



# Guardianship Calendar

## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 09/10/18**

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

### **Destruction of Filed Documents:**

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

### **Contacting the Probate Examiners:**

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

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

09/05/11 kd

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**GUARDIANSHIP**

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DATE: 09/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1800122

CASE NAME: MTR OF HARLEIGH CALFAS

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

LOUIS DYKES	(GP )...PRO/PER
JESSICA PAUL	(GP )...PRO/PER
HARLEIGH CALFAS	(MIN)...

GENERAL INFORMATION:

Louis Dykes, II and Jessica Paul appointed temporary co-guardians of the person only for minor on 03/22/18.

**Continued from 04/23/18. Matter is contested. Objections are ordered filed by 06/04/18 at 4:00pm. Court deems today to be trial setting conference. Referred to Court Investigator for investigation and report. Court clears probate note #2 and finds DCFS referral is not needed/Louis Dykes is related.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Louis Dykes, II (maternal uncle) and Jessica Paul (girlfriend), minor: Harleigh, 3

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

1. Due Diligence Declaration filed 03/16/18 as to Shawn Calfas (father); however, form is not dated at signature line. **JTD**
2. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on:
  - a. unknown paternal grandparents
  - b. Louis and Tonia Dykes (maternal grandparents)
3. Section 1(g) of petition re name and address of person the minor lives with is incomplete. **Need** verified supplement clarifying.
4. Court to see Guardian Screening and Questionnaire by Louis Dykes, II.
5. Petitioners have intentions on adopting minor.
6. **Objections filed by Brandi Dykes (mother) on 04/20/18.**
7. **Need** CI report.
8. ~Proposed form Order submitted: 03/16/18

**RECOMMENDATION:**

Matter is contested. Need CI report and to clear notes 2 & 3, then Court's discretion.

(cs/ww)

Future Hearings:

11/29/18 Readiness Calendar

12/26/18 Court Trial (Day 1)

12/27/18 Court Trial (Day 2)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**GUARDIANSHIPS**

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DATE: 09/10/18      TIME: 11:00      DEPT: S36G  
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CASE#: GAR PS1600334

CASE NAME: JOSIE MA

HEARING:

Petition for approval and payment of attorney's fees to Guardian ad litem

COUNSEL:

BIN HAO

(GP )...PRO/PER

JOSIE MA

(MIN)...

GENERAL INFORMATION:

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

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

1. Petitioner, Mitchell Roth, was appointed Guardian Ad Litem on 12/05/16.
2. Petitioner requests fees of \$4,725.00 for 18.9 hours at a reduced rate of \$250.00 per hour for paralegal and attorney services. Itemized [LF pgs. 7-11].
3. Notice given.
4. ~Proposed Order: 08/03/18

RECOMMENDATION

Court's discretion.

(ww)

Future Hearing: 9/24/18 Accounting Review

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

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DATE: 09/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1700440

CASE NAME: SHYANNE PEAIRS, HAYLIE PEAIRS, ET AL

HEARING:

Hearing Re: PTN FOR GUARDIANSHIP

COUNSEL:

JANE A BITTICK	(PET)...PRO/PER
SHYANNE MARIE PEAIRS	(MIN)...
HAYLIE LYNN PEAIRS	(MIN)...
LOUIS ROBERT DEMAY	(MIN)...
JONNIE ELIZABETH DEMAY	(MIN)...
VICTORIA BALTIERRA	(MOT)...PRO/PER
JONATHAN DEMAYU	(PRO/PER)

**XREF: GARSS1300183** SHYANNE M. PEAIRS & HAYLIE L. PEAIRS

GENERAL INFORMATION:

Temporary Orders denied on 08/24/17

Continued from **10/02/17** Due to appearance of Victoria Baltierra and Jonathan Demay Court dispenses with further notice. Mother objects. Objections to be filed with the Court. Continued from **01/08/18**. Court clears notes as to notice. Objections filed by parents. Referred to FCS.

Continued from **03/05/18** There being no appearance at today's hearing, the Court sets this matter for OSC re: Dismissal.

