitioner requests Court allow biennial reports instead of annual reports.
4. **Need** updated status report or accounting as it has been 15 months since this report was filed.

RECOMMENDATION:

Inquire status of accounting/status report.

(lh/lc)

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

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500880
CASE NAME: Carol A. Ayres
HEARING: First and final Account and Report of AUDESI AYRES and Petition
for allowance of fees filed.

COUNSEL:

AUDESI AYRES (PET)...LAW OFFICE O F DAVID E WE ISS
CAROL A. AYRES (DEC)...
LAWRENCE (TP)...

GENERAL INFORMATION

Continued from 06/28/18. Court requests full and complete report re all fees paid to paralegals and attorney.

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Audesi Ayers, daughter.

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

1. Audesi's powers suspended on 01/30/18 letters of special administration issued to Public Administrator on 02/28/18.
2. Assets on hand \$0.
3. Both heirs waive accounting.
4. Administrator and counsel waive fees as there are no assets remaining. Fees are waived permanently.
5. Administrator states that HAFA relocation fees of \$10,000 [for Michael Luna] and \$7,200 in Paralegal Fees were paid through escrow/short sale. Administrator states these were Wells Fargo/HUD approved. Administrator alleges she acted in best interest of estate. No objections filed by other heir. **Supp 08/16/18:** Petitioner alleges the payments were paid through inadvertence and now seeks court approve payments for paralegal fees of \$7,200. Petitioner paid for costs of filing totaling \$3,583.09. *Appears to be no harm as both heirs waive accounting and no further fees are requested.* **Supplement re fees filed on 09/27/18** seeking a continuance.
JTD
6. Subtotal in Disbursements [LFpg8] appears to be off by approximately \$2,500 and amount doesn't match notice of short sale [LFpg19]; however, both heirs waive accounting therefore appears moot. **Supp 06/19/18:** sum was included in settlement charges.
7. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of final discharge for **10/24/19**.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600077

CASE NAME: ESTATE OF ARDITH A EUDEY

HEARING:

Hearing re Final Discharge

COUNSEL:

ARDITH A EUDEY (DEC)...
DU'VENE GAMMA EAVES (PET)...CHARLES S ALTHOUSE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Du'Vene Eaves, cousin, approved on 10/05/17.
2. **Need** receipts for
 - a. Lois Wall
 - b. "Only Hospital"
 - c. "Only School"
 - d. Khao Nang Fum Wildlife Research Station.
 - e. Historic Pioneer Cemetery of Jackson
 - f. Marcy Rodenborn
 - g. John Oates
 - h. Ellen Harris
 - i. Sarah Foster
 - j. UC Berkeley
 - k. American Friends Service Committee
 - l. Ox-Fam USA
 - m. International Rescue Committee.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipts and discharge order.

(lc)

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

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600538
CASE NAME: MTR OF MC PICKETT
HEARING: First and Final Account and Report of CHRISTOPHER MILLER and
Petition for allowance of fees filed.

COUNSEL:

APPROVED INHERITANCE CASH, INC	()...
CHRISTOPHER MILLER	(PET)...JASON L GAUDY
DIANE E ROBBINS	(ROBBINS & HOLDAWAY
ETHEL PICKETT	(OBJ)...
MC PICKETT	(DEC)...

GENERAL INFORMATION

**Continued from 06/28/18. Statutory fees approved and reimbursement of costs.
Court requires supplement re construction receipts.**

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Christopher Miller, Nephew.

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

1. Assets on hand \$76,989.95 in cash.
2. Administrator and counsel seek statutory fees of \$4,090 each. Ok.
3. Counsel seeks reimbursement of costs totaling \$3,524.99. [LFpg31].
4. Administrator seeks reimbursement of costs totaling \$30,989.65. [LFpg33].ok
5. Counsel seeks extraordinary fees of \$1,500 for 4 hours at \$375 per hour. \$562.50 approved.
6. Administrator also seeks extraordinary fees of \$1,500; however, there does not appear to be an itemization for administrator. **Need** itemization.
7. Verified supplement filed 09/26/18 re construction receipts per request of court.
JTD
8. Distribution is complex due to multiple post deceased heirs. No objections have been filed.
9. Proposed Order submitted 06/25/18; however, extraordinary fees approved do not match 06/28/18 minute order.

RECOMMENDATION

RFA subject to note 6. If approved, set hearing on the filing of receipts and final discharge for **10/24/19**.

(lc)

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

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700127

CASE NAME: MTR OF DAVID CARL HOVSEPIAN

HEARING:

Accounting Review by ***

COUNSEL:

CANDACE MELTON	(PET)...PRO/PER
CHRISTIE DAVIDSON	(ADM)...HORSPOOL & HORSPOOL
CHRISTIE DAVIDSON	(PET)...HORSPOOL & HORSPOOL
DAVID CARL HOVSEPIAN	(DEC)...
GENEVIEVE RUTH PATTON	(PET)...PRO/PER
MINOR CHILD	(MIN)...PRO/PER
VICTORIA HOVSEPIAN	(PET)...KEYSTONE LAW GROUP

GENERAL INFORMATION

Continued from 06/28/18 for accounting or status report.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Christie Davidson PPF, on 05/02/17; full authority, \$125,000 bond, additional bond of \$300,000 posted 04/13/18.
2. Final Inventory and Appraisal filed 11/03/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700448

CASE NAME: MTR OF CARMEN TERESA NERYS

HEARING:

First and Final Account and Report of THOMAS ANTHONY NERYS and
Petition for allowance of fees filed.

COUNSEL:

CARMEN TERESA NERYS (DEC)...
THOMAS ANTHONY NERYS (PET)...DUANE P BOOTH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Waiver of Account, Distribution and Petition for Allowance of Fees by Thomas Nerys, son.

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

1. Assets on hand \$173,210.87 in cash and vehicle.
2. Both heirs waive accounting.
3. Administrator and counsel seek statutory fees of \$9,730 each. Ok.
4. Administrator seeks reimbursement of costs of \$4,582.50 [LFpg13]
5. Sibling Cynthia assigned her interest in vehicle to her brother/administrator.
6. Administrator seeks a reserve of \$3,000.
7. ~Proposed Order: 08/13/18.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **10/24/19**

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700477

CASE NAME: Benjamin B Banaag

SEE ALSO 11

HEARING:

Petition for to establish & determine ownership & title to
personal property

COUNSEL:

BENJAMIN B BANAAG (DEC)...
SHIRLEY B. WEIS (PET)...T W RONALD DANIERI

Currently under review by legal research.

Notice filed 09/06/18 appears sufficient.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700477

CASE NAME: Benjamin B Banaag

SEE ALSO 10

HEARING:

Accounting Review by ***

COUNSEL:

BENJAMIN B BANAAG

(DEC)...

SHIRLEY B. WEIS

(PET)...T W RONALD DANIERI

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Shirley Weis, daughter, on 08/03/17; full authority, no bond. Sale proceeds in blocked account.
2. Partial and final Inventory and Appraisal filed 10/23/17 and 05/02/18
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800177

Vacated

CASE NAME: RITA ANN BELTRAN

HEARING:

Hearing Re: Receipt of Bond

COUNSEL:

JOANN A AUSTIN (PET)...LAW OFFICE OF HOWARD S BORENST
RITA ANN BELTRAN (DEC)...

Bond filed and letters issued 7/17/18.

(lc)

Future Hearing: 09/05/19 *Accounting Review*.

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

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800867

CASE NAME: MTR JOSEPH V HARO

HEARING:

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

COUNSEL:

ANTHONY CARRILLO (PET)...PRO/PER
CRYSTAL LOBATO (PET)...PRO/PER
JOSEPH V HARO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Anthony Carrillo and Crystal Lobato, grandson and spouse.

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

1. Petition states petitioners are grandchildren; however, section 8 page 3 states Crystal is wife to Anthony. Court to clarify.
2. All heirs waive bond. Net estate value is \$245,000; however, unclear if all real property based on calculation. Court to clarify. Court for good cause could require bond per Pr.C. § 8481(b).
 - a. **Need** bond waivers for decedent's children Tina and Joseph. Court to inquire if there are more children not listed.
3. Petition states no child or issue; yet there are grandchildren as well as a letters by "daughter" Tina and "son" Joseph" attached to petition.
 - a. **Need** verified supplement clarifying how petitioners are related to decedent if decedent had no children.
 - b. **Need** verified supplement listing section 8 with all relatives, including children of decedent.
 - c. There does not appear to be any assignments of interest filed by children re "verbal will".
4. **Need** Notice to Petition to Administer Estate and proof of service.
5. **Need** proof of publication.
6. **Need** phone numbers on Duties form.
7. ~Proposed Form Order: 09/06/18.

RECOMMENDATION

Need to clear notes 2-6, Court's discretion re bond. If approved, set Accounting/Status Review for **12/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 10/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800868

CASE NAME: SAMUEL HARVEY HALL

HEARING:

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

COUNSEL:

CYNTHIA MARIE CAIRNS (PET)...LAW OFFICES OF JOHN A BATELAAN
SAMUEL HARVEY HALL (DEC)...

GENERAL INFORMATION

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

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

1. All heirs waive bond. Net estate value is \$308,000 of which \$8,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Need** proof of publication.
4. **Need** phone number on Duties form.
5. No proposed order submitted.

RECOMMENDATION

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

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 10/11/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS0900337

CASE NAME: ISAAC PRUDHOLME S.N. TRUST

HEARING: Petition for SPECIAL HEARING REGARDING ACCOUNTING FOR ALL ASSETS AND TOTAL FUND AND ACCOUNT ETC

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV ()...
ISAAC PRUDHOLME SPECIAL NEEDS (TRU)...
KATIE HERNANDEZ (PET)...HARTNELL LAW GROUP
LOS ANGELES COUNTY PUBLIC GUAR ()...
MELODIE SCOTT (TEE)...SHERRI L KASTILAHN
RICKY PRUDHOLME (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by RICKY PRUDHOLME is GRANTED

XREF: SCVSS19171 (*Bennett, et al –v- Holliday*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Special Hearing Re Accounting for All Assets and Account Balance on any and all Accounts including bonds by Ricky Prudholme, father of beneficiary.

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

1. Petitioner seeks an accounting for his son's Trust.
2. Petitioner seeks an "audit" of all financial history.
3. Katie Hernandez, successor Trustee, submitted a 5th and final accounting that was approved on 07/03/17. **Inquire status of** order for Katie Hernandez.
4. Petitioner appears to be seeking reimbursement for burial plot; however, it is unclear exactly what petitioner is seeking. Hearing on 08/09/18 was set for payments to Ricky and Tamsen Bennett jointly. Court to inquire re Department of Health Services' briefing for ongoing payments on annuity.
5. Document is not verified or signed per Pr.C. § 1021. **Need same.**

RECOMMENDATION

Need verification then Court's discretion.

(lc)

Future Hearing: 11/15/18 Hearing re: Trust distribution

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 10/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON DS1000109

CASE NAME: REBECCA H VAUGHN

HEARING:

Second Account and Report of CHRISTINA OSEGUERA and Petition for allowance of fees filed.

COUNSEL:

CHRISTINA OSEGUERA	(CPE)...CANDICE A GARCIA RODRIGO
MITCHELL I ROTH	(PET)...
REBECCA H VAUGHN	(CEP)...MITCHELL I ROTH
REBECCA H VAUGHN	(CEP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2nd Conservatorship Account Current and Petition for Allowance of Fees by Christina Oseguera, daughter.

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

1. Accounting period 07/01/17 – 06/30/18.
2. Assets on hand \$540,759.19 of which \$417,904.81 is cash.
3. Conservator waives compensation.
4. Attorney seeks fees of \$5,425 for 15.5 hours at \$350 per hour. Itemized [Acct. 08/20LFpg45-47].
5. Conservator seeks current bond of \$650,418.95 be reduced to \$603,124.20. Appears adequate.
6. ~Proposed Order: 08/30/18.

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **09/26/19** (if one year) or **09/17/20** (if two years). Accounting to be filed 30 days in advance.
(lc)

Future Hearing:08/27/19 Hearing re: *Accounting Review re trust*

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

DATE: 10/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON DS1100033
CASE NAME: EDITH I. HAFOKA
HEARING: Hearing re Final Discharge

COUNSEL:

EDITH I HAFOKA	(CEP)...
GLENDALORENE OWIECKI MEADOWS	(CPE)...HARTNELL LAW GROUP
JAMES B CHURCH	(PET)...JAMES B CHURCH
LENITA A SKORETZ	(TP)...LENITA A SKORETZ

GENERAL INFORMATION

Continued from **02/24/15**. Counsel states he has not been paid yet and will be notifying the bond company.

Continued from 04/28/15. Attorney James Church to file a petition for surcharge.

Continued from 7/28/15, 7/30/15, 10/1/15, 11/9/15, 01/04/16, 07/12/16, 01/10/17, 03/21/17, 06/20/17 and 06/21/18 for attorney's fees to be paid. Glenda Lorene Owiecki Meadows to be present at next hearing.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Account/Distribution for Glenda Meadows, daughter-in-law, approved on 05/27/14.
2. Court to inquire if counsel has been paid.
3. Assets on hand appear to have been \$40,646.27 which could be distributed per Pr.C. § 13100 affidavit(s). However, distribution order states to personal representative of estate, yet there does not appear to be enough assets to open a full probate unless there were other assets not in conservatorship.
 - a. **Need** receipt.
 - b. Court to inquire if an estate was ever opened. If not, need declaration and amended final distribution order along with Pr.C. § 13100 affidavits for intestate heirs. It is unclear all surviving heirs.
4. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION:

Need to clear notes 3-4. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 2655.

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

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

DATE: 10/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400051

CASE NAME: Shawn P Hughes

SEE ALSO 19

HEARING:

Petition for fees of court appointed attorney , Edward Fischel

COUNSEL:

ARTHUR A CAPPILLA	(CP)...HORSPOOL & HORSPOOL
ARTHUR A CAPPILLA	(CPE)...J. DAVID HORSPOOL
BARBARA E BOWERSOCK	(TP)...BARBARA E BOWERSOCK
EDWARD B. FISCHEL	(PET)...EDWARD B FISCHEL &
SHAWN P HUGHES	(CEP)...EDWARD B FISCHEL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's fees by Ed Fischel.

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

1. Counsel Ed Fischel was appointed counsel for conservatee on 11/12/14.
2. Counsel seeks fees of \$6,367.50 for 16.25 hours at \$395 per hour. [LFpg5-6].
3. ~Proposed order: 08/31/18.

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400051

CASE NAME: Shawn P Hughes

SEE ALSO 18

HEARING: Twenty-fifth Account and Report of ARTHUR A CAPPILLA and
Petition for allowance of fees filed.

COUNSEL:

ARTHUR A CAPPILLA	(CP)...HORSPOOL & HORSPOOL
ARTHUR A CAPPILLA	(CPE)...J. DAVID HORSPOOL
BARBARA E BOWERSOCK	(TP)...BARBARA E BOWERSOCK
EDWARD B. FISCHEL	(PET)...EDWARD B FISCHEL &
SHAWN P HUGHES	(CEP)...EDWARD B FISCHEL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 25th Account Current and Petition for Fees by Arthur Cappilla, PPF.

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

1. Accounting period 05/01/17 – 04/30/18.
2. Assets on hand \$303,964.61 (\$70,964.61 in cash and \$233,000 in brokerage accounts).
3. Conservator is seeking fees of \$3,705 for 24.7 hours at \$150 per hour. After periodic payments of \$1,650, conservator is owed \$2,055. [LFpg24-26].
4. Conservator seeks authorization for future periodic payments of \$150 per month.
5. Attorney seeks fees of \$3,612.50 for 8.5 hours at \$425 per hour. [LFpg27-29].
6. Current bond of \$365,000. Appears sufficient.
7. ~Proposed Order: 08/27/18.

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **06/13/19** (if one year) or **06/11/20** (if two years). Account to be filed 30 days' in advance of hearing.
(lc)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400238

CASE NAME: Randall Alton Gonzales

SEE ALSO 21

HEARING:

Hearing Re: ACCOUNTING REVIEW (PERIOD OF TERI MCKINNEY)

COUNSEL:

JP MORGAN CHASE BANK, N.A. ()...
MATTHEW SHEASBY (PET)...SHEASBY AND ASSOCIATES
RANDALL ALTON GONZALES (CEP)...SHEASBY AND ASSOCIATES
RANDALL ALTON GONZALES (PET)...WALTER T. MOORE
TERI SUE GONZALES (CPE)...
TERI SUI MCKINLEY (RES)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review re Teri McKinley.

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

1. Matter set on 06/14/18 Accounting review where Public Guardian was ordered to reconstruct an accounting best they can for Teri Sue McKinley. Public Guardian to prepare an accounting from the date of their appointment through 10/31/18
2. Teri Sue McKinley appointed conservator of person and estate on 10/02/14, no bond.
3. SNT established on 05/29/15 appointing Teri Sue McKinley Trustee \$50,000 bond, with additional \$10,500 ordered 07/18/16 which does not appear to be posted.
4. 1st waiver of account for conservatorship granted 06/09/15 for period ending 03/30/15.
5. Notice of Non-Payment of Bond premium filed 03/14/17.
6. **Need** accounting for SNT.
7. **Need** Second Account/waiver for Conservatorship.
8. **Need** notice to bond company.
9. Due Diligence filed 12/27/17 as to Teri Sue Gonzales as citation was not served.
10. Notice of Death of, former attorney Diana Boley for Conservator/Trustee, filed 10/27/16.

11. Suretec Insurance Company's Report of Subpoena to Chase Bank re SNT Account filed 03/22/17.
12. Declaration filed by Counsel Sheasby in support of publication filed re Conservator Teri Sue McKinley.

RECOMMENDATION

Inquire status of accounting.

(lc)

Future Hearing: 01/31/19 Hearing re: *Accounting Review (Public Guardian)*

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

DATE: 10/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400238

CASE NAME: Randall Alton Gonzales

SEE ALSO 20

HEARING:

Petition for attorney fees , filed by court appointed atty
Walter Moore

COUNSEL:

JP MORGAN CHASE BANK, N.A.	()...
MATTHEW SHEASBY	(PET)...SHEASBY AND ASSOCIATES
RANDALL ALTON GONZALES	(CEP)...SHEASBY AND ASSOCIATES
RANDALL ALTON GONZALES	(PET)...WALTER T. MOORE
TERI SUE GONZALES .	(CPE)...
TERI SUI MCKINNEY	(RES)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Walter Moore.

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

1. Counsel Moore was appointed counsel for conservatee/beneficiary of SNT in 2014.
2. Counsel seeks fees of \$13,950 for 37.2 hours at \$375 per hour. [LFpg3-4].
3. ~Proposed Order: 09/04/18.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing: 01/31/19 Hearing re: *Accounting Review (Public Guardian)*

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

DATE: 10/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500115
CASE NAME: MARIA TOMASA TRUJILLO
HEARING: First and Final Account and Report of MARIA GRINDE and Petition
for allowance of fees filed.

COUNSEL:

MARIA GRINDE	(CPE)...R.M. SCHLOSSER
MARIA TOMASA TRUJILLO	(CEP)...MATTHEW E. SHEASBY
MATTHEW E SHEASBY	(PET)...SHEASBY AND ASSOCIATES

Request for Waiver of Court Fees and Costs filed by MARIA GRINDE is GRANTED
Fee waiver amount due \$1485.00 \$555.00 for conservatorship petition and temp on 05/01/15
\$465.00 for accounting on 03/30/17 \$465.00 for first and final on 08/13/18

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON First and Final Waiver of Account Pr.C. § 2628 by Maria Grinde, daughter.

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

1. Conservatee passed away on 06/07/18.
2. Accounting period 10/01/15 – 06/30/18
3. Assets on hand appear to be \$4,894.54.
4. Conservator states the estate qualifies for a waiver under Pr.C. § 2628 as income never exceeded \$2,000 per month and assets never exceeded \$15,000. However, Conservator provides a partial accounting even though the estate allegedly qualifies for a waiver.
5. Conservator was appointed on 08/31/15; therefore, accounting period shall begin at appointment re estate and end at date of death, and provide a post-death accounting. **Need** verified supplement amended waiver of account.
6. **Need actual** Notice of Hearing with proof of service to include court-appointed counsel.
7. Inventory and Appraisals do not include any mobile home. It is unclear if this was a conservatorship asset. **Need** verified supplement and possible corrected Inventory and Appraisal.
8. There is no distribution clause for remaining assets. **Need** verified supplement
9. There is no indication attorney's fees for Matthew Sheasby have been partially paid. **Need** verified supplement.
10. No proposed order. Submit after hearing.

RECOMMENDATION:

Need to clear notes 5-9. If approved, set hearing on the filing of receipts and final discharge for **10/24/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600048

CASE NAME: DOUGLAS HAROLD EATON

SEE ALSO 24

HEARING:

Hearing Re: RETURN TO CALIFORNIA

COUNSEL:

DOUGLAS HAROLD EATON (CEE)...JAMES B CHURCH
WILLIAM R. FOLKMAR (PET)...PRO/PER

GENERAL INFORMATION

Continued from 12/14/17. Citation issued.

On 01/09/18, bench warrant and citation recalled. William Folkmar to file accounting.
Order to be filed by James Church.

Continued from 03/29/18. Need accounting/status of return to California.

Continued from 06/21/18. Counsel to attempt to determine if Illinois conservatorship is in place. Conservatee is to be returned to California. If failure to appear, a warrant may be issued for temp Conservator's arrest.

THIS CASE SET FOR HEARING ON Return to California.

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

1. William Folkmar appointed temporary Conservator on 3/9/16; person and estate.
2. Matter set on 11/22/17 when counsel reported that APS in Illinois has been contacted and reported conservatee is safe. Douglas Eaton ordered to be returned to California.
3. William Folkmar suspended as temporary guardian and cited. Bench warrant to be issued if William fails to appear.
4. **Need** accounting per court.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600048

CASE NAME: DOUGLAS HAROLD EATON

SEE ALSO 23

HEARING: Petition for Appointment of Conservator

COUNSEL:

DOUGLAS HAROLD EATON (CEE)...JAMES B CHURCH
WILLIAM R. FOLKMAR (PET)...PRO/PER

GENERAL INFORMATION

William Folkmar appointed temporary Conservator on 3/9/16. Court authorized credit union to release \$5,000 to William to pay bills, caregiver, and residence. Attorney James Church appointed for proposed conservatee.

On **3/14/16**, court lifted restriction that temporary conservator not access more than \$5,000. William Folkmar is authorized to obtain statements/records from annuity but cannot accept annuity payments. Court suspended certain powers of attorney and advanced healthcare directives dated 11/11/5, 1/21/15, and 10/30/15.

Continued from **4/18/16, 6/29/16, 7/25/16.**

Continued from **10/05/16.** Return of Citation is waived by proposed conservatee's appearance this date. Further appearance by conservatee is waived.

Continued from **01/25/17.** Temporary Conservator was to provide amended order per 03/14/16 minute order. Citation issued to William Folkmar. Bench warrant may be issued.

Continued from **04/19/17** Petitioner is advised he needs approval of Court to remove conservatee from state. Court grants petitioner's request to take conservatee to Illinois.

The Court orders petitioner to file for conservatorship/guardianship there within 72 hours of returning to Illinois. They will return on 4/28/17. Petitioner is further ordered to serve a copy of Illinois petition on Mr. Church within a week of the filing. Mr. Church will file an ex parte requesting conservatee's return to California if Illinois petition not timely filed. Court recommends petitioner speak to counsel in Illinois for assistance

Continued from 06/21/17 Conservator has not contacted Counsel as ordered. Counsel advised to contact APS in Illinois. The Court orders the conservatee, DOUGLAS HAROLD EATON, be returned to California within 24 hours. The Court orders letters of temporary conservatorship suspended pending further order of the court. WILLIAM R FOLKMAR is cited to appear. Should he fail to appear a bench warrant may be issued. Mr. Church to prepare order after hearing.

Continued from **10/04/17.** Bill Folkmar reported he is working on guardianship in Illinois but due to the number of issues he is juggling, the guardianship is not complete. Court advises Bill Folkmar that temporary conservatorship of Douglas Eaton was terminated due to Bill

Folkmar's non-compliance with the Court. Court orders Bill Folkmar to file and serve proof of Illinois action by 11/10/17. Should proof not be filed as directed, Court will order Douglas Eaton to be returned to California within 48 hours and will notify Illinois equivalent of Adult Protective Services.

Continued from 11/22/17. Counsel reports APS in Illinois has been contacted and reports conservatee is safe and well taken care of. They have no concerns. Bill Folkmar telephoned the court attendant this morning stating requested documents were filed over two weeks. Counsel reports he also was told the documents are available, but when he offered to have documents sent to his office Mr. Folkmar did not respond. The Court orders Douglas Eaton to be returned to the State of California by 12/14/17. The Court orders counsel to file order confirming suspension of Bill Folkmar's letters and serve order on Mr. Folkmar and CALPERS/Pension fund. Bill Folkmar is cited to be present at next hearing. Should he fail to appear, a bench warrant will be issued for his arrest.

Continued from 01/09/18. Citation and Bench warrant recalled as to William Folkmar. Counsel Church to file and order requiring William Folkmar to file accounting.

Continued from 04/12/18 and 06/21/18. Certified copy of Illinois order to be filed. Petitioner ordered to appear.

THIS CASE IS SET FOR HEARING ON Petition for conservatorship, person and estate, by cousin, William Folkmar.

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

1. Order suspending temporary conservator of person and estate filed 06/22/17.
2. Petitioner seeks no bond. No attachment 1C is provided and the estimated value of the estate at Section 3e(2) is not completed. **Need** verified supplement.
3. Petitioner requests medical powers. **Need** capacity declaration.
4. Petitioner requests dementia powers (meds only).
 - a. Petitioner completed Section 1b of dementia attachment to petition but not Section 4 (both re meds). Does court wish to require clarification of dementia meds request?
 - b. **Need** dementia attachment to medical capacity declaration.
5. **Need** notice of hearing with proof of service.
6. Proof of Illinois guardianship filed 11/15/17. **Need order.**
7. Certificate of Completion of the Conservatorship Training Class filed 04/19/17.
8. Court Investigator report filed 4/5/16.
9. Report of counsel, James Church, filed 3/11/16; supplemental report filed 01/24/17.
10. ~Proposed form order and letters 3/14/16.

RECOMMENDATION

Need to clear notes 2-6. If approved, set hearing for Compliance Review for **05/16/19** 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 Inventory & Appraisal with notice. Set hearing re: Accounting Review **12/19/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rule.

(ds/sa/nb/sa/lc/lh/lc/ww/lh/nb/lc)

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

DATE: 10/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700359
CASE NAME: MTR OF CHARLES KNIGHT
HEARING: Petition for Appointment of Conservator

COUNSEL:

ARTINA MCINTOSH (CPE)...KARL L GARY
CHARLES KNIGHT (CEP)...WALTER T. MOORE

GENERAL INFORMATION

Artina McIntosh appointed temporary Conservator of person and estate on 10/12/17. Continued from 12/21/17. Walter Moore appointed counsel. Petition modified on the record for person only. Supplement re medical and dementia powers along with Capacity Declaration to be filed.

Continued from 03/22/18. Phillip and John are same person.

Continued from 06/21/18 for conservatee to be taken to doctor to obtain Capacity Declaration. Karl Gary to file substitution of attorney [filed].

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Artina McIntosh, friend.

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc. per Pr.C. § 2351-2358 JTD
2. Court to see Confidential Screening Form attachment.
3. Petitioner does not seek medical powers. **Need** supplement and Capacity Declaration.
4. **Need** report of Counsel Moore.
5. **Need** return of citation.
6. **Need** notice of hearing and proof of service to Veteran's Administration.
7. Court Investigator report filed on 12/20/17.
8. Certificate of Completion of the Conservatorship Training Class filed 12/07/17.
9. ~Proposed Form Order: 10/04/17.

RECOMMENDATION

Need to clear notes 3-6. If approved, set hearing for Compliance Review for **05/16/19** for the filing of the required documents and hearing re Accounting Review for **12/19/19**. Any accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/11/18 TIME: 1:30 DEPT: S37P

CASE#: EAP PS1800109

CASE NAME: BERMUDEZ VS. BERMUDEZ

HEARING:

Court Trial set for ELDER/DEPENDANT ADULT ABUSE of CHRISTINA C
BERMUDEZ

COUNSEL:

CHRISTINA C BERMUDEZ (PP)...PRO/PER
DESIREE BERMUDEZ (RP)...

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Trial – No notes – JTD

(lc)