



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 10/22/18**

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.

(10/01/18&10/16/18 cs/kd) (10/17/18 cs)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

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DATE: 10/22/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400371

CASE NAME: Carl Lee Peavy

HEARING:

FIRST AND FINAL Account and Report of STACEE BLOKZYL and  
Petition for allowance of fees filed.

COUNSEL:

STACEE BLOKZYL

(PET)...MICHAEL C MADDUX

CARL LEE PEAVY

(DEC)...

GENERAL INFORMATION:

Continued from **06/19/17** at request of administrator. Accounting to be filed by  
09/18/17. Continued from **10/16/17, 01/22/18 and 03/05/18** to clear probate notes.  
Continued from **06/04/18** at request of counsel. Court clears note regarding statement  
to franchise tax board, as their claim has been withdrawn.

**Continued from 07/30/18 at request of counsel to clear probate notes.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for fees  
by Administrator, Stacey Blokzyl ["Petitioner"].

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

1. **Supp. 10/10/18 filed indicates a corrected I&A, Summary of Account, and report to meet Pr.C. § 1060 et seq. to be filed. However, as of date of review, nothing new filed.**
2. **Attorney, Maddux indicates assets consisting of decedent's pension plans, stocks, and proceeds from sale of the real property have been distributed. It is unknown if the estate suffered any harm. JTD**
3. Final Inventory and Appraisal filed 11/02/17 has the following issues:
  - a. Section 6 re bond is incomplete;
  - b. Name of attorney who signed Inventory and Appraisal is blank. **JTD**
4. Petitioner has used a local, incomplete Riverside County form. **Need** proper, amended account that complies with Pr. C. § 1060 et seq.
5. Accounting period 01/21/14 to 07/18/16.

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

6. **Need** Summary of Account and supporting schedules. It cannot be determined whether or not this accounting balances.
7. Petition indicates assets on hand consist of real property. However, real property was sold and inventory and appraisal filed 09/12/16 includes cash assets. **Supp. filed 10/10/18 alleges estate consisted of both real property and personal property. Need corrected inventory to include all assets of the estate appraised by the probate referee.**
8. **Petitioner and Attorney waive compensation.**
9. **Need** further clarification regarding Pr. C. §13100 petition [LF, p36] as to Wells Fargo Account that is not included on final inventory and account via verified supplement. **Supp. 10/10/18 indicates decedent was a joint holder on this account and therefore not included in inventory.**
10. **Need** proof of service to Notice of Proposed Action re Sale of Real Property. **Supp. 10/10/18 indicates proof of service or wavier to be filed.**
11. Waiver of notice of proposed action by Tamara Krebs, heir, filed 05/17/18.
12. Waiver of accounting by Tamara Krebs, heir, filed 05/17/18.
13. Notice given.
14. No proposed order.

RECOMMENDATION:

Need amended accounting to be set on first check calendar no sooner than **11/19/18**. This accounting does not appear to be a true and complete accounting of the trust and should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting period.

(nb/cs/ww/cs)

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500100

CASE NAME: MTR OF AMPARO V RAMOS

HEARING:  
Hearing Re: INVENTORY & APPRAISAL

COUNSEL:  
SANDRA L MARTINEZ (PET)...J. DAVID HORSPOOL  
DONALD F RAMOS (PET)...FULLERTON LEMANN SCHAEFER & DO  
RONALD R RAMOS (PET)...PRO/PER  
AMPARO V RAMOS (DEC)...  
SUSAN L FLORES (PET)...BETTY AUTON-BECK  
STATE OF CALIFORNIA FRANCHISE TAX BOARD (TP )...

#### GENERAL INFORMATION

**Continued from 07/16/18 continued at request of counsel to clear probate notes.**

THIS CASE SET FOR HEARING ON Inventory & Appraisal

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

1. Matter set by Court at the Hearing re: Accounting Review on 03/12/18.
2. Counsel stated they are agreeable to providing informal accounting at this time.
  - a. Does Court wish for an informal accounting be filed? **JTD**
3. **Need** Final Inventory and Appraisal.

#### RECOMMENDATION

Court's discretion re note 2 and need to clear note 3.

(ww/cs)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600103

CASE NAME: ROBERT SHOWER

HEARING:

Hearing re Final Discharge

COUNSEL:

DAVID P LENHARDT	(PET)...	KRISTA DAWKINS
ROBERT SHOWER	(DEC)...	
DAVID P LENHARDT	(PET)...	PYKA LENHARDT SCHNAIDER ZELL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Final Discharge by David P. Lenhardt

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

1. First and Final Account was approved on 10/16/17.
2. **Need** receipt for JaNae Fowler and Deborah Griffin.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION:

Need to clear notes.

(cs)

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600782

CASE NAME: MTR OF RODOLFO SANZON

HEARING:

First and Final Account and Report of JUAN M SANZON and Petition for allowance of fees filed.

COUNSEL:

JUAN M SANZON	(PET)...MICHAEL C. MADDUX
RODOLFO SANZON	(DEC)...
CELINK CELINK	(OBJ)...JULIE CORRIVEAU
DEPT OF HEALTH CARE SRVCS	(PRO/PER)

Waiver of Court Fees and Costs filed by JUAN M SANZON is GRANTED  
TOTAL FEES WAIVED TO DATE \$1071.00

GENERAL INFORMATION:

Continued from **06/04/18** at request of counsel to clear probate notes.  
**Continued from 07/30/18 to clear notes.**

THIS CASE SET FOR HEARING ON First and Final Account and Petition for allowance of Fees, by Juan Sanzon, [Administrator/Petitioner]

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

1. Assets on hand \$48,560.71 cash
2. Statutory fees in the amount of \$7,200 requested. Calculated.
3. Attorney requests extraordinary fees of \$5,075 for services rendered in connection with the sale of real property. Billed at \$325/hour for a total of 15 hours' attorney time. Itemized [LF pg. 7].
4. **Need** Notice of proposed action re: sale of real property. Supp. 06/18/18, 08/27/18 and 10/10/18 indicate notice not required as real property was sold through Temporary Restraining Order by the court. **JTD**
5. **Creditor's Claim filed by Department of Health Services of \$2,440.29. Need satisfaction of claim.**
6. **Need** Schedules of receipts and disbursements per Pr.C. §1060 et seq. Several supplements have been filed indicating schedules attached, however, not attached. **Supp. filed 10/10/18 provides schedule B which references to**

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

**see Final Closing Statement attached. However, need proper schedule of disbursement to match disbursements indicated in Accounting filed 01/25/18.**

7. Notice of Hearing and proof of service filed 10/10/18; however, only 13 days' notice given. **JTD**
8. Petitioner indicates Court appointed referee fees have not been paid in the amount of \$245.00. **Notice of non-payment of statutory fees and expenses filed 06/27/18 by probate referee, Patrick Wright.**
  - a. **(Supp. 04/11/18 and 08/27/18 indicate Referee will be paid upon final distribution.)**
9. Proposed Order: 10/10/18 pending distribution and does not indicate creditor's claim filed by Department of Health Services.

**RECOMMENDATION:**

Need to clear notes 5-6, then Court's discretion re: remaining notes. If approved, set hearing on the filing of receipts and final discharge for **08/12/19**.

(cs/ww/cs)

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HONORABLE: STANFORD E. REICHERT

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CASE#: PRO PS1601282

CASE NAME: ESTATE OF GARY ROSS MONTGOMERY

HEARING:

Hearing Re: TO ADDRESS MULTIPLE ISSUES

COUNSEL:

ANDREW MONTGOMERY	(PET)...PRO/PER
JAYLYNN MONTGOMERY	(PET)...LAW ANNETTE L ISAAC
CHASE MONTGOMERY	(PET)...LAW ANNETTE L ISAAC
GARY ROSS MONTGOMERY	(DEC)...
DEPT OF HEALTH CARE SRVCS	(TP )...PRO/PER

GENERAL INFORMATION:

Continued from **07/26/17**. No appearance by Counsel Annette Isaac. Court orders that Counsel –Annette Isaac to be personally present at next hearing for OSC re Sanction of \$1,500 on Counsel for failure to appear on 08/28/17. Notice given by Judicial Assistant.

Continued from **08/28/17, 10/30/17** and **12/18/17**.

Continued from **01/22/18**. Joanne Schryver states she has objections to the filings of guardian ad litem, Jack Osborn. Objections to the petition must be in writing and served and filed by 4 PM on 02/26/18. If the objections are not served and filed by that date and time, then they will be waived permanently. In addition, written objections must be complete: If matter proceeds to trial, the court will consider only evidence relevant to the objections that were filed with the court. Objections must be in proper form, not in narrative form. Unless otherwise provided by law, the court will not consider any objections not set forth in your written objections, and will not consider any evidence thereon. Joanne Schryver states she understands admonishment.

Continued from **03/26/18**. Court deems the objections, if there are any, of Joanne Schryver are waived as filing deadline has passed.

Continued from **05/21/18** at request of counsel due to recording of letters is still in process.

**Continue from 07/23/18 at request of counsel – waiting for status of sale of property.**



THIS CASE IS SET FOR HEARING ON to Address Multiple Issues.

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

1. Matter set at 05/22/17 hearing, wherein, Court set hearing to address issues stated on the record: the disposition of property, creditor's claims of Department of Health Services & Shryver, the trailer, the Polaris-off road 2000, and Toyota Tacoma.
2. Receipt by Andrew Montgomery filed 09/20/17 indicates the following in regards to the issues above:
  - a.  $\frac{1}{2}$  interest of the title in the real property was transferred to him.
  - b.  $\frac{1}{2}$  of the remaining proceeds in the two Bank of America bank accounts 0998 and 4433 after payment of creditor's claims has been received by him.
  - c. The distributive share has been received from the sale of the Carso Carrier Trailer Flat Bed 2005, Polaris off road 2000, and Toyota Tacoma.
3. Receipt by GAL for Jaylynn and Chase filed 10/30/17 indicates the following regarding the issues above:
  - a.  $\frac{1}{2}$  interest of the title in the real property was transferred to Jack Osborn as GAL.
  - b.  $\frac{1}{2}$  of the remaining proceeds in the two Bank of America bank accounts 0998 and 4433 after payment of creditor's claims are now held in a blocked account.
  - c. The Carso Carrier Trailer Flat Bed 2005, Polaris off road 2000, and Toyota Tacoma have been sold on behalf of minors and the distributive shares are in the minor's account.
4. **Need** status of sale of property.
5. No objections in file for review.
6. Order appointing Attorney Jack Osborn as Guardian Ad Litem filed 04/16/18; however, he was previously appointed on 03/06/17.

RECOMMENDATION:

Court's discretion.

(nb/lh/nb/ww/cs)

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700301

CASE NAME: RONALD MARSH

HEARING:

First and final Account and Report of DONNA MARSH BROOKS and  
Petition for allowance of fees filed.

COUNSEL:

DONNA MARSH BROOKS (PET)...DIANA J CARLONI  
RONALD MARSH (DEC)...

GENERAL INFORMATION.

THIS CASE SET FOR HEARING ON First and Final Account and Petition for  
allowance of Fees, by sister, Donna Marsh Brooks [Executor//Petitioner]

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

1. Partial2/Final Inventory filed 08/27/18. Need the following:
  - a. Item 3 re true statement of attachments is incomplete.
  - b. Item 4 re probate referee is incomplete.
  - c. **Item 5 is incomplete**  
**Need** corrected Inventory and appraisal.
2. Assets on Hand \$40,678.26 cash; however, asset on hand does not include value of vehicles. Need corrected schedule of assets on hand.
  - a. **Need** bank statement to support ending balance per Local Rule 20-908.
3. Bond set at \$20,000
4. Summary of Account includes incorrect beginning of account assets which do not match inventory and appraisals filed. **Need** corrected Summary of Account.
5. Attorney and Petitioner request statutory fees of \$7,041.48, however, it appears statutory fees should be \$7,191.46. Question if requesting less than statutory fee calculation. **Need** verified supplement.
6. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr.C.§ 1064(a)(5).
7. "Schedule E – Distribution" does not include value of vehicles. **Need** same.
8. Discharge cannot occur until filing of filing of receipts and approval of Ex parte petition and order.

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

9. Attorney requests reimbursement of costs advanced \$185.00. Itemized [LFp. 5-6].  
**JTD**
10. Petitioner requests reimbursement for extraordinary travel and funeral expenses of \$6,210.12. Itemized [LFp. 18] **JTD**
11. Petitioner requests reimbursement of \$1,200 for costs of administration. Itemized [LFp. 6]. **JTD**
12. Reserves of \$600 is requested for any costs related to preparation of returns and for certified copies of the order for distribution. **JTD**
13. Proposed Order 08/20/18: Missing assets on hand including cash and personal property to include vin numbers for autos being distributed; statement re notice Pr.C. §9202, findings re all taxes paid and creditor's claims; and pending correct statutory fees.

#### RECOMMENDATION

Need to clear notes 1-2. 4-7, then Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **11/04/19**.

(cs)

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HONORABLE: STANFORD E. REICHERT

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CASE#: PRO PS1700351

CASE NAME: MTR OF ARLENE MILROT

HEARING:

Probate status report filed.

COUNSEL:

RONALD MILROT	(PET)...	LAW OFFICES OF CHARLES A LARSO
ARLENE MILROT	(DEC)...	
INHERITANCE FUNDING	(TP )...	STEVEN D SCHROEDER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Ronald Milrot [Petitioner].

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

1. Petitioner alleges the estate is not in a condition to be closed as decedent's residence has not been sold due to extensive construction taking place in the complex where residence is located, but construction has now been concluded.
2. Petitioner requests an additional 6 months to close the estate.
3. Final Inventory and Appraisal filed 11/27/17.
4. Notice given.
5. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion. If approved, set next Accounting/Status Review for **05/06/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules. (cs)

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1701282

CASE NAME: ESTATE OF RODOLFO ROJAS

HEARING:

Wvr of Acct, Final Distribution, Statutory etc Account and Report of EVANGELINE A KNAPP and Petition for allowance of fees filed.

COUNSEL:

EVANGELINE A KNAPP

(PET)...DARIUS KHAYAT

RODOLFO ROJAS

(DEC)...

Unable to review due to time constraints.

Future Hearing: 4/16/19 Accounting Review

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DATE: 10/22/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800512

CASE NAME: Mtr of Myllicent I Combs  
HEARING: Hearing re: Petition for Probate, Letters of Testamentary With  
Full Authority Under IAEA..

COUNSEL:

TAMERA TOWER (PET)...D M DAVIS  
MYLLICENT I COMBS (DEC)...  
INHERITANCE FUNDING (TP )...STEVEN D SCHROEDER

GENERAL INFORMATION:

Continued from **07/02/18** at request of counsel to clear probate notes.

**Court deems Notice of Hearing filed on July 26, 2018 sufficient; no new proof of publication needed. Court will continue matter to allow notice to Inheritance Funding Company, Inc. to be given.**

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Tamera Tower, friend/executor

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

1. Will waives bond. The estate consists of \$108,000.00 of which \$3,000.00 is personal 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).
2. Section 8 of the petition fails to list all persons mentioned in the will. **Need** verified supplement to include Alexis Hrabley.
3. Court deemed notice filed 07/26/18 sufficient notice to all except Inheritance Funding Company. **Need** Notice to Petition to Administer Estate and proof of service to Inheritance Funding Company who requested special notice.
4. ~Proposed Form Order: 09/17/18

RECOMMENDATION:

Need to clear notes 2-3. Court's discretion re bond and note 4. If approved, set Accounting/Status Review for **12/30/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.  
(ww/cs/kd/cs)

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800851

CASE NAME: Mtr of John William Halley Jr

HEARING: Spousal Property Petition hearing.

COUNSEL:

JUDITH L HALLEY (PET)...DIANA J CARLONI  
JOHN WILLIAM HALLEY Jr (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Judith L .Halley,  
spouse/Petitioner

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

1. Petitioner requests to determine that decedent's property transfers to petitioner without administration. More specifically property located in Apple Valley, San Bernardino County.
2. Petitioner and decedent were married 03/01/13 and purchased said real property in August 2017 with pooled funds. Petitioner believed vesting title was held as joint tenants. However, when the property was listed for sale, a buyer was secured, but was discovered that vesting was held as tenants in common. A copy of the Grant Deed is affixed [petition, LFp. 45].
3. Decedent will leaves assets to the trust and the trust leaves assets to petitioner. A copy of Trust and Amendments are affixed to petition. [LFp 20-40] A copy of the will also attached [LFp. 42-43].
4. Section 7b is marked instead of 7a; **Need** verified supplement clarifying.
5. Petitioner requests an order to grant property pass directly to petitioner, so that the pending sale will not be lost.
6. Notice given.
7. ~Proposed Form Order: 09/04/18

RECOMMENDATION:

Need to clear note 4, then Court discretion.  
(cs)

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DATE: 10/22/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800871

CASE NAME: TONY REY GARCIA SR

HEARING:

Petition to determine succession to Real Property

COUNSEL:

TONY REY GARCIA JR (PET)...PRO/PER  
TONY REY GARCIA SR (DEC)...

Waiver of Court Fees and Costs filed by TONY REY GARCIA JR is GRANTED

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real and Personal Property by Tony Garcia, Jr.

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

1. Petitioner alleges is sole heir and seeks 100% interest, in decedent's 100% interest; in real and personal property per intestate succession.
2. Section 5 of petition is incomplete re decedent died; however, section 12 indicates there is not will. Court to clarify. **JTD**
3. Section 6 of petition is conflicting as it indicates there is no preceding for administration; however, indicates personal representative consents. Court to clarify. **JTD**
4. Section 8 requires gross value of property shown by Inventory and Appraisal; however, there is no attachment. **Need** Inventory and Appraisal.
5. Attachment 11 is missing legal description and APN of decedent's real property. **Need** same.
6. No proposed form Order: Submit after hearing.

RECOMMENDATION:

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

(CS)



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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18 TIME: 8:30 DEPT: S35P  
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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

No notes – TSC. JTD

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HONORABLE: STANFORD E. REICHERT **TRUSTS**

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DATE: 10/22/18      TIME: 8:30      DEPT: S35P  
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CASE#: TRU PS1800131

CASE NAME: THE ROY TAYLOR COOK SEPARATE PROPERTY TRUST

**SEE ALSO 13**

HEARING:

Petition for Remove trustee for breach of trust, compel accounting etc

COUNSEL:

MARTHA DWYER      (PET)...CALDWELL, KENNEDY & PORTER, A.

THE ROY TAYLOR COOK SEPARATE PROPERTY TRUST (TRU)...

GARY HEARTH      (PET/TP)...FULLERTON LEMANN SCHAEFER & DO

Currently under review by Legal Research.

(LR)

Notice is complete.

(lh/cs)

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18      TIME: 8:35      DEPT: S35P  
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CASE#: TRU PS1800131

CASE NAME: THE ROY TAYLOR COOK SEPARATE PROPERTY TRUST

**SEE ALSO 12**

HEARING:

First and Final Account and Report of GARY HEARTH and Petition  
for allowance of fees filed.

COUNSEL:

MARTHA DWYER      (PET)...CALDWELL, KENNEDY & PORTER, A.

THE ROY TAYLOR COOK SEPARATE PROPERTY TRUST (TRU)...

GARY HEARTH      (PET/TP)...FULLERTON LEMANN SCHAEFER & DO

Unable to review due to time constraints.

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18      TIME: 8:35      DEPT: S35P  
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CASE#: TRU PS1800112

CASE NAME: THE BAKER LIVING TRUST, DATED AUGUST 10, 2007

HEARING:

Petition for order compelling account for trust assets,  
financial elder abuse etc.

COUNSEL:

ROSS M BAKER                      (PET)...KYLE A PATRICK  
THE BAKER LIVING TRUST (TRU)...

Waiver of Court Fees and Costs filed by ROSS M BAKER is GRANTED

Currently under review by Legal Research.  
(LR)

**NOTICE:**

Notice given.

(cs)

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18      TIME: 8:35      DEPT: S35P  
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CASE#: TRU PS1800172

CASE NAME: The Frimmer 1986 Family Trust

HEARING:

Petition for Removal of Trustee etc,

COUNSEL:

JAMES LOUIS FRIMMER

(PET)...ALBERT J AUSTIN

THE FRIMMER 1986 FAMILY TRUST

(TRU)...

Currently under review by Legal Research.  
(LR)

**NOTICE:**

Notice given.

(cs)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**CONSERVATORSHIPS**

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DATE: 10/22/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1800101

CASE NAME: BEVERLEY IRIS FLANDERS

**SEE ALSO 17**

HEARING: Re: Amended Petition for appointment of conservator

COUNSEL:

SHANNON T. JUAREZ                      (CP )...PRO/PER

BEVERLEY IRIS FLANDERS              (CTP)...EDWARD B FISCHEL

GENERAL INFORMATION

**Continued from 05/21/18.** Petitioner requests to amend the petition to include estate powers. The court continues this matter for petitioner to file an amended petition by 4pm on June 19, 2018, and to file completion of the conservatorship training class.

**Continue from 07/24/18 Court clears probate notes re citation. Matter is continued for receipts of Report from Court appointed counsel. Attorney Edward Fischel is appointed for Beverly Flanders**

THIS CASE SET FOR HEARING ON 2<sup>nd</sup> **Amended** (08/09/18) Petition for Appointment of Conservator person and estate by Shannon Juarez, daughter/Petitioner

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

1. Petitioner requests no bond be required. However, Attachment 1c is not attached as alleged. Estimated estate valued at \$157,540.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. §8481(b). **JTD.**
2. Petitioner seeks medical powers. Capacity Declaration filed 04/05/18 and updated Capacity Declaration filed 05/08/18 with dementia attachment GC-335A.
3. Report of court appointed counsel, Edward Fischel filed 08/09/18
4. Certificate of Completion of the Conservatorship Training Class filed 09/06/18.
5. CI report filed 05/08/18.
6. Proposed Form Order: 04/05/18

## RECOMMENDATION

Court's discretion. If approved, set hearing for Compliance Review for **06/03/19** 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

Set hearing re Accounting Review for **12/30/19**. Any accounting to be filed 30 days in advance.

(ww/nb/cs)

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CASE#: CON PS1800101

CASE NAME: BEVERLEY IRIS FLANDERS

**SEE ALSO 16**

HEARING: Re: Petition for Appointment of Probate of Conservator

COUNSEL:

SHANNON T. JUAREZ (CP)...PRO/PER  
BEVERLEY IRIS FLANDERS (CTP)...EDWARD B FISCHER

GENERAL INFORMATION

**Continue from 05/21/18 Petitioner request amend the petition to include state powers. The Court continues this matter for petition to file amended petition by 06/29/18 and to file completion of the conservator training class. Clerk's office directed to set the hearing on the amended petition for 07/09/18.**

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

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

1. **Note:** This petition appears moot. As 2<sup>nd</sup> Amended petition has been filed. **See notes on matter #16.**
2. No bond- Person only; however, petitioner indicates that there is a value of \$157,540.00 in personal property. Court to clarify if estate powers are needed?  
**JTD**
3. Petitioner seeks medical powers. Capacity Declaration filed 04/05/18 and updated Capacity Declaration filed 05/08/18 with dementia attachment.
4. Citation with proof of service filed 05/08/18.
5. Certificate of Completion of the Conservatorship Training Class filed
6. Notice given.
7. CI report filed 05/08/18.
8. ~Proposed Form Order: 04/05/18

RECOMMENDATION

Need CI report and to clear note 5 then Court's discretion re: remaining notes. If approved, set hearing for Compliance Review for **06/03/19** for the filing of the

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



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

Set hearing re Accounting Review for **12/30/19**. Any accounting to be filed 30 days in advance.

(ww/cs)

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DATE: 10/22/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1800151

CASE NAME: MTR OF SIRIA SANCHEZ

HEARING:  
Petition for Appointment of Conservator

COUNSEL:

JOSE SANCHEZ	(CPE)...PRO/PER
JACQUELINE SANCHEZ	(CPE)...PRO/PER
SIRIA SANCHEZ	(CEP)...JENNIFER M DANIEL

GENERAL INFORMATION

Temporary orders denied on **05/24/18** . Court dismisses the request for estate powers without prejudice.

**Continue from 06/25/18 Court set deadline for the filing of amended petition for 08/06/18, 4pm.If it is filed by deadline, it is to be set for hearing on 10/22/18. Court clears probate note re citation as proposed conservatee is present; Court notes probate note re section 11 of petition as Jose Sanchez is the spouse of the proposed conservatee. Interpreter coordinator notified that Spanish interpreter is needed at the next hearing.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Jose and Jacqueline Sanchez, spouse of proposed conservatee and daughter.

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

1. As of review of file no amended petition filed.
2. **2355** powers are not requested in section 1g; however, section 9 is marked and indicates that proposed conservatee lacks capacity to give medical consent. Petitioner appears to be seeking medical powers. [LF pg. 10] Capacity Declaration filed 05/17/18; however, office telephone number is missing and GC-335A (if requested 2356.5 powers) is not attached. Court may wish to inquire if they are requesting 2355 powers. **JTD**.
3. Petitioners indicates in attachment 5c(1) that proposed conservatee has dementia; however, dementia powers **2356.5** are not requested in section 1k. Court to clarify if petitioners are seeking dementia powers. [LF pg. 10] **If yes,**

then **Need** Attachment Requesting Special Orders Regarding Dementia (form GC-313) if requesting dementia powers. Jennifer Daniel appointed as counsel. **Need** report of counsel.

4. Petitioners indicated in attachment 1l re: "Other order" that they want to be awarded care, custody and control of the conservatee and be able to make all necessary medical, legal and financial decisions. It appears that they are requesting **2351-2358** and **2590** powers; however sections 1d & 1f are not marked and attachments 1d and 1f are not attached. [LF pg. 10] **JTD**
5. List of Required Contacts (Local form SB-12224) filed; however, address for Augustine Sanchez, son, is missing but appears on the petition. **JTD**
6. Confidential Screening forms by both petitioners are missing attachment 3 re: nomination by proposed conservatee. Court may wish to clarify if they were nominated. **JTD**
7. **Need** Certificates of Completion of the Conservatorship Training Class as to Jacqueline Sanchez.
8. .Certificates of Completion of the Conservatorship Training Class filed 07/05/18 as to Jose Sanchez.
9. Notice given.
10. CI report filed 06/21/18.
11. ~Proposed Form Order: 05/17/18

#### RECOMMENDATION

Need Report of Counsel, and to clear notes 2 & 7 then Court's discretion re: remaining notes and bond. If approved, set hearing for Compliance Review for **06/03/19** 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; Inventory & Appraisal, and Proof of Service if I&A and Instructions for Objection per Pr.C. § 2610; recordation of letters if applicable per Pr.C. § 2313.

(ww/cs)

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

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DATE: 10/22/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1800203

CASE NAME: Mtr of Kayi Monteara Beach

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MARLENA OSBY	(CPE)...PRO/PER
KAYI MONTEARA BEACH	(CEP)...
MARLENA OSBY	(CP )...PRO/PER

#### GENERAL INFORMATION

Marlena Osby appointed temporary conservator, person only, on 08/21/18

**Continue from 08/20/18 Court appoints Sandy Turner as GAL for Kayi Beach. Clerk's office to provide a copy of the file to Sandy Turner. Court deems today the first appearance of Sandy Turner as GAL. This Case is referred to Legal aid for legal assistance.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Marlena Osby, mother/Petitioner

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

1. Petitioner requests to waive bond as estate consists of property less than \$15,000.00 and income is less than \$2,000.00 per Pr.C. § 2628. Estate value is indicated as **TBD**.
2. Petitioner seeks medical powers. **Need** Capacity Declaration.
3. Petitioner seeks estate powers to control conservatee's estate: apply and collect public benefits; authority to deposit funds on behalf of conservatee,; power to pay any debts, medical expenses or any other personal expenses or demands on the conservatee's estate. **JTD**
4. Petitioner requests an additional order that the assessment fee per Pr.C. § 1851.5 be waived as the conservatee's income is \$0 per month and would impose a financial burden. [LF pg. 10] **JTD**
5. Request to Excuse Notice with Due Diligence Declaration filed 08/20/18 as to Kwesi Beach, father. **JTD**
6. Court to see Confidential Screening form.

7. Return of citation filed 08/20/18.
8. List of Required Contacts filed 08/20/18; however, is missing Simone Washington and Dyon Smith. **Need** complete form.
9. **Need** Certificate of Completion of the Conservatorship Training Class.
10. Notice of change of address filed by petitioner.
- 11. Report of Sandy Turner, GAL, filed 10/16/18.**
12. CI report filed 08/14/18.
13. ~Proposed Form Order: 07/10/18

#### RECOMMENDATION

Need to clear notes 2 & 8-9. Court's discretion re: bond. If approved, set hearing for Compliance Review for **06/03/19** 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; Inventory & Appraisal, and Proof of Service if I&A and Instructions for Objection per Pr.C. § 2610; recordation of letters if applicable per Pr.C. § 2313.

Set hearing re Accounting Review for **12/30/19**. Any accounting to be filed 30 days in advance.

(ww/cs/kd)

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CASE#: CON PS1800212

CASE NAME: MTR OF ROBERT LOUIS WEINER

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
DIANA MALEKOW (CPE)...LAMB MORRIS & LOBELLO  
ROBERT LOUIS WEINER (CEP)...CRAIG M PARKER

GENERAL INFORMATION:

Diana Malekow is appointed temporary conservator of the estate only on 08/01/18, bond \$814,000

**Continue from 09/17/18 Court clears note re Capacity Declaration and List of required contacts. Matter is continued for receipt of report of court appointed counsel. Craig Parker is appointed for Robert Weiner. Clerk's office to provide appointed counsel with a copy of the court file. Clerk's office to expedite copy of file to Craig parker.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator, of the person and estate, by daughter, Diana Malekow, Petitioner

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

1. Petitioner seeks bond of \$814,000. Estate consists of \$668,000 personal property and \$72,000 annual income. Suggest \$819,000 (includes 10% recovery). **JTD**
2. Notices of Opening conservatorship account or safe deposit box filed 09/12/18.
3. Petitioner is nominated as conservatee of the person only via Advanced Health Care Directive, [Petition, LFp.13].
4. Petitioner has also been appointed as Power of Attorney over proposed conservatee, [Petition, LFp.29].
5. Petitioner seeks dementia powers. **Need** report of Craig Parker court appointed counsel.
6. Citation with proof of service filed 7/27/17.
7. Certificate of Completion of the Conservatorship Training Class filed 09/06/18.
8. CI report filed 08/30/18.
9. ~Proposed Form Order: 07/18/18

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

## RECOMMENDATION

Need report of counsel. Courts discretion re Bond. If approved, set hearing for Compliance Review for **06/03/19** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory and Appraisal, and Proof of service of I & A Instructions for Objection per Pr.C. §2610; and recordation of letters, if applicable, per Pr.C. § 2313.

Set hearing re Accounting Review for **12/23/19**. Any accounting to be filed 30 days in advance.

(cs/kd)

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PROBATE/CONSERVATORSHIP CALENDAR

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CASE#: VC VS00142

CASE NAME: IN THE MATTER OF DARRYL TURNER

HEARING:

Accounting Review by \*\*\*

COUNSEL:

JANICE ELAINE GOODRICH      (PLA)...PRO/PER

DARRYL TURNER      (MIN)...

Waiver of Court Fees and Costs filed by JANICE ELAINE GOODRICH is GRANTED

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Ex Parte Petition to Dispense with accounting and Order approved 10/21/16.
2. **Need** Accounting or waiver.

#### RECOMMENDATION

Inquire status.

(cs)



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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: CON DS1100029

CASE NAME: MARY HARTMAN

HEARING:  
Accounting Review by \*\*\*

COUNSEL:  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
MARY HARTMAN (CEP)...

GENERAL INFORMATION:

Conservatee passed away on 12/20/17

Continued from **09/12/16, 04/24/17 and 12/18/17 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 2<sup>nd</sup> Account Current by PG approved on 03/02/15.
2. Notice that conservatee passed away filed 12/28/17.
3. **Need** 3<sup>rd</sup> and final account to include pre and post death periods beginning with 06/24/14.

RECOMMENDATION:

Inquire status of accounting. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(sa/nb/ww/cs)

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1400143

CASE NAME: DIANN PEACE

HEARING:

FIRST Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
DIANN S PEACE (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Letters Expired: 06/27/15

**Continued from 05/14/18 at request of counsel to re-file a corrected accounting.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Conservator of the Person and Estate, Public Guardian ["Petitioner"].

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

1. Public Guardian was appointed as temporary conservator of the person and estate on 05/16/14 then general on 06/27/14.
2. Accounting period: 05/16/14-12/22/14.
  - a. Report indicates that conservatorship was terminated on 12/22/14 per Court order; however there is no order for termination in the file or hearing on that date. Court may wish to inquire; or in alternative, need verified supplement. [LF pg. 3]. **JTD**
  - b. **If** the case was not terminated then an amended accounting indicating First and Current and a Petition for Re-Appointment of Conservator would be required.
3. Assets on Hand: \$1,130.45 in cash
4. Report indicates that the Inventory and Appraisal was filed on 09/27/14; however, said document does not appear in the Register of Actions or in Laserfiche. **Need** declaration with attached filed copy provided or newly filed Final Inventory and Appraisal.

5. Public Guardian waives the payment of fees due for the period of 05/16/14-06/30/14.
6. Public Guardian indicates that compensation in the amount of \$1,200.00 is reasonable for the period of 07/01/14-**12/31/14**; however, petitioner does not request confirmation of \$800.00 that was already received for July-October 2014. There appears to be a balance of \$400.00 that would be due.
  - a. The end period that the fee request is for 12/31/14, which is after the purported termination of the conservatorship. **JTD**
7. County Counsel waives the payment of fees due for the period of 05/16/14-06/30/14.
8. County Counsel request fees in the amount of \$600.00, 00 is reasonable for period of 07/01/14-**12/31/14**; however, petitioner does not request confirmation of \$400.00 that was already received for July-October 2014. There appears to be a balance of \$200.00 that would be due.
  - a. The end period that the fee request is for 12/31/14, which is after the purported termination of the conservatorship. **JTD**
9. Conservator and Counsel failed to date signatures. [LF pg. 7] **JTD**
10. Notice of Hearing and proof of service filed on 09/19/17; however, conservatee's address is missing. **Need** completed notice.
11. Proposed Order: fee request end period is after the purported termination date of the conservatorship, need to approval and confirmation of amount already paid for period of July-October 2014 for both Conservator and Counsel.

**RECOMMENDATION:**

Court's discretion. If the determination is made that the accounting should be first and current then next set Accounting Review in 60 days as second account current is overdue If approved, set for Final Discharge on **05/20/19**.

(ww/cs)

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18      TIME: 10:00      DEPT: S35P  
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CASE#: CON PS1600024

CASE NAME: BARBARA CALVERT

HEARING:

First Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN  
BARBARA CALVERT

(CPE)...COUNTY COUNSEL  
(CEP).. HARTNELL LAW GROUP

Unable to review due to time constraints.

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1700257

CASE NAME: MTR OF RICARDO ARECHIGA

HEARING:

Hearing re: Petition for authority to establish an Irrevocable Burial Trust.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
RICARDO ARECHIGA (CEP)...HARTNELL LAW GROUP

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to establish Irrevocable Burial Trust by Public Guardian.

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

1. Petitioner alleges the current assets on hand are \$1,730.96 that there are sufficient funds to provide for conservatee's ongoing care and to establish a burial trust, and that the eligibility criteria for Social Security Disability does not allow for the recipient's account exceed \$2,000.
2. Petitioner requests authority to deposit up to \$5,000.00 in an Irrevocable Burial Trust.
3. Verification is not dated. **JTD**
4. Notice given.
5. ~Proposed Order: 09/05/18

RECOMMENDATION:

Court's discretion.

(cs)

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1800232

CASE NAME: TIBURCIO TENA TRUJILLO

HEARING: Petition for Appointment of Conservator

COUNSEL:

PUBLIC GUARDIAN (CP)...COUNTY COUNSEL  
TIBURCIO TENA TRUJILLO (CTP)...MITCHELL I ROTH

GENERAL INFORMATION

**Public Guardian appointed on 08/13/18, person only, no bond. Mitchell Roth, Court appointed counsel objects to appointment of temporary conservator.**

THIS CASE IS SET FOR HEARING ON Petition for appointment of Conservatorship of person and estate by Public Guardian.

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

- 1 No bond - PG.
- 2 Petitioner indicates estate assets are unknown.
- 3 Petitioner alleges proposed conservatee is unable to attend the hearing because of medical inability.
- 4 Petitioner seeks Pr. C. § 2590 powers to sell real and/or personal property, including conservatee's primary residence and proceeds to be used for Conservatee's care and personal needs. Suggest Court require a separate petition after appointment with required showing per Pr. C. 2540 et seq. JTD
- 5 Petitioner seeks authority to deposit up to \$5,000 in an irrevocable burial trust and authority to abandon and/or donate personal property with value of \$300 or less; storage or a sale would be a burden on the estate.
- 6 Petitioner seeks medical powers. Capacity declaration filed 08/06/18.
- 7 Petitioner requests dementia powers; **need** report of Court appointment counsel.
- 8 Return of Citation filed 08/07/18
- 9 Court Investigator's Report filed 09/06/18.
- 10 ~Proposed order: 08/06/18

RECOMMENDATION:

Need report of Court appointed counsel. If approved, set hearing for Compliance Review for **06/03/19** for the filing of the following: proof of service of Order with

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

Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C.§2610; recordation of letters if applicable per Pr.C.§2313.

Set hearing re Accounting Review for **12/30/19**. Any accounting to be filed 30 days in advance.

(cs)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18      TIME: 10:00      DEPT: S35P  
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CASE#: SC SS03123

CASE NAME: MTR OF MIRIAM Y. GIRON

HEARING:

Hearing Re: NOMINATION OF DEPT. OF DEVELOPMENTAL SERVICES

COUNSEL:

JAZMIN K. GIRON	(CP )...PRO/PER
MIRIAM Y. GIRON	(CTP)...SHERRI L KASTILAHN
PUBLIC GUARDIAN	(SC )...COUNTY COUNSEL
MARIA G GIRON	(CP )...

GENERAL INFORMATION

**Continue from 06/11/18 Court authorizes supervised visitation (supervised by staff at the facility) by Maria Giron with the Conservatee, once per week for 2 hours. It is to be only at the facility, in the public areas, and the time of day of the visit will be determined by the staff at the facility.**

THIS CASE SET FOR HEARING ON Nomination of Dept. of Developmental Services

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

1. Matter set by Court on 04/02/18 at the Hearing re: Appointment of Public Guardian as Successor Conservator.
2. Court terminated the powers of co-conservators- Jazmin (sister) and Maria Giron (mother) and appointed the PG as temporary successor conservator of the person only.
3. Court ordered that there is to be no visitation between conservatee and Jazmin Giron and Maria Giron.
4. Nomination of Director of Developmental Services as Successor conservator filed 06/06/18 by court appointed GAL, Jeanne K. Kennedy.

RECOMMENDATION

Court's discretion.

(ww/cs)



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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: SC SS7040

**VACATE**

CASE NAME: IN THE MATTER OF EDSON MILLER

HEARING:

Accounting Review by \*\*\*

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
EDSON MILLER (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from **02/01/16** and **08/01/16**. Court states no further continuances on this accounting.

**Continued from 02/27/17, 11/07/17, 02/26/18 and 06/25/18.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 23<sup>rd</sup> Accounting by PG approved on 02/03/14.
2. 24<sup>th</sup> accounting filed and set for hearing on 09/23/19.

RECOMMENDATION

Inquire status of accounting. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(dl/nb/ww/cs)

**Future Hearing: 9/23/19 Twenty-Fourth Account & Report**

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CASE#: SLC SS00888

CASE NAME: IN THE MATTER OF DAVID MUNCEY

HEARING:

Hearing re: Petition for authority to establish an Irrevocable Burial Trust.

COUNSEL:  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
DAVID L. MUNCEY (CEP)...HARTNELL LAW GROUP

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to establish Irrevocable Burial Trust by Public Guardian.

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

1. Petitioner alleges the current assets on hand are \$1,786.11, that there are sufficient funds to provide for conservatee's ongoing care and to establish a burial trust, and that the eligibility criteria for Social Security Disability does not allow for the recipient's account exceed \$2,000.
2. Petitioner requests authority to deposit up to \$5,000.00 in an Irrevocable Burial Trust.
3. Notice given.
4. ~Proposed Order: 09/04/18

#### RECOMMENDATION:

Court's discretion.

(cs)

Future Hearing: 7/15/19 Accounting Review

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

-----  
DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: SLC SS02537

CASE NAME: MTR OF ELMIRA PRATT

HEARING:  
Accounting Review by \*\*\*

COUNSEL:  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
ELMIRA PRATT (CEP)...HARTNELL LAW GROUP

#### GENERAL INFORMATION

Letters expired 10/16/16

Continued from **01/25/16**. Counsel indicates Conservatee passed away on 11/04/15.

**Continued from 09/19/16, 04/03/17 and 12/18/17 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Waiving Ninth Account granted on 12/02/14.
2. Tenth Account/Waiver now due for the period 11/06/14 – current date.
3. **Need** pre and post death accountings per Pr. C. § 2620.

#### RECOMMENDATION

Need pre and post death accounts. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(dl/nb/cs)

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: SLC SS02879

CASE NAME: MTR RE MARIO DE ANGELIS

HEARING:

Accounting Review by \*\*\*

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
DEPT OF CHILDREN'S SRVCS	(CPE)...COUNTY COUNSEL
MARIO DE'ANGELIS	(CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 08/18/19.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Third Account entered 10/06/17 for period ending 07/31/17
2. **Need** Third Account Current or Waiver.

RECOMMENDATION:

Inquire status.

(cs)

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CASE#: SLC SS4017

CASE NAME: IN THE MATTER OF ALBERT DUSTIN

HEARING:

Accounting Review by \*\*\*

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
ALBERT DUSTIN (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 10/31/18.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Eighth Account entered 09/22/17; Ninth account or waiver of account now due beginning 08/01/17.

RECOMMENDATION:

Inquire status.

(cs)

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: SLC SS5677

CASE NAME: IN THE MATTER OF MAX ERNEST MANIG

HEARING:

Accounting Review by \*\*\*

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
MAX E MANIG	(CEP)...HARTNELL LAW GROUP
BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP

Future Hearing: 4/29/19 Status of Next Special Needs Trust Accounting

#### GENERAL INFORMATION

Letters expire 03/16/19.

THIS CASE IS SET FOR HEARING ON Accounting Review by conservator, Public Guardian

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

1. Ex Parte Order that Conservator need not present 16<sup>th</sup> Account entered 09/22/17 for period ending 07/31/17.
2. **Need** 17th Account Current or Waiver.

RECOMMENDATION:

Inquire status.

(cs)

Future Hearing: 10/30/17: 2<sup>nd</sup> Account & Report of Public Guardian of SNT & Petition for Allowance of Fees

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CASE#: SLC SS7755

CASE NAME: IN THE MATTER OF HARDIN GOWAN

HEARING:

Accounting Review by \*\*\*

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
HARDIN GOWAN (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expire 4/27/19.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. On 09/22/17 Court approved the 3<sup>rd</sup> Account Current for the period ending 07/31/17.
2. **Need** an accounting.

RECOMMENDATION:

Inquire status.

(cs)

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HONORABLE: STANFORD E. REICHERT

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CASE#: SLC SS8277

CASE NAME: IN THE MTR OF LISA GAYLORD

HEARING:

Accounting Review by \*\*\*

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
LISA GAYLORD (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired 05/11/19

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Ex Parte Order that Conservator need not present Twelfth Account entered 10/06/17 for period ending 07/31/17.
2. **Need** Thirteenth Account Current or Waiver.

RECOMMENDATION:

Inquire status.

(cs)



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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1700050

CASE NAME: MTR OF KATHERINE POWELL

**SEE ALSO 35B**

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of PUBLIC GUARDIAN

COUNSEL:

PUBLIC GUARDIAN (CE )...DEPUTY COUNTY COUNSEL  
KATHERINE POWELL (CTE)...MITCHELL I ROTH

**XREF: CONPS1700074** *MTR OF WILLARD POWELL*  
**TRUPS1800128** *THE WILLARD D. POWELL AND K.LORRAINE POWELL TRUST*

GENERAL INFORMATION:

**Continued from 10/15/18 No stip is filed. Matter trailed to 10/22/18.**

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Public Guardian, appointed temporary conservator of the estate only on 03/20/17; temporary conservator of the person and estate on 01/22/18; general conservator of person and estate on 04/06/18, no bond.
2. **Second Notification of Conservatee's rights per Pr.C.§1830(c) filed 10/11/18; however, section 5 indicates wrong date order filed which should be 05/07/18. Question whether copy of order appointing conservator was also served? JTD**
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5.
5. Final Inventory & Appraisal per Pr.C.§2610 filed 09/04/18. Amended Partial 1 Inventory filed 09/04/18 and Partial 2 filed 05/16/18. Supplemental filed 09/20/18.
6. If the conservatorship estate holds interest in real property, **need** proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear notes 3-4. Inquire Status

(cs)

Future Hearing: 1/28/19 Accounting Review

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

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1700074

CASE NAME: MTR OF WILLARD POWELL

**SEE ALSO 35A**

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of PUBLIC GUARDIAN

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
WILLARD POWELL (CEP)...

**XREF: TRUPS1800128** *THE WILLARD D. POWELL AND K.LORRAINE POWELL TRUST*  
**CONPS1700050** *MTR OF KATHERINE POWELL*

GENERAL INFORMATION

**Conservatee passed away on 06/24/18.**

**Continued from 10/15/18 No stip is filed. Matter trailed to 10/22/18.**

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Public Guardian, appointed temporary conservator of the person and estate on 03/20/17; general appointment on 04/06/18, no bond.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 05/15/18; however, section 5 re order filed date is incorrect. Question whether copy of order appointing conservator was also served? **JTD**
3. **Need** Care Plan in accord with Pr.C.§2352.5.
4. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
5. Final Inventory & Appraisal per Pr.C.§2610 filed 09/04/18. Partial 1 filed 04/23/18; Partial 2 filed 05/16/18.
6. If the conservatorship estate holds interest in real property, **need** proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION:

Need to clear notes 3-4. Suggest to set accounting review no sooner than 11/26/18 as conservatee passed away. Suggest to vacate 01/28/19 accounting review.

(cs)

Future Hearing: 1/28/19 Accounting Review

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

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18      TIME: 10:00      DEPT: S35P  
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CASE#: VC VS347

CASE NAME: IN THE MTR OF VANESSA M SGARLATA

HEARING:

Accounting Review by \*\*\*

COUNSEL:

VANESSA M SGARLATA	(CEP)...SANDRA TURNER
DOROTHY BEAUMONT	(CPE)...PRO/PER
PUBLIC GUARDIAN	(SC )...COUNTY COUNSEL

Waiver of Court Fees and Costs filed by DOROTHY BEAUMONT is GRANTED  
GENERAL INFORMATION  
**Continued from 01/11/16, 10/17/16, 05/08/17, 12/17/17 and 05/14/18.**

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Public Guardian appointed successor Conservator, person and estate on 11/03/14, \$0 bond.
2. **Need** First Account.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(lc/nb/ww/cs)

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CASE#: CON PS0700104

CASE NAME: MICHAEL ALEJANDRE

HEARING:  
Accounting Review by \*\*\*

COUNSEL:  
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
MICHAEL ALEJANDRE (CEP)...HARTNELL LAW GROUP

Ex-Parte Order that Conservator need not present 9<sup>th</sup> Waiver of Account sent to department for signature on 10/17/18. Clerk's office to set next Accounting review for 09/23/19

(cs)

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: PRO PS1600642

CASE NAME: MTR OF ERVHINS HURTADO

**SEE ALSO 38**

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION/VACATE LETTERS

COUNSEL:

LISSET A CORDOVI

(PET)...PRO/PER

ERVHINS HURTADO

(DEC)...

Waiver of Court Fees and Costs filed by LISSET A CORDOVI is GRANTED

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON **OSC re dismissal of Petition/Vacate letters**

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

1. Court set matter during Accounting Review, wherein, Administrator failed to file accounting report. Administrator gave oral status of real property.
2. Court notes that if the administrator does not file report by 09/25/18, 4:00 pm, or does not appear at next hearing, Court will vacate Letters and Order for probate, and dismiss the petition.
3. **Need accounting. See notes on next matter.**

RECOMMENDATION:

Court's discretion.

(cs)

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: PRO PS1600642

CASE NAME: MTR OF ERVHINS HURTADO

**SEE ALSO 37**

HEARING: Accounting Review by \*\*\*

COUNSEL:

LISSET A CORDOVI (PET)...PRO/PER  
ERVHINS HURTADO (DEC)...

GENERAL INFORMATION

Continued from **01/10/18**. No appearance. Court set OSC sanctions of \$500 and surcharge in amount of \$1,000 on Lisset A Cordovi for failure to appear and file accounting. Citation issued to Lisset A. Cordovi.

Continued from **03/28/18**. Court refers this matter to the Public Administrator.

**Continue from 07/17/18 Oral report given by Administrator re real property. Interpreter coordinator notified that Spanish interpreter is needed at next hearing. Court notes that if the Administrator does not file report by 09/25/18, 4pm or does not appear at next hearing, Curt will Vacate letters and order for probate, and dismiss the petition. Administrator states she understands the consequence of failing to appear at next hearing. OSC re dismissal of Petition/Vacate letters set.**

THIS CASE IS SET FOR HEARING ON Accounting Review re Lisset Cordovi, Administrator.

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

1. Letters of Administration issued to Lisset Cordovi on 11/02/16 with full authority; no bond.
2. No accounting or status report of administration. **Need** same.
3. Declaration of Lisset Cordovi, and attached letter from physician filed 03/07/18

RECOMMENDATION

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

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HONORABLE: STANFORD E. REICHERT

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: SLC SS02767

CASE NAME: MATTER OF RAMONA CAMPBELL

HEARING:

Hearing re: Petition for authority to establish an Irrevocable Burial Trust

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
RAMONA CAMPBELL	(CEP)...HARTNELL LAW GROUP
OFFICE OF ADMINISTRATIVE HEARINGS (RES)...PRO/PER	
JAMES OLALIA	(MICHAEL B LEVIN)

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Authority to Establish an Irrevocable Burial Trust by Public Guardian ["Petitioner"]

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

1. Public Guardian was appointed conservator of the person and estate of Ramona Campbell on 01/28/11.
2. Current cash on hand: \$820.32.
3. Petitioner alleges an Irrevocable Burial Trust is an exempt asset for purposes of Social Security Disability eligibility, which would otherwise prohibit an excess of \$2,000 to be maintained in Conservatee's account.
4. Petitioner requests Court issue an Order authorizing Public Guardian to deposit up to \$5,000 in an Irrevocable Burial Trust.
5. Notice was given.
6. ~Proposed Order: 09/11/18

#### RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 7/01/19 Accounting Review

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**CONSERVATORSHIPS**

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1500242

CASE NAME: DALILA DAVEEN DEBOSE

**SEE ALSO 40, 41**

HEARING:

Hearing Re: ISSUE OF VEHICLE

COUNSEL:

AISHA L.J. DEBOSE

(CP )...

GWENDOLYN F BROWN

(CPE)...PRO/PER

DALILA DAVEEN DEBOSE

(CTE)...JENNIFER M DANIEL

LARRY G DEBOSE

(TP )...

**XREF: CIPDS1700092** *IN RE DALILA DAVEEN DEBOSE*

GENERAL INFORMATION:

Continued from **08/27/18** at request of counsel. Need to obtain estimates for vehicle.

**Continued from 09/24/18 Oral report given by Steven Beckett re issue of vehicle.  
matter is continued to date of October 22, 2018**

THIS CASE SET FOR HEARING ON OSC Re Suspension of Powers and Removal

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

1. Matter set on 07/30/18 during issue of caregivers and vehicle hearing, wherein,  
Court made orders re caregiver issue.

RECOMMENDATION:

Court's discretion.

(cs)

Future Hearing: 12/17/18 Accounting Review



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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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-----

CASE#: CON PS1500242

CASE NAME: DALILA DAVEEN DEBOSE

**SEE ALSO 40, 41**

HEARING:

Hearing Re: IN HOME SUPPORT SERVICES & WHEELCHAIR

COUNSEL:

AISHA L.J. DEBOSE	(CP )...
GWENDOLYN F BROWN	(CPE)...PRO/PER
DALILA DAVEEN DEBOSE	(CTE)...JENNIFER M DANIEL
LARRY G DEBOSE	(TP )...

**XREF: CIPDS1700092** *IN RE DALILA DAVEEN DEBOSE*

GENERAL INFORMATION:

Continued from **07/30/18** Court made temporary orders re third shift caregiver. Counsel reports issue re the bed is not suitable or appropriate for Dalila Debose. Court set OSC for management representative from Kaiser to report to the Court as to the issue of scheduling an assessment re the bed. Counsel to give personal notice on management representative from Kaiser to be personally present on 08/27/18 at 10:00am to address issue. Additionally re the bed that has already been delivered to the home, it is to be returned and cost to be refunded.

Continued from **08/27/18** at request of Counsel. Waiting on results re wheelchair. Counsel Karin Horspool will verify status of ICU bed; Counsel further represent caregiver will be paid tomorrow for time worked.

**Continued from 09/24/18 Court and counsel discuss issue re in home support services on the record. Oral report given by Claudia Carr re issue of wheelchair. Jacqueline Carey-Wilson to prepare amended order from 7/30/18 (include issue of bed). Court sets OSC re contempt on reprehensive from Kaiser (named parties: Betty Wilkins and/or Ms. Bocanegra) for October 22, 2018 at 10:00am in Department S35 regarding their failure to comply with the orders made by the Court on July 30, 2018 regarding the bed. Court orders the named representatives from Kaiser to be personally present in court on October 22, 2018 at 10:00am in Department S35 to explain why they did not comply with the court order. County counsel for Public Guardian to arrange for notice/service on the Kaiser representatives; the trustee is authorized to pay for the service on the Kaiser representatives.**

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

THIS CASE SET FOR HEARING ON IN HOME SUPPORT SERVICES &  
WHEELCHAIR

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

1. Matter set by Court on 07/02/18 at the hearing re: OSC re Suspension of Powers and Removal.
2. **Need** amended order from 07/30/18 to include issue of bed.
3. Court ordered named representatives from Kaiser, Betty Wilkins and/or Ms. Bocanegra to be present at the 10/22/18 hearing. **Need** notice to by PG

RECOMMENDATION

Need to clear notes 2-3, then Court's discretion.

(ww/cs)

Future Hearing: 12/17/18 Accounting Review

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DATE: 10/22/18 TIME: 10:00 DEPT: S35P  
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CASE#: CON PS1500242

CASE NAME: DALILA DAVEEN DEBOSE

**SEE ALSO 39, 40**

HEARING:

Hearing Re: OSC RE SUSPENSION OF POWERS AND REMOVAL

COUNSEL:

AISHA L.J. DEBOSE	(CP )...
GWENDOLYN F BROWN	(CPE)...PRO/PER
DALILA DAVEEN DEBOSE	(CTE)...JENNIFER M DANIEL
LARRY G DEBOSE	(TP )...

**XREF: CIPDS1700092** *IN RE DALILA DAVEEN DEBOSE*

GENERAL INFORMATION:

Continued from **07/02/18**. Matter is continued to July 30, 2018. Court vacates hearing re social security benefits as counsel indicates that the issue re hours is as to in home support services. Court sets a hearing to address issue of in home support services and the wheelchair for July 30, 2018. Additionally, Court requires Inland Counties Regional Center's counsel to be present at next hearing. Ramona Verduzco to give notice to counsel for Inland Counties Regional Center. Court resets the hearing on the petition for attorney fees set for July 16, 2018 to July 30, 2018.

Continued from **07/30/18** Court and counsel confer on the record. Continued at request of counsel to obtain estimates on vehicle.

Continued from **08/27/18** Court and counsel confer on the record. Hearing continued at request of counsel to obtain estimates on vehicle.

**Continued from 09/24/18 to be heard with other matters set.**

THIS CASE SET FOR HEARING ON OSC Re Suspension of Powers and Removal

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

1. Matter set on 06/18/18 during status of Health of the Conservatee hearing, wherein, Court sets an OSC re: suspension of powers and removal for inability to follow court order.
2. Declaration of Gwendolyn Brown filed 07/24/18 re suspension of powers and removal, caregivers, purchase of wheelchair and van.
3. **Need** estimates on vehicle.

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

**RECOMMENDATION:**

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

(cs/ww/cs)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**CONSERVATORSHIP**

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DATE: 10/22/18 TIME: 8:30 DEPT: S36P  
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CASE#: CON PS1500305

CASE NAME: MTR OF BUDDY LEE SAILOR

**SEE ALSO 1A**

HEARING:

FIRST Account and Report of THERESA L PRINCE and Petition for allowance of fees filed.

COUNSEL:

THERESA L PRINCE

(CPE)...DAVID M GROSSMAN

BUDDY LEE SAILOR

(CEP)...WALTER T. MOORE

GENERAL INFORMATION:

Continued from **06/20/17** for notes to be cleared. The Court notes that this case will not be transferred to Orange County until the related family law matter is resolved completely.

Continued from **09/12/17** A final I & A cannot be filed due to pending family law matter. - Attorney Grossman to file a supplement - also requesting partial fees. Attorney Walter Moore to file a petition for fees also to be heard the same day.

Continued from **11/07/17** and **12/05/17**.

Continued from **02/20/18** for resolution of family law matter.

Continued from **04/02/18** at request of petitioner's counsel.

Continued from **06/04/18** to clear probate notes.

**Continued from 07/23/18 Additional bond to be posted in the \$88,000.00, total bond \$650,000.00. Court clear probate notes 10 re value of business, 11 re bank/investment statements and 12 re Schedule E**

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Conservator of the Person and Estate, Theresa L. Prince (daughter).

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

1. **Note: Revised accounting filed and set for 11/13/18. Does Court wish to trail matter to 11/13/18. JTD**
2. Accounting period 12/16/15 TO 12/15/16. However, account period should begin on **11/10/15. JTD**

3. Petitioner has not used mandatory Summary of Account (GC-400/405). Court may wish to direct petitioner to use mandatory form(s) on future accountings.  
**JTD**
4. Assets on Hand \$590,853.45 consisting of \$226,735.76 in cash and remaining in real and personal property.
5. Current bond of \$562,000. Insufficient. Court ordered bond in the total amount of \$650,000 on 07/23/18.
6. Partial Inventories 1 & 2 indicates estate includes community property interests that are unknown until the outcome of the related Family Law Case. Need complete, final inventory and appraisal. **(Supp. 08/14/17 indicates a final inventory and appraisal cannot be filed until settlement from the Family Court in the related matter.)**
7. Petitioner does not request compensation.
8. Attorney requests fees of \$11,146.00 for 22.3 hours' attorney time billed at \$350/hour and 25.7 hours' paralegal time billed at \$130/hour. **Itemized [see supp. 08/14/17, LF, pgs. 7-8]. JTD.**
9. Attorney requests reimbursement of costs advanced of \$465.00. **JTD**
10. During the accounting period, petitioner paid Julia Chavez and Francesca Kelium for caregiving expenses of \$3,532.55. **(Supp. (08/14/17) affixes weekly time cards.) Need** verified declaration for acknowledgment of receipt of fees per Local Rule 20-1406(c).
11. Conservatee resides in Fountain Valley, CA which is located in Orange County. Suggest transfer. If so, Court to set control date. **JTD.**
12. Proposed Order: 04/20/17 does not comply with Local Rule 20-614.

**RECOMMENDATION:**

Need to clear notes, \$650,000 bond. Court's discretion re note 1. If approved, set next hearing for Accounting Review for 60 days out as 2<sup>nd</sup> accounting is overdue.

Future Hearing: 11/13/18 Hearing Re: Revised First Account & Report

(nb/ww/cs)

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

-----  
DATE: 10/22/18 TIME: 8:30 DEPT: S36P  
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CASE#: CON PS1500305

CASE NAME: MTR OF BUDDY LEE SAILOR

**SEE ALSO 1**

HEARING:

Petition for attorney fees.

COUNSEL:

THERESA L PRINCE (CPE)...DAVID M GROSSMAN  
BUDDY LEE SAILOR (CEP)...WALTER T. MOORE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Attorney fees :

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

- 1 Petitioner, Walter Moore, was appointed on 11/10/15. Petitioner alleges services have been rendered for which counsel has not been compensated.
- 2 Attorney requests fees of \$18,720.00. Billed at \$450/hour for attorney time. Itemized
- 3 Notice given.
- 4 Petitioner requests a Court order directing and ordering Conservator, Theresa L. Prince to pay requested sum.
- 5 ~Proposed Order: 10/09/18

RECOMMENDATION:

Court's discretion.

Future Hearing: 11/13/18 Hearing Re: Revised First Account & Report

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**PROBATE**

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DATE: 10/22/18      TIME: 8:30      DEPT: S36P  
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CASE#: PRO DS1000735

CASE NAME: MTR OF NATASHA MANSKER

HEARING:

Fourth Account and Report of CAROL GROSSO and Petition for allowance of fees filed.

COUNSEL:

CAROL GROSSO

(PET)...JACK H ANTHONY

NATASHA MANSKER

(DEC)...

Waiver of Court Fees and Costs filed by CAROL GROSSO is GRANTED

Unable to review due to time constraints.



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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 10/22/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1400012

CASE NAME: Joe Edward Bush

HEARING: FINAL Account and Report of REGINA D HOLT and Petition for allowance of fees filed.

COUNSEL:

STANLEY FOREMAN	(PET)...HORSPOOL & HORSPOOL
JOE EDWARD BUSH	(DEC)...
LYLE STOTELMYRE	(PET)...M DANIEL SAYLOR
STANLEY FOREMAN	(APP)...HORSPOOL & HORSPOOL
CARMEN J QUALLS	(PET)...CHARLES J SCHURTER
REGINA D HOLT	(OBJ/PET)...CARMEN J QUALLS
APPROVED INHERITANCE CASH	(PRO/PER)
CARMEN J QUALLS	
STANLEY FOREMAN	(JOHN W SHORT)

Waiver of Court Fees and Costs filed by REGINA D HOLT is GRANTED  
TOTAL FEES WAIVED TO DATE: \$1907.00

**XREF: CONDS1000220** JOE EDWARD BUSH  
**PROPS1100186** MATTIE WEAVER  
**CONPS0800284** MATTIE LEE WEAVER

GENERAL INFORMATION:

Continued from **02/26/18** at request of petitioner to clear probate notes.

Continued from **04/09/18** at request of Regina Holt as she is unable to attend today's hearing.

Continued from **06/04/18** Non-appearance by Regina Holt. Court continued matter and orders Regina Holt to personally be present at the next hearing.

**Continued from 08/06/18 to clear probate notes.**

THIS CASE IS SET FOR HEARING ON Final Account and Report of Former Conservator; Awaiting Court Scrutiny of All Debts Charged to this Estate; Payment to Creditors after Court Scrutiny and Delivery of Assets by Regina Holt, executor/niece

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

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

- 1 Regina Holt, niece/executor/former conservator of the person and estate/sole beneficiary was issued interim letters of special administration on 04/22/15; then issued non-interim letters of special administration on 08/07/15 and then letters of testamentary, no bond, on 03/17/17.
- 2 Accounting period: 10/17/14-02/17/17; however, accounting start date is premature as she was not appointed until 04/22/15. It appears that Regina is combining accounting information from the now closed conservatorship case CONDS1000220 in addition to the probate. **JTD**
- 3 Assets on hand: \$299,154.19 of which \$229,154.19 is cash and the remainder in real property.
- 4 Statutory fees were not addressed. Court may wish to inquire, or in alternative, need verified supplement. **JTD**
- 5 Report does not indicate that case in a condition to close. Court to inquire. **JTD**
- 6 Petitioner indicates that the funds of \$1,500 were withdrawn from account Chase account ending in 2009 on 02/22/17; however, it is unclear as to why funds were withdrawn as Court had ordered that remainder of funds were to remain in blocked account on 02/17/17. **Need** clarification via verified supplement.
- 7 **Need** findings re: sole and separate property.
- 8 **Need** to file verified supplement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4).
- 9 **Need** to file verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr.C.§ 1064(a)(5).
- 10 **Need** statement regarding notice to California Victim and Compensation and Government Claims Board or notice per Pr. C. § 9202(b).
- 11 **Need** statement regarding notice to Franchise Tax Board or notice per Pr. C. § 9202(c)(1).
- 12 **Need** statement re: creditors.
- 13 **Need** statement re: taxes and debts paid.
- 14 **Need** statement re: Final Inventory and Appraisal.
- 15 **Need** statement re: request for special notices.
- 16 **Need** allegations per Pr.C. § 1064.
- 17 **Need** verified supplement indicating address of beneficiary receiving real property.
- 18 **Need** verified supplement indicating legal description of real property, including common address, if any, and assessor's parcel number.
- 19 Assignments of interest in the total amount of \$51,100 by Regina Holt as to Approved Inheritance Cash , Inc. in following amounts have been filed:
  - a. \$28,500 on 08/11/14
  - b. \$8,900 on 03/28/16
  - c. \$3,900 on 04/25/16
  - d. \$5,900 on 08/01/16
  - e. \$3,900 on 11/21/16
- 20 **Need** proposed distribution as it was not addressed. Petitioner is sole beneficiary of will but has assigned interest of portions of her distribution. See note 19.

- 21 **Need** Notice of Hearing and Proof of Service as to Lyle Stotelmyre, Approved Inheritance Cash, Inc. and Carmen Qualls as Requests for Special Notices were filed.
- 22 **Objections in the form of a Reply by Carmen Qualls, former counsel for Regina, filed 02/16/18.**
- 23 **Regina Holt's response to Carmen Qualls' Final Account filed 03/12/18.**  
**Need** Proof of Service
- 24 No proposed order. Submit order after hearing.

RECOMMENDATION:

Matter is contested. Need to clear notes 6-18, 20 & 21, then Court's discretion. If approved, Court to set hearing on filing of receipts and final discharge for **11/04/19**.

(ww/cs/ww/cs)

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CASE#: PRO PS1400364

CASE NAME: PEDRO M. SANCHEZ

HEARING:

Hearing re Final Discharge

COUNSEL:

RAYMOND M SANCHEZ (PET)...PRO/PER  
PEDRO M SANCHEZ (DEC)...

Waiver of Court Fees and Costs filed by RAYMOND M SANCHEZ is GRANTED

THIS CASE IS SET FOR HEARING ON Final Discharge by Raymond Sanchez

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

1. Petition for Final Distribution on Waiver of Account was approved on 10/17/17.  
**Need** Order Settling Petition for Final Distribution on Waiver of Account
2. Petitioner is sole heir, no receipt needed.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION:

Need to clear notes1-3. Inquire status.

(cs)

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DATE: 10/22/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600364

CASE NAME: JOSEPH MARIE RODRIGUEZ

HEARING:

Accounting Review by \*\*\*

COUNSEL:

JOE M RODRIGUEZ JR (PET)...THOMAS V PRATT  
JOSEPH MARIE RODRIGUEZ (DEC)...

GENERAL INFORMATION

Continued from **08/14/17**. Nonappearance by counsel and petitioner. A status report or accounting to be filed prior to hearing.

Continued from **10/23/17**. Status report approved.

**Continued from 04/23/18 and 07/30/18**

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Joe Rodriguez Jr, on 06/27/17; full authority, \$100,000 bond.
2. Final Inventory and Appraisal filed 12/06/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status.

(ww/cs/ww/cs)

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HONORABLE: JAMES MICHAEL WELCH

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CASE#: PRO PS1700824

CASE NAME: ROSEMARY BRILL

**SEE ALSO 7**

HEARING:

Petition for Settlement of First and Final Account and Report of  
SUSAN FLEMING and Petition for allowance of fees filed.

COUNSEL:

SUSAN FLEMING                      (PET)...RICHARD B ASHWORTH  
ROSEMARY BRILL                    (DEC)...

**XREF: PROPS1700829** ALAN BRILL

Future Hearing: 1/24/19 Accounting Review

Unable to review due to time constraints.

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 10/22/18      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1700829

CASE NAME: ALAN BRILL

HEARING:

Petition for Settlement of Frist and Final Account and Report of  
SUSAN FLEMING and Petition for allowance of fees filed.

COUNSEL:

SUSAN FLEMING

(PET)...RICHARD B ASHWORTH

ALAN BRILL

(DEC)...

**XREF: PROPS1700824** *ROSEMARY BRILL*

Future Hearing: 1/24/19 Accounting Review

Unable to review due to time constraints.

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CASE#: PRO PS1800334

CASE NAME: MTR OF TIMOTHY ANAST

HEARING:

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

COUNSEL:

TIMOTHY DAVID ANAST (PET)...FULLERTON LEMANN SCHAEFER & DO  
TIMOTHY ANAST (DEC)...  
DEBRA GOODRO (OBJ)...RICKARD L BORG

GENERAL INFORMATION

Continued from **05/16/18**. Objections have been filed by Debra Goodro. Matter continued for probate notes to be cleared and response to objections to be filed. Continued from **07/18/18**. Attorney Rickard Borg to file a will contest on behalf of his client by 09/05/18.

**Continued from 09/12/18. Objections to the will contest to be filed. Counsel agree to continue matter so they can meet and confer.**

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Timothy Anast, son

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

1. Will waives bond. Estimated assets total \$180,000 consisting of \$120,000 in real property and remaining in personal property.
2. **Objection by Debra Goodro, daughter, filed 05/11/18. Supplement to Objection filed 06/18/18.**
3. **Will Contest by Debra Goodro, daughter, filed 08/13/18.** Will Contest and Summons must be served in the manner required in a civil action generally. Pr.C. §§8250; CCP §§412.10–417.40. **Need same.**
4. ~Proposed Form Order: 04/09/18

RECOMMENDATION

Matter is contested.

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



Need to clear note #3 then Court's discretion re bond. If approved, set Accounting/Status Review for **11/20/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh/kd)

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DATE: 10/22/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800540

CASE NAME: MTR OF JESSE WILLARD CAMPBELL JR

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

COUNSEL:  
CARTER CAMPBELL (PET)...THE GOLDMAN LAW FIRM  
JESSE WILLARD CAMPBELL JR (DEC)...  
KATHERINE CAMPBELL (PET/OBJ)...DARRELL K MOORE

Waiver of Court Fees and Costs filed by KATHERINE CAMPBELL is GRANTED

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by daughter, Katherine Cambell, [Administrator/Petitioner].

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

1. **Request for Dismissal filed 10/05/18.**
2. Section re bond is incomplete. Petitioner indicates estate value is \$0. The court may for good cause require that a bond be given, either before or after issuance of letters. Prob. Code §8481(b). Court to inquire re estate value. **JTD**
3. Notice to Petition to Administer Estate and proof of service filed 09/14/18.
4. The following sections of petition are incomplete:
  - a. Section 2(b) re name of proposed administrator;
  - b. Section 2d re bond amount;
  - c. Section 3(a)(1) re decedent's county of residence;
  - d. Section 3d re value of the estate
  - e. Section 3e re bond**Need** verified supplement.
5. **Need** proof of publication.
6. No Proposed Form Order: Submit after hearing.

#### RECOMMENDATION

Need to clear notes 3-4. Contested matter. If approved, set Accounting/Status Review for 12/30/19. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908. (cs/kd)

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

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DATE: 10/22/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800616

CASE NAME: MTR OF JOSEPH RUSLING

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

COUNSEL:

DAVID LEE RUSLING (PET)...PRO/PER  
JOSEPH RUSLING (DEC)...

GENERAL INFORMATION:

**Continue from 08/06/18 Court clears probate note 3 re subscribing witness. Mark Rusling needs to file a bond waiver and remaining probate notes need to be cleared.**

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary **W/WA**, and Full Authority under IAEA by son, David Lee Rusling, [Petitioner]

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

1. Petitioner indicates beneficiaries waive bond; however, **need** bond waiver by Mark Allen Rusling. Section 7 of petition does not indicate total estate value; however, it appears value consist of \$318,226 in personal property. Court to clarify. **JTD**
2. **Need** declination of named co-executor Mark Allen Rusling.
3. Duties and Liabilities filed 06/27/18; however, section 2 is missing telephone number. **Need** complete form.
4. Section 8 of petition does not list Foreign Mission Board of Southern Baptist Convention who is mentioned in will. **Need** same via verified supplement.
5. Notice to Petition to Administer Estate and proof of service filed 07/10/18; however, sections 4 re will; 5 re IAEA powers and section 10 re address and telephone number of petitioner are incomplete. **Need** corrected notice.
6. **Need** notice to Petition to Administer Estate and proof of service to include Foreign Mission Board of Southern Baptist Convention and attorney general per Pr.C. §8111.
7. **Need** proof of publication
8. ~Proposed Form Order: 06/27/18

## RECOMMENDATION

Need to clear notes 1-7. Court's discretion re bond. If approved, set Accounting/Status Review for **12/30/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

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DATE: 10/22/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800864

CASE NAME: MTR OF LEAH JENEANNE PORTER

HEARING:

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

COUNSEL:

JAMES RICHARD PORTER (PET)...PRO/PER  
LEAH JENEANNE PORTER (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by son , James Porter, [Administrator/Petitioner].

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

1. All heirs waive bond. Estate value \$78,100.90 consisting of \$72,100.90 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters. Pr.C§8481(b).
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Need** proof of publication.
4. ~Proposed Form Order: 08/31/18

#### RECOMMENDATION

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

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HONORABLE: JAMES MICHAEL WELCH **TRUSTS**

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DATE: 10/22/18 TIME: 8:30 DEPT: S36P  
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CASE#: TRU PS1800104

CASE NAME: THE SCHANKS REVOCABLE TRUST 05/21/2004

HEARING:

Petition for TO INSTRUCT TRUSTEE

COUNSEL:

MAXINE LEWIS

THE SCHANKS REVOCABLE TRUST

JAMES A SCHANKS

(PET)...CHANDLER LAW FIRM

(TRU)...

(OBJ)...JAMES B CHURCH

Currently under review by Legal Research.  
(LR)

**Notice:**

Notice given.

(cs)

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DATE: 10/22/18      TIME: 8:35      DEPT: S36P  
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CASE#: PRO PS1500855

CASE NAME: DOLORES W. STABNAU REVOCABLE TRUST ETC

HEARING:

Third Account and Report of SUSAN PETERS and Petition for allowance of fees filed.

COUNSEL:

DOLORES W. STABNAU REVOCABLE TRUST (TRU)...

SUSAN PETERS                      (PET)...PATRICIA A LOBELLO

**XREF: CONPS1300159** *DOLORES W STABNAU*

Unable to review due to time constraints.

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**CONSERVATORSHIPS**

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DATE: 10/22/18      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1100128

CASE NAME: ANDREA RENEE MATHIS

HEARING:

Petition for order that Diedra Mathis be removed as limited conservator of the person

COUNSEL:

DIEDRA MATHIS

(CP )...PRO/PER

ANDREA RENEE MATHIS

(CTP)...ROBERTA L TAYLOR

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for order that Diedra Mathis be removed as limited conservator of the person

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

1. Diedra Mathis (paternal aunt) was appointed limited conservator of the person on 09/14/11. Letter issued 09/14/11.
2. Petitioner/GAL, Walter Moore is seeking removal of conservator on the basis that the home is unsafe and filthy. There are creditable reports of dead and live mice in the home, mice droppings on the floor. It appears home has not been cleaned in months.
3. Conservator moved to Barstow and failed to file pre and post-move notices and inform Inland Regional about the move as a result case had been inactive for approximately 8 months. Conservator has no working vehicle and of family or friends to provide transportation.
4. Conservator denies she needs assistance with conservatee and although conservatee qualifies for IHSS, Conservator refuses to take advantage of their services.
5. Inland Regional Center and Adult protective services will and cannot change conservatee's placement to a safe and healthy environment without conservator's consent.
6. **Need** petition for successor conservatorship. Public Guardian was noticed on 01/11/18.
7. **Need** notice of hearing.

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



8. CI Report filed
9. Report of GAL filed 09/17/18.
10. ~Proposed order: 09/17/18.

**RECOMMENDATION:**

Need to clear notes 6-7, then Court's discretion.

(cs)

Future Hearing: 11/29/18 Hearing Re: Special Report

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DATE: 10/22/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700096

CASE NAME: FAUSTO SANABIA  
HEARING: Petition for order to determine title to Real Property

COUNSEL:  
CASTULO SANABIA (PET)...PRO/PER  
FAUSTO SANABIA (CEE)...CRAIG M PARKER

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for order to determine title to Real Property by Mitchell Roth , GAL

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

1. Petitioner on behalf of conservatee, Fausto Sanabia seeks an order determining title to real property located at 7582 Bell Court, Highland, CA.
2. Petitioner indicates subject property is held in joint-tenancy by conservatee and his brother, Dario Sanabia (Respondent) since 1991 and brothers agreed to split all costs and encumbrances associated with subject property.
3. Petitioner alleges conservatee has made all payments associated with subject property without contribution from Respondent. Conservatee has requested contribution from Respondent and to deed his one-half interest of the property. Respondent has verbally agreed, however, has not executed such transfer.
4. Petitioner seeks the court order transfer of title to conservator for the benefit of conservatee. Need further clarification. Question how title will be vested. **Need** verified supplement.
5. Petitioner seeks a court order that Respondent be liable for interest, calculated at the statutory rate, on all damages awarded as result of his conduct and for reasonable attorney's fees or conservator fees.
6. **Need** Notice to Gliceria Sanabia, spouse of conservatee.
7. **Proposed order 09/25/18: Need caption to indicate complete title of order.**

RECOMMENDATION:

Need to clear notes 4 and 6, then Court's discretion.

(cs)

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HONORABLE: JAMES MICHAEL WELCH

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DATE: 10/22/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700394

CASE NAME: MTR OF CARLOS GUTIERREZ ROSALES

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of DULCE M ROSALES

COUNSEL:

DULCE M ROSALES (CP)...PRO/PER  
CARLOS GUTIERREZ ROSALES (CTP)...SANDRA TURNER

Waiver of Court Fees and Costs filed by DULCE M ROSALES is GRANTED

GENERAL INFORMATION

**Continue from 07/23/18 to clear probate notes. Notice to be given by Sandy Turner, Court appointed attorney.**

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Dulce Rosales, mother, appointed limited conservator of the person on 12/18/17.
2. **Need** Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5.
5. **Notice of continuance filed 07/30/18; however, there is not proof of service attached. Need same.**

RECOMMENDATION

Need to clear notes 2-4. Inquire Status  
(cs)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 10/22/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1800126

CASE NAME: ORA MAE WILSON

HEARING:  
Petition for Appointment of Conservator

COUNSEL:

MICHAEL WILSON	(CPE)...PRO/PER
CAROL WILSON	(CPE)...PRO/PER
ORA MAE WILSON	(CEP)...J BENJAMIN SELTERS III

GENERAL INFORMATION

Continued from **06/04/18** Attorney J Benjamin Selters III is appointed for Ora Mae Wilson.

**Continue from 07/23/18 non-appearance by petitioner nor the court appointed counsel. Court order petitioner and counsel to be present at the next hearing.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Michael and Carol Wilson, son and daughter-in-law/Petitioners

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

1. Petitioners did indicate bond amount. Estimated value of estate is \$569,932, with \$19,932 in personal property of which \$16,932 is public benefits. Suggest bond of \$21,926.00 which includes cost of recovery. **Court to inquire if proposed conservatee resides in personal residence listed in petition.** If conservatee does not resides in her own residence suggest bond of \$628,323.84.
  - a. **Supp. 05/31/18 indicates petitioners seek bond of \$21,926.00 or amount court deems proper.**
2. Petitioners seek medical powers. Capacity Declaration filed 05/08/18; however, has the following issues:
  - a. Section 1 re Doctor's name, office address and phone number is incomplete.
  - b. Section 4 re Conservatee's name is blank.
  - c. Section 6D is incomplete.

**Need** completed Capacity Declaration.

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

3. Petitioners appear to be seeking dementia powers; however, section 1k as to 2356.5 dementia placement/treatment powers is not marked, but the attachment requesting special orders is provided. [LF pg. 6]
  - a. Supp. 05/31/18 indicates not seeking order related to dementia powers.
4. Report of Court appointed counsel, J. Benjamin Selters, III filed 06/18/18.
5. Petitioners indicate that a conservatorship was opened in Los Angeles on 11/27/17 and that the Court indicated that San Bernardino should have jurisdiction, case number 17STPB10621. Matter was dismissed on 02/05/18.
6. Court Investigators Referral Report indicates that proposed conservatee lives in Rancho Cucamonga and Los Angeles.
7. Citation and proof of service filed 05/08/18.
8. Certificates of Completion of the Conservatorship Training Class filed 05/03/18 and 05/31/18 for Michael and Carol.
9. Notice given.
10. CI report filed 05/23/18.
11. ~Proposed Form Order: 04/27/18

#### RECOMMENDATION

Need to clear note 2, then Court's discretion re bond. If approved, set hearing for Compliance Review for **06/03/19** 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; Inventory & Appraisal, and Proof of Service if I&A and Instructions for Objection per Pr.C. § 2610; recordation of letters if applicable per Pr.C. § 2313.

Set hearing re Accounting Review for **12/30/19**. Any accounting to be filed 30 days in advance.

(ww/cs)

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DATE: 10/22/18 TIME: 9:30 DEPT: S36P  
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CASE#: SC SS02016

CASE NAME: MATTER OF KAREN MICHELLE CARR

HEARING:

Hearing Re: PROOF OF GEORGIA CONSERVATORSHIP

COUNSEL:

NELDA K CARR	(CPE)...J S HERMANSON
ROBERT M CARR	(CPE)...J S HERMANSON
KAREN MICHELLE CARR	(CEP)...

#### GENERAL INFORMATION

**Continue from 07/30/18 non-appearance by counsel nor has proof of the Georgia conservatorship been submitted.**

THIS CASE SET FOR HEARING ON Proof of Georgia Conservatorship

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

1. Matter set on 06/29/18 by the Court after reviewing the Court Investigator report filed 04/20/18.
2. **Need** proof of conservatorship established in Georgia.

#### RECOMMENDATION

Inquire status then Court's discretion.

(ww/cs)

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Page: 19 add-on  
CIVPRO San Bernardino District  
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HONORABLE: JAMES MICHAEL WELCH

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DATE: 10/22/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700336

CASE NAME: HERMAN JORDAN JR

HEARING:

Hearing Re: CONCERNS IN CI MEMO DATED 09/25/18

COUNSEL:

HERMAN JORDAN III (PET)...PRO/PER  
HERMAN JORDAN JR (CEE)...MARIVEL M ZIALCITA

#### GENERAL INFORMATION

**Continued from 10/04/18 Report of Guardian Ad Litem filed in open court.  
Pursuant to GALreport, matter continued. Counsel for conservatee to give  
notice.**

THIS CASE SET FOR HEARING ON Concerns in Court Investigator Memo

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

1. Herman Jordan III, son, appointed conservator of person only on 06/27/18.
2. Matter set after review of Court Investigator memo filed 09/25/18.
3. **Report of Counsel Moore** filed 10/04/18.
4. **Need** notice by Marivel Zialcita.

#### RECOMMENDATION

Need notice, then court's discretion.

(lc/cs)

Future Hearing: 1/30/19 Conservatorship Compliance Review Hearing

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

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DATE: 10/22/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1300898

CASE NAME: CHIA HSIN HUANG

HEARING: Re: Amended Second account & status report

COUNSEL:

ALEX HUANG

(PET)...LAW OFFICES OF YVONNE HS U

CHIA HSIN HUANG

(DEC)...

J DAVID HORSPOOL

(PET)...J. DAVID HORSPOOL

**Continued from 06/18/18 The Court orders that a full and complete SECOND ACCOUNTING from the period of 5/7/15 through at least 5/31/17 be filed. The Court orders a verified supplement be filed addressing the issues: 1, who and what is RimRock Association and why has the estate been paying property taxes on property owned by RimRock Association. 2, why and what is the \$20,000 deduction for tax return for. 3, is the charge of 10/29/13 to Yvonne Hs U for probate consultation for attorney fees. If so, attorney fee declaration needs to be filed. Notice to be given by Ms. Park.**

THIS CASE IS SET FOR HEARING ON **AMENDED (12/26/17)** Second Account and Petition for Fees by Administrator, Alex Huang ["Petitioner"].

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

1. First accounting approved on 10/15/15. Proposed Order Approving First Account affixed to supp. filed 07/12/17 [LF, p5] is not complete in and of itself. Local Rule 20-614. **Need** proper order to include accounting period; balance; and description of the assets on hand. LR 20-614c.
  - a. Proposed order filed 06/15/18: need accounting period.
2. Accounting period **05/07/15** to 05/31/16.
3. Assets on Hand \$985,387.67 (carry value) consisting of real property and interests in several partnerships that own real property. However, beginning assets on hand do not match ending assets on hand of prior, first accounting period of \$1,522,462.36. **Supp. (07/12/17, LF, pgs. 6-11)** includes amended schedules for first accounting period (*that has previously been approved*) to

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



reflect Assets on Hand at Beginning and End of Account period of \$985,387.67. **JTD.**

4. Creditor's Claim filed 10/08/14 by Hsin-Chu Wu in the amount of \$345,000 plus interest. Allowance of claim was filed 11/04/14 of \$345,000
5. Statutory compensation will be requested at close of probate.
6. Petitioner requests costs advanced of **\$12,374.00 for the second account** period when funds become available. Itemized [LF, pgs. 10-11]. However, costs include postage fees that normally considered overhead. Does Court wish to reduce costs by \$20.29? **JTD.**
7. **Need** Summary of Account.
8. Expenses Incurred [LF, p. 9] reflects outstanding balance for estate tax returns in the amount of \$3,187.50. Does Court wish to require invoices? **JTD.**
9. **Need** Assets on Hand at End of Account period schedule.
10. Petitioner requests full authority under IAEA in order to facilitate the sale of the partnership asset, Mission Bell Ranch Development, A California Limited Partnership which is partially owned by the Estate and is in the process of negotiating the sale of a real estate owned by the partnership. If approved, need Notice of Proposed Action with proof of service. **JTD.**
11. Supp. filed 06/15/18 requests additional time to consolidate second and final account as the estate is now in a condition to close. **JTD**
12. Notice given.
13. No proposed order. Submit Order after Hearing.

**RECOMMENDATION:**

Need to clear notes 1, 7, & 9. This accounting should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting period. If approved, set next Accounting Review on first check calendar no sooner than **11/26/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.

(nb/cs)

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CIVPRO San Bernardino District  
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HONORABLE: TARA REILLY

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DATE: 10/22/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1400128

CASE NAME: Walter McKibben

HEARING:  
Hearing re Final Discharge

COUNSEL:

MICHAEL T CHAMBERS	(PET)...JAMES D PETERSON
WALTER MCKIBBEN	(DEC)...
JANICE WINEKE	(PET)...JAMES D PETERSON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. First and Final Account was approved on 10/16/18.
2. No receipt required as sole heir is beneficiary.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION:

Inquire status.  
(cs)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/22/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1400897

CASE NAME: Faye Quesada Carrera

HEARING:

FIRST AND FINAL Account and Report of CORRINE C GARCIA and  
Petition for allowance of fees filed.

COUNSEL:

CORRINE C GARCIA	(PET)...JACK B OSBORN
FAYE QUESADA CARRERA	(DEC)...
CORINNE C. GARCIA	(PET)...MARK J. ANDREW FLORY
JANET VASQUEZ	(TP )...ELISABETH KEMPE-OLINGER
BRYAN C. HARTNELL Esq	(HARTNELL LAW GROUP)

**XREF: CONPS0900146** MTR OF FAYE Q CARRERA

GENERAL INFORMATION

**Continued from 06/18/18 at request of counsel to clear probate notes.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for allowance of fees by daughter, Corinne Garcia [Administrator/Petitioner]

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

1. Assets on Hand \$226,260.27 cash.
2. Bond of \$20,000.
3. Petitioner requests to pay prior to distribution attorney fees of \$31,788.41 to Brown White & Osborn LLP, for services rendered in related conservatorship of Faye Q. Carrera matter which have been previously court approved as follows:
  - a. \$8,580.00 plus 10% per annum, total of \$12,393.39 per order dated 05/10/11
  - b. \$5,347.50 plus 10% per annum, total of \$7,565.66 per order dated 02/25/14
  - c. \$9,674.50 plus 10% per annum, total of \$11,829.36 per order dated 01/27/16
4. Statutory fees requested \$8,638.74. Calculated.
5. Attorney requests extraordinary fees of \$4,189.50 for services rendered in connection with the obtaining independent powers to expedite the pending sale

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

of the real property and reviewing documents from the realtor on behalf of the estate.. Billed at varying amount of \$105-\$350/hour for a total of 14.70 hours' attorney time and paralegal time. Itemized [LF, p. 23-26].

6. Attorney requests reimbursement for costs advanced of \$3,638.68. Itemized [LFp7].
7. Petitioner requests reimbursement of \$2,000 advanced to estate for retainer/cost payments made to Brown White & Osborne LLP on behalf of the estate.
8. Notice of hearing to Janet Vasquez lists a different address from that listed on Petition and Request for Special Notice. Court to inquire.
9. **Need bank statements verifying ending balances for Community Bank acct xx1069 per Local Rule 20-908.**
10. **Supp. filed 10/04/18 includes bank statements for Community Bank account ending xx2816. This account has not been referenced in the accounting. Need verified supplement clarifying status of account.**
11. Proposed Order submitted: 05/17/18 Need to include findings re sole and separate property and statement of compliance with Pr.C. § 9202(b) re notice to CA Victim's Compensation Board.

RECOMMENDATION:

Need to clear notes 9-10, then Court's discretion. If approved, set next hearing for receipt and final discharge for **11/04/19**.

(cs)

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HONORABLE: TARA REILLY

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DATE: 10/22/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600249

CASE NAME: JOSE R CASTILLO

HEARING:

FIRST AND FINAL Account and Report of MARTHA CHAVEZ ACEVEDO and  
Petition for allowance of fees filed.

COUNSEL:

MARTHA CHAVEZ ACEVEDO	(PET)...MADRID LAW FIRM
JOSE R CASTILLO	(DEC)...
AIDA E RODRIGUEZ	(OBJ)...LAW OFFICES OF JAMES A HAGAN
CASSANDRA CASTILLO	(LAW OFFICES OF JAMES A HAGAN )

Unable to review due to time constraints.

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 10/22/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600298

CASE NAME: MTR OF MIATTA NATALIE O MASSAQUOI

HEARING:

Accounting Review by \*\*\*

COUNSEL:

GIFTY FOWLER	(PET)...HOWARD R HAWKINS
MIATTA NATALIE O MASSAQUOI	(DEC)...
COURTENAY VIVIAN ROGERS-WRIGHT	(PET)...HOWARD R HAWKINS
ALBERT S MASSAQUOI	(PET/TP)...PRO/PER

#### GENERAL INFORMATION

Continued from **11/27/17**. Petition for successor/removal of administrator may be filed. Continued from **02/13/18** at request of counsel. Counsel reports beneficiaries have not been cooperative. The court orders beneficiaries to cooperate with Administrator.

**Continued from 06/18/18 Proof of payment of bond premium to be filed by 6/22/18. Should bond premium not be paid the Court will remove administrator.**

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 Courtney Rogers-Wright, friend, on 11/22/16, full authority, \$75,000 bond.
2. **Need** Final Inventory and Appraisal.
3. **Need** accounting or status report.

#### RECOMMENDATION

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

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DATE: 10/22/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600539

CASE NAME: THURMAN DODD SR

HEARING:

Accounting Review by \*\*\*

COUNSEL:

ELIZABETH SNEED	(PET)...ZACHARY R HAGENBUCH
THURMAN DODD SR	(DEC)...
VICTORIA MARIE DODD	(PET)...PRO/PER
ELIZABETH SNEED	(PET)...CRAIG W WILSON

Waiver of Court Fees and Costs filed by VICTORIA MARIE DODD is GRANTED

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. First Account for Elizabeth Sneed, daughter, approved 04/23/18.
2. **Need** second and final accounting or status report.

#### RECOMMENDATION

Inquire status.

(cs)

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DATE: 10/22/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1701098

CASE NAME: MTR OF PRISCILLA ANN VASQUEZ

HEARING: INITIAL Account and Report of SALLY VANGORKUM and Petition for allowance of fees filed.

COUNSEL:  
SALLY VANGORKUM (PET)...EDWARD W O'CONNELL JR  
PRISCILLA ANN VASQUEZ (DEC)...

#### GENERAL INFORMATION

**Continued from 06/18/18 at request of Court to clear probate notes.**

THIS CASE SET FOR HEARING ON **Amended [filed 09/24/18]** Initial Account, by sister, **Sally Vangorkum** [Administrator/Petitioner]

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

1. Assets on Hand \$49,743.96 of which \$45,75.96 is cash.
2. Financial statements provided for the period end of 05/08/18 do not support the ending balance. **Need** statements supporting ending balance.
3. Bond set at \$50,000.
4. Petitioner and Attorney are not requesting statutory fees at this time.
5. Supp. filed 09/24/18 indicates petitioner gave verbal notice to all creditors as determined by decedent's credit report; however, there are some expenses from last illness which are still pending. It does not appear petitioner gave Notice to Creditors.
6. **Supp. 09/24/18 indicates Petitioner is not requesting** distribution at this time.
7. **Need** Notice of Hearing with proof of service to include notice per Pr.C. §§9201-9202.
8. No Proposed Order. Submit after hearing.

#### RECOMMENDATION

Need to clear notes. This accounting does not appear to be a true and complete accounting and should be deemed in the nature of a status report. There is insufficient information and known defects that should preclude the Court from approving this accounting period. . If approved, set next Accounting Review on first check calendar

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



no sooner than **12/24/18**. Any account to be filed 30 days' before hearing. Note requirements of Local Rules.  
(cs)

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

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 10/22/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1800137

CASE NAME: RAE FRANCES YEADON

HEARING:

FIRST AND FINAL Account and Report of ANDREW YEADON and Petition  
for allowance of fees filed.

COUNSEL:

ANDREW YEADON	(PET)...	GABRIELLE R RANSELL
RAE FRANCES YEADON	(DEC)...	
INHERITANCE FUNDING	(TP )...	STEVEN D SCHROEDER

Future Hearing: 6/03/19 Accounting Review

Unable to review due to time constraints.

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DATE: 10/22/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800667

CASE NAME: JIMMIE LEE JOHNSTON

HEARING:  
Spousal Property Petition hearing.

COUNSEL:  
FEROL LEE JOHNSTON (PET)...PRO/PER  
JIMMIE LEE JOHNSTON (DEC)...

GENERAL INFORMATION

**Continued from 08/20/18 at request of Court to clear probate notes.**

THIS CASE SET FOR HEARING ON Spousal Property Petition by Ferol Johnston, spouse/ personal representative.

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

1. This matter appears to be ancillary to a probate case in Colorado in which Ferol was appointed as the personal representative. [LF pg. 17].
2. Petitioner requests a determination of real property passing to the surviving spouse as community property. Specifically, real property located in Fontana, in San Bernardino County.
3. Per **Supp. filed 08/13/18** Petitioner indicates that the date of marriage was 09/07/1956 and that the deed was granted to J.L. Johnston on 08/05/1976.
  - a. Copy of marriage certificate is attached. [LF pg. 5]
  - b. Copy of grant deed as to "J.L. Johnston, a married man" is attached. [LF pg. 6]
4. Supplement filed 08/13/18 does not describe how the property was purchased [separate/community funds]. **Need** verified supplement.
  - a. Declaration filed 09/17/18 by Petitioner indicates there are no bookkeeping record from 42 years ago to show how property acquired. Further explains decedent always acquired properties in his business ventures and for personal use as community property and believes this property was acquired as community property.

5. Attachment 7b [LF, pg. 6] does not include common address of subject real property. Need verified supplement. **(Supp. 08/13/18 indicates that there is no common address as it is a vacant parcel.)** Preliminary title report is attached. [LF pgs. 8-13]. APN number provided [Declaration filed 09/17/18].
6. Notice given.
7. ~Proposed Form Order: 07/16/18

#### RECOMMENDATION

Court's discretion.

(ww/cs)

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HONORABLE: TARA REILLY

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DATE: 10/22/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800849

CASE NAME: MTR OF CALVIN E HERBOLD JR

HEARING:

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

COUNSEL:

ROBIN L SCHWARZ (PET)...DIANA J CARLONI  
CALVIN E HERBOLD (DEC)...

GENERAL INFORMATION

Robin L Schwarz is appointed personal representative as special administrator on 09/11/18, no bond.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by step-daughter, Robin L Schwarz, [Executor/Petitioner]

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

1. Will waives bond. Estate value \$250,000 in personal property. However, petitioner is a non-resident and the court may require bond if the proposed personal representative resides outside California per and Pr.C. §8571. Court also has discretion to require bond per Pr.C. §8481(b). Does court wish to require bond of \$20,000, or alternatively, based on assets of \$250,000.
  - a. Petitioner seeks no and indicates if residential property sells would deposit funds into a blocked account. **JTD**
2. The will conditionally incorporates decedent's Trust. **Need** a certification of trust that meets the requirements in Pr.C. §18100.5 and additionally includes a list of Trusts beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's trust? **JTD**
3. Section 8 of petition fails to list Nancy R. Herbold and Jill Brown, named executors in will. **Need** verified supplement.
4. **Need** Notice to Petition to Administer Estate and proof of service to Nancy R. Herbold and Jill Brown.
5. **Need** nomination/declination by named executors Nancy R. Herbold and Jill Brown.

6. Notice to Petition to Administer Estate and proof of service filed 09/06/18; however, proof is not dated at signature line. JTD
7. ~Proposed Form Order: 09/04/18

#### RECOMMENDATION

Need to clear notes 2-5, Court's discretion re bond. If approved, set Accounting/Status Review for **12/30/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

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HONORABLE: TARA REILLY

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DATE: 10/22/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800859

CASE NAME: WILMA PINSAK

HEARING:

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

COUNSEL:

LAURA M PINSAK (PET)...ELISABETH KEMPE-OLINGER  
WILMA PINSAK (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with  
Full Authority under IAEA by daughter, Laura M. Pinsak, [Executor//Petitioner]

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

1. Will waives bond. Estate value of \$248,000 with \$18,000 in personal property.  
The court may for good cause require that a bond be given, either before or  
after issuance of letters. Prob. Code, § 8481(b).
2. ~Proposed Form Order: 09/05/18

#### RECOMMENDATION

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

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CASE#: PRO PS1800870

CASE NAME: MELVA JUNE CHASTAIN

HEARING:

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

COUNSEL:

JAMES ROY CHASTAIN (PET)...PRO/PER  
MELVA JUNE CHASTAIN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with  
Full Authority under IAEA by son, James Chastain, son [Executor//Petitioner]

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

1. Will waives bond. Estate value of \$290,077.54 with \$15,077.54 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters. Prob. Code, § 8481(b).
2. Section 8 does not list Cassandra Rae Chastain Boden, David John Chastain, and Brandon William Chastain who are mentioned in will. **Need** verified supplement.
3. **Need** Notice to Petition to Administer Estate and proof of service.
4. **Need** proof of publication
5. ~Proposed Form Order: 09/06/18

RECOMMENDATION

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

(cs)



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CASE#: PRO PS1800890

CASE NAME: HENRY MARQUEZ ORNELAS

HEARING:

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

COUNSEL:

MARCELLA A ROJAS (PET)...LAYNE A BARTHOLOMEW  
HENRY MARQUEZ ORNELAS (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with *limited authority* under IAEA by daughter , Marcella Rojas, [Administrator/Petitioner].

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

1. All heirs waive bond. Net estate value of \$113,000 with \$10,000 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters. Prob. Code §8481(b).
2. ~Proposed Form Order: 09/13/18

#### RECOMMENDATION

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

(cs/kd)

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CASE#: PRO PS1800919

CASE NAME: DENNIS JAMES FINLEY

HEARING:

Petition to determine succession to Real Property

COUNSEL:

MARY HELEN MANHARTH (PET)...PRO/PER  
DENNIS JAMES FINLEY (DEC)...

#### GENERAL INFORMATION

Need: attach 11; 13, 15

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by son Steven Finley [Petitioner]

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

1. Petitioner seeks 100% interest,; in decedent's 100 interest; in real property per the will.
2. Will is not self-proving. **Need** proof of subscribing witness.
3. Section 14 does not specify ages and residence or mailing address of all persons listed. **Need** same.
4. Notice of hearing filed 09/27/18; however, proof of services indicates a future date of mail as 10/25/18. **Need** corrected notice.
5. ~Proposed Form Order: 09/24/18

#### RECOMMENDATION

Need to clear note 2-4, then Court's discretion.

(cs)

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CASE#: PRO PS1800467

CASE NAME: Mtr of Johnny Angel Sanchez

HEARING:

Spousal Property Petition hearing.

COUNSEL:

BROOKE A SANCHEZ

(PET)...PRICE LAW FIRM APC

JOHNNY ANGEL SANCHEZ

(DEC)...

Currently under review by Legal Research.

(LR)

**Notice:**

Notice given

(cs)

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CASE#: CON PS1700259

CASE NAME: CARMEN DACANAY

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of DONNA AARFLOT

COUNSEL:

DONNA AARFLOT (PET)...LAW OFFICE OF MATTHEW SHEASBY  
CARMEN DACANAY (CTE)...DONNASUE ORTIZ

GENERAL INFORMATION

**Continued from 06/18/18 at request of Court to clear probate notes. The Court notes this appears to be a no asset estate. Counsel may request to terminate estate powers.**

THIS CASE SET FOR HEARING ON Conservatorship Compliance Review Hearing

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

1. Donna Aarflot, daughter, appointed conservator of the person and estate on 07/17/17, \$38,280 bond.
2. Care Plan filed 04/27/18.
3. Determination of Conservatee's Appropriate Level of Care filed 07/19/18.
4. Notification of Conservatee's rights per Pr.C.§1830(c) filed 04/10/18; however, **need** notice to Donnasue Ortiz, court appointed counsel.
5. Final Inventory & Appraisal filed 06/14/18; however, form is incomplete as follows: Section 4 re probate referee; 5 re property tax certificate; missing page 2 and there are no attachments.
6. Notice of filing Inventory and Appraisal filed 06/18/18; however, **need** notice to conservatee.
7. Supplement filed 07/16/18 requests that estate powers not be terminated as it is necessary to aid in the possible recovery of Conservatee's pecuniary and property interest and for bond to be exonerated. **JTD**
8. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

## RECOMMENDATION

Need to clear notes 4 and 6. Inquire Status  
(cs)

Future Hearing: 1/28/19 Accounting Review

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CASE#: CON PS1700427

CASE NAME: GHADEER MOHAMMED MOHSIN

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
LATEEFAH MUSLIM ALI SAXON (CP )...PRO/PER  
GHADEER MOHAMMED MOHSIN (CTP)...SANDY L. TURNER

#### GENERAL INFORMATION

**Lateefah Muslin Ali Saxon appointed temporary conservator of the person of Ghadeer Mohammed Mohsin on 06/18/18.**

Continued from **12/27/17** to clear notes and IRC Report. Due to time constraints in filing for a passport for proposed conservatee an ex parte requesting temporary conservatorship may be filed.

Continued from **03/19/18** at request of counsel to clear probate notes/counsel will contact petitioner.

**Continued from 06/18/18 at request of Court. Court notes two doctors filled out the capacity declaration. The Court orders that one doctor fill out the entire declaration. The Court would prefer the regular treating physician complete declaration if possible. The Court appointed Lateefah Muslin Ali Saxon as temporary conservator of the person of Ghadeer Mohammed Mohsin. Ms. Saxon to prepare Orders And Letters. The case is referred to Legal Aid for legal assistance. The Court permits conservator to take conservatee out of the county for a vacation.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Lateefah Saxon, mother/Petitioner

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract.
2. Petitioner seeks additional orders to obtain a passport for proposed conservatee to travel to foreign countries for legal necessities and vacation not to exceed 30 days. JTD

3. Updated Capacity Declaration filed 08/13/18; however, form is not dated at page 1 and page 3. **JTD**
4. Proposed conservatee is developmentally disabled. Report of Counsel Sandy Turner filed 01/08/18.
5. Proposed conservatee is developmentally disabled. IRC report filed 03/16/18.
6. Certificate of Completion of the Conservatorship Training Class filed.
7. CI report filed 12/12/17.
8. Return of Citation filed 12/07/17.
9. ~Proposed Form Order: 11/20/17

#### RECOMMENDATION

Courts discretion. If approved, set hearing for Compliance Review for **06/03/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh/cs)

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CASE#: CON PS1800037

CASE NAME: BETTY J SCOTT

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of RONALD A SCOTT

COUNSEL:

RONALD A SCOTT	(CP )...LAYNE A BARTHOLOMEW
KELLY M KOPECEK	(CP )...LAYNE A BARTHOLOMEW
BETTY J SCOTT	(CTP)...DONNASUE ORTIZ

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Ronald A Scott and Kelly M Kopecek appointed temporary conservators of the person on 02/13/18 and general appointment on 03/19/18.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 03/23/18; however, not in **Laserfiche at time of review**.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 filed 04/02/18.
4. **Need** Care Plan in accord with Pr.C.§2352.5.

#### RECOMMENDATION

Need to clear notes 4. Inquire Status  
(cs)



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CASE#: CON PS1800139

CASE NAME: EDWARD CAMARENA

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
MICHELLE S MUNOZ (PET)...PRO/PER  
EDWARD CAMARENA (CEE)...SANDY L. TURNER

#### GENERAL INFORMATION

Temporary orders denied on 05/14/18. Attorney Sandy Turner is appointed for Edward Camarena.

**Continued from 06/18/18 at request of Court to clear probate notes. Return of citation waived by conservatee's appearance in court today. The case is referred to Legal Aid for legal assistance.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator, of the person only, by Michelle Munoz, Girlfriend/Petitioner.

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

1. Petitioner seeks powers and duties under section 2351-2358 to be awarded exclusive authority to give consent and to require the conservatee received medical treatment that conservator in good faith based on medical advice determines to be necessary even if the conservatee objects, subject to Pr.C. §2356. **JTD**
2. Report of court appointment counsel, Sandy Turner filed 06/14/18.
3. Section 11 of Petition does not include all relatives to the second degree. **Need** verified supplement clarifying status of 2<sup>nd</sup> degree relatives.
4. List of Required Contacts filed 05/07/18 does not include 2<sup>nd</sup> degree relatives.
5. Petitioner seeks medical powers. **Need** Capacity Declaration.
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. **Need** notice of hearing and proof of service.
8. Court Investigator reports filed 06/06/18.
9. ~Proposed Form Order: 05/07/18.

#### RECOMMENDATION:

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

Need to clear notes 3-7. If approved, set hearing for Compliance Review for **06/03/19** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.  
(cs)

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CASE#: CON PS1800149

CASE NAME: MTR OF EVELYN HERNANDEZ GUZMAN

HEARING: Petition for Appointment of Conservator

COUNSEL:

ELVA ARACELI GUZMAN (CP )...PRO/PER  
EVELYN HERNANDEZ GUZMAN (CTP)...SANDRA TURNER

GENERAL INFORMATION

**Continued from 06/18/18 at request of Court to clear probate notes. Return of citation waived by conservatee's presence today. Due diligence declaration accepted as to paternal grandfather. Father to be given notice. IRC to provide a report to the court. Clerk's Office to notify IRC**

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator, of the person only, by mother, Elva Guzman, [Petitioner]

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

1. Person only- no bond.
2. Petitioner seeks civil rights not be limited without court order.
3. Petitioner seeks powers re habilitation, treatment, training, medical etc. **JTD**
4. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, and make decisions re education. **JTD**
5. Petitioner seeks medical powers. Capacity Declaration filed 06/08/18 is incomplete at item #1 and 2 as to general information of doctor and item 7b is missing doctor's initials. **JTD**
6. Certificate of Completion of the Conservatorship Training Class filed 08/02/18.
7. **Need** notice of hearing and proof of service as to Jose Hernandez (father).
8. Proposed conservatee is developmentally disabled. Report of Sandy Turner, court appointed counsel **filed 06/06/18**.
9. Proposed conservatee is developmentally disabled. **IRC letter filed 06/05/18 re continuance. Need IRC report.**
10. Court Investigator reports **filed 06/14/18**.
11. ~Proposed Form Order: 05/16/18.

## RECOMMENDATION

Need IRC report and to clear note 7. If approved, set hearing for Compliance Review for **06/03/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(cs)

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CASE#: CON PS1800276

CASE NAME: JUAN R. URIBE MORALES

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
MARIA MERCEDES MORALES PARRA (PET)...PRO/PER  
JUAN R URIBE MORALES (CEE)...PRO/PER

Waiver of Court Fees and Costs filed by JUAN R URIBE MORALES is GRANTED

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator, of the person only, by Maria Mercedes Morales Parra.

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

1. Person only- no bond.
2. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, consent/withhold consent to marriage, limit right to contract, limit power to give or withhold medical consent, control social/sexual contacts, and make decisions re-education. **JTD.**
3. Petition is asking for appointment as conservator in section 1 instead of limited conservator. **Need** verified supplement.
4. Petitioner seeks civil rights be limited. **JTD.**
5. Citation with proof of service filed 09/13/18.
6. Capacity Declaration filed 09/07/18 is incomplete at 4b. **Need** completed Capacity Declaration.
7. Proposed conservatee is developmentally disabled. **Need** IRC report.
8. Notice of hearing and proof of service filed 09/13/18 is incomplete as to addresses for any of the relatives. **Need** proper service.
9. **Need** Certificate of Completion of the Conservatorship Training Class.
10. **CI Report filed 10/15/18.**
11. List of Required Contacts (Local form SB-12224) is incomplete as to complete contact information for relatives. **Need** completed form or verified supplement.

12. Confidential Supplemental Information (form GC-312) incomplete as to section 6. Regarding estate management assistance. **Need** completed form or verified supplement.
13. CII Referral filed indicates that Petitioner and proposed Conservatee's father do not have social security numbers.
14. ~Proposed Form Order: 09/07/18

**RECOMMENDATION:**

Need to clear notes 3 and 6-8 and 11-12. If approved, set hearing for Compliance Review for **06/03/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(kd)

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CASE#: CON PS1800277

CASE NAME: Jeanette Garcia

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
SERGIO GARCIA (CP )...MARIVEL M ZIALCITA  
MARIA GARCIA (CP )...MARIVEL M ZIALCITA  
JEANETTE GARCIA (CTP)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Sergio and Maria Garcia.

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

1. No bond- Person only
  - a. Petition incomplete as to bond, however Petition is for person only.
2. Proposed conservatee is developmentally disabled. It appears a petition for limited is appropriate.
  - a. An IRC report is optional per Pr.C. § 1827.5(b). Does Court wish to require? **JTD**
  - b. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, Court may wish to appoint counsel and require report for proposed conservatee per Pr.C. §1470. **JTD**
3. Court to inquire as to whether Sergio Garcia Jr. and Sergio C. Garcia (brother) is the same person.
4. Petitioner seeks medical powers. **Need** Capacity Declaration.
5. Confidential Screening form as to Sergio Garcia, incomplete at section 3. **Need** verified supplement. Screening form as to Maria Garcia, incomplete at section 2b and 3. Section 2a references Maria as the father of Jeanette. **Need** verified supplement.
6. Confidential Supplemental form incomplete as to section 6a(3) and section 7-8. **Need** completed form or verified supplement.

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

7. Citation and proof filed 10/01/18, incorrect as to date at section 3 of proof. **Need** personal service of Citation.
8. **Need** Certificate(s) of Completion of the Conservatorship Training Class for Sergio Garcia and Maria Garcia.
9. **CI report filed 09/27/18.**
10. No form order submitted.

#### RECOMMENDATION

Need to clear notes 4-8. If approved, set hearing for Compliance Review for **06/03/19** 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

(kd)



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CASE#: CON PS1800278

CASE NAME: Monica Susana Eulloque Garcia

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
MARIALUISA EULLOQUE (CP )...PRO/PER  
RAUL ELLOQUE (CP )...  
MONICA SUSANA EULLOQUE GARCIA (CTP)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator, of the person only, by Marialuisa Eulloque and Raul Eulloque.

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

1. Person only- no bond.
2. Petitioner seeks powers re habilitation, treatment, training, medical etc. **JTD**
3. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, and make decisions re-education. **JTD**
4. **Need report of counsel for conservatee, Melvin Friedland.**
5. Petition is checked at 1J, requesting orders limiting the civil and legal rights of proposed conservatee; attachment, however, seeks civil rights not be limited without court order. **JTD**
6. Citation with proof of service filed 09/24/18.
7. Capacity Declaration filed 09/10/18 is incomplete as to A, B, or C. **Need** completed Capacity Declaration.
8. Proposed conservatee is developmentally disabled. **Need** IRC Report.
9. **Need** Certificate of Completion of the Conservatorship Training for Raul Eulloque.
  - a. **Certificate of Completion filed 09/27/18 for Marialuisa (Petitioner).**

**10. Court Investigator report filed 10/12/18.**

11. ~Proposed form order: 09/10/18.

## RECOMMENDATION

Need to clear notes 7-9. If approved, set hearing for Compliance Review for **06/03/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(kd)

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CASE#: SC SS02598

CASE NAME: MTR OF GREGORY YAROSLOW

HEARING:

Seventh Account and Report of LAWRENCE A DEAN II and Petition  
for allowance of fees filed.

COUNSEL:

RITA Y. MC CARTHY	(CPE)...HARRY J HISTEN
WILLIAM J. SIMON	(CPE)...BRYAN C. HARTNELL
GREGORY YAROSLOW	(CEP/CTE)...EDWARD B FISCHER & ASSOC
LAWRENCE A DEAN II	(SC/CE)...SHERRI L KASTILAHN
RITA MCCARTHY	(CPE)...HARTNELL LAW GROUP

Unable to review due to time constraints.