**Continued from 04/23/18. Court dismisses the OSC re dismissal. Referred to Court Investigator for investigation and report.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Jane A. Bittick (maternal grandmother), minors: Shyanne (7); Haylie (5); Louis (2); and Jonnie (9 months)

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

1. Eyvon Peairs (paternal grandmother of Shyanne and Haylie) is deceased.
2. Petitioner Jane Bittick filed for guardianship of minors Shyanne and Haylie under case GARSS1300183. Petition was ordered dismissed as to entire action for failure to prosecute. Does Court wish to consolidate under lower number? JTD

3. Declaration under UCCJEA indicates that all minors reside with Victoria and Jonathan (mother and father of Louis & Jonnie).
4. Child Information Attachment for minor Jonnie does not indicate if child is receiving public assistance or who has legal custody of minor in sections 1(e) and 1(f). [Petition, LF pg. 21]. **JTD**
5. Petitioner indicates willingness to adopt.
6. **Objections by Victoria Baltierra (mother) filed 01/08/18; however, proof of service is incomplete. Need proof of service.**
7. **Objections by Jonathan DeMay (father) filed 01/08/18; however, proof of service is incomplete. Need proof of service.**
8. Court to see FCS report filed 02/02/18. **Need** FCS report.
9. CI special report filed 08/08/18.
10. ~Proposed form Order submitted: 08/17/17

RECOMMENDATION:

Matter is contested. Need FCS report and then Court's discretion.

(cs/ww/cs/ww)

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1800114

CASE NAME: MTR OF THELMA MARIE MUNGARRO

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ELVA P ELIZARRARAZ (PET)...PRO/PER  
ROBERTO ELIZARRARAZ (PET)...PRO/PER  
THELMA MARIE MUNGARRO (MIN)...

GENERAL INFORMATION:

Elva and Roberto Elizarraraz are appointed temporary guardians of the person only for minor on 03/22/18.

**Continued from 04/23/18. The mother is present in court and consents to the guardianship.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Elva and Roberto Elizarraraz (non-relatives), minor: Thelma, 16 (DOB 06/14/01)

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

1. Petitioner indicates petitioners are nominees; however, nominations not filed.
2. Petitioner indicates parental custody would be detrimental to the minor as minor has witnessed domestic violence while in the care of her mother and mother's current boyfriend.
3. Petitioner request to dispense with notice as to sibling Gabriel Cordero. Court to see petition, [LF pg.7]. **JTD**
4. UCJEA Declaration indicates siblings Mireina Mungarro and Israel Mungarro claim visitation rights to minor.
5. Petitioner request to dispense with notice as to siblings: Gabriel Cordero, Marcos Mungarro and Mireina Mungarro as it would be contrary to the interest of justice or because their whereabouts are unknown [LFpg.7]; however, Notice of Hearing was filed as to each of them on 04/20/18. **JTD**
6. Father is reportedly unknown, **need** copy of birth certificate per Local Rule 20-1302.
7. Due Diligence Declarations filed 04/20/18 as to Marcos Martinez Mungarro (alleged father). **JTD**

8. **Need** Notice of hearing and proof of service or file Due Diligence Declarations as to unknown maternal grandfather and unknown paternal grandmother.
9. Due Diligence Declarations filed 04/20/18 as to Joseph Mungarro (alleged paternal grandfather).
10. Notice of hearing and proof of personal service filed 04/20/18 as to Ramona Huerta (maternal grandmother), and siblings Gabriel Cordero, Adrain Rodriguez, Isreal Mungarro, Rudy Garrido, lyleen Garrido, and Marcos Mungarro filed 04/20/18; however, required 15 days' notice was not given and hearing title is missing. **Need** corrected notice.
11. Questionnaire by Roberto Eizarraraz is incomplete as to section under birth parents. **Need** completed form.
12. Court to review Guardian Screening and Questionnaire forms.
13. **Need** DCFS report as Petitioner is non-relative per Pr.C. §1513(g).
14. ~Proposed form Order: 03/12/18

RECOMMENDATION:

Need DCFS report and to clear notes 6, 8, 10 & 11, then Court's discretion.

(cs/ww)



Superior Court of Calif, County of San Bernardino

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

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DATE: 09/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1800124

CASE NAME: MTR OF ALLEN CONTRERAS MANUEL

**SEE ALSO 5**

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

GRISELDA CONTRERAS (GP)...RICHARD BENAVIDEZ  
OTILIO MARTINEZ (GP)...RICHARD BENAVIDEZ  
ALLEN CONTRERAS MANUEL (MIN)...

GENERAL INFORMATION:

**Continued from 04/23/18.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Griselda Contreras and Otilio Martinez (aunt and uncle), minor: Allen (5)

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

1. Maribel Cruz (mother), signed Nomination, Consent and Waiver.
2. Silviano Cruz (father), signed Consent and Waiver.
3. Petitioner request to excuse from giving notice to Jose Nandez and Eusevia Cruz (maternal grandparents) as they live in a rural countryside of Oaxaca, Mexico [LFpg.11].
  - a. Due Diligence Declaration filed 04/19/18 as to Jose and Eusevia Cruz (maternal grandparents). **JTD**
4. Guardian Screening form filed 03/16/18 by Otilio Martinez is missing attachment 19. Court to see Verified Supplement to Guardianship Screening filed 08/29/18.
5. Court to see Guardian Screening forms by both proposed guardians.
6. Court to see Guardianship Questionnaire forms by Otilio Martinez. [LFp.4].
7. CI report filed 09/04/18.
8. No proposed form Order submitted.

RECOMMENDATION:

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

(cs/ww/kd)

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

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DATE: 09/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1800124

CASE NAME: MTR OF ALLEN CONTRERAS MANUEL

**SEE ALS 4**

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

GRISELDA CONTRERAS (GP )...RICHARD BENAVIDEZ  
OTILIO MARTINEZ (GP )...RICHARD BENAVIDEZ  
ALLEN CONTRERAS MANUEL (MIN)...

GENERAL INFORMATION

**Continued from 04/23/18.**

THIS CASE IS SET FOR HEARING ON

Request for findings re: special immigrant juvenile status (minor: Allen, 4 (DOB 06/19/13))

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

1. Petitioners, Griselda Contreras (aunt) and Otilio Martinez (uncle), request that the court issue an order finding that minor is eligible for special immigrant juvenile status under the Special Immigrant Juvenile Status Statute (SIJS), 8 U.S.C., § 1101(a)(27)(J), which provides in relevant part as follows:
  - a. "The term 'special immigrant' means ... an immigrant who is present in the U.S. –
    - i. who has been declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law;
    - ii. for whom it has been determined in administrative or judicial proceedings that it would not be in the alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; and
    - iii. in whose case the Secretary of Homeland Security consents to the grant of special immigrant juvenile status..."

2. The specific findings required under the statutory scheme would be: (1) that petitioner is an immigrant placed under the custody of an individual appointed by a state court (probate guardianship); (2) that petitioner's reunification with one or both parents is not viable due to abandonment; and (3) it is not in the petitioner's best interest to be returned to his/her home country.
3. Once the above findings are made, petitioner may then begin the process with the Bureau of Citizenship and Immigration Services to obtain legal permanent residence status. In other words, the findings requested are a prerequisite to filing a petition for a "green card."
4. State Superior Courts have jurisdiction to make factual findings of eligibility under SIJS See *N.O. v. Super. Ct. of Calif.*, County of Alameda, No. A122430 at 2-3 (Cal. Ct. App. 9/25/08). Thus, under the federal legislation, any superior court judge would have jurisdiction to hear the SIJS petition.
5. Petitioners offer a declaration in support of the requested findings stating, inter alia, the following:
  - a. Minor was born on 06/19/13, in Mexico and lived there until minor was 18 months. Thereafter he was sent to live with petitioners.
  - b. Minor was neglected and abandoned by both parents when he was only 18 months old. They have not provided for him emotionally or economically. (see documents for specifics).
  - c. Minor cannot return to his home country because nobody in Mexico can provide care for him.
6. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
7. Need notice to Silviano Cruz and Maribel Cruz (parents).
  - a. Consent and Waivers filed by Silviano and Maribel Cruz (parents) in regards to the Petition for Guardianship. Does Court wish to waiver notice as to this petition also? **JTD**

**RECOMMENDATION:**

Court's discretion re note 7, then Court to reach only if accompanying guardianship petition is first granted. Court's discretion re factual findings that would support this petition.

(cs/ww)

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1800326

CASE NAME: Kaden Skylar Roney

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

VICKY A RONEY (GP)...PRO/PER  
KADEN SKYLER RONEY (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Vicky Roney (paternal grandmother) for minor: Kaden (15)

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

1. Michael Roney (paternal grandfather) is deceased.
2. Kaden (minor) signed Consent and Waiver.
3. **Need:** Upon referral to CI by the Court, requires CI report.
4. ~Proposed Form Order: 07/27/18

RECOMMENDATION:

Need to clear notes 3 & 4 then Court's discretion.

(ww/kd)

Superior Court of Calif, County of San Bernardino

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

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DATE: 09/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1800340

CASE NAME: MTR OF CARMEN JUANNANA LOPEZ

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

ALICIA LILIANA LOPEZ OLGUIN (GP)...PRO/PER  
CARMEN JUANNANA LOPEZ (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Alicia Lopez-Olguin (paternal aunt) for minor: Carmen (15)

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

1. Paternal grandmother and maternal grandmother are deceased.
2. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on unnamed father, Gina Sanchez (mother) and minor Carmen.
  - a. Does Court wish to require a verified supplement with father and paternal grandfather's names as the names are known and listed on the Guardianship Questionnaire? **JTD**
  - b. Petitioner requests to dispense with notice to father and paternal grandfather as father is not listed on birth certificate. [LF pg. 10]
3. Father is reportedly unlisted on birth certificate; **need** copy of birth certificate per Local Rule 20-1302.
4. Due Diligence Declarations filed 08/20/18 on:
  - a. unknown maternal grandfather
  - b. Siblings: Gloria, Juliana, Anthony "no last name provided" if 12 or older. **JTD**.
5. Court to see Guardianship Questionnaire.
6. **Need:** Upon referral to CI by the Court, requires CI report.
7. ~Proposed Form Order: 08/03/18

RECOMMENDATION:

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

(ww/kd)

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: 09/10/18 TIME: 11:00 DEPT: S37G  
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CASE#: GAR PS1800088

CASE NAME: LILY ANN ALDERSON

**SEE ALSO 2**

HEARING:

OSC re: Dismissal

COUNSEL:

JOSEPH ALDERSON (PET)...PRO/PER  
STEPHANIE LARSEN (PET)...PRO/PER  
LILY ANN ALDERSON (MIN)...

Waiver of Court Fees and Costs filed by LILY ANN ALDERSON is GRANTED

GENERAL INFORMATION:

Temporary Orders granted 03/07/18. Joseph Alderson and Stephanie Larsen appointed as temporary co-guardians of the person only for minor.

**Continued from 04/16/18. Petitioners telephoned the court stating that they were stuck in traffic and would be half an hour late. 11:45 Petitioners not being present, matter heard in absentia. The temporary orders made on 03/07/18 are hereby vacated. There is no temporary guardianship in place. Pending further order of the Court. The Court orders that parents have custody of minor. Minor to be returned to parents effective immediately. The case is referred to Legal Aid for legal assistance.**

THIS CASE SET FOR HEARING ON **OSC re: Dismissal of** Petition for Appointment of Guardian, person only, by Joseph Alderson and Stephanie Larsen (maternal grandparents), minor: Lily (1)

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

1. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Sarah Alderson (mother).
2. **Need** notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on father who is not listed. **If father is unknown, need** copy of birth certificate per Local Rule 20-1302.
3. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] on paternal grandparents who are not listed, or file Due Diligence Declaration(s).
4. Petitioners have intentions on adopting minor.
5. Order vacating temporary guardianship filed 04/17/18.
6. **Need:** Upon referral to CI by the Court, requires CI report.

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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. ~Proposed form Order: 02/28/18

**RECOMMENDATION:**

Need to clear notes 1-3, then Court's discretion.

(cs/ww)

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: 09/10/18 TIME: 11:00 DEPT: S37G  
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CASE#: GAR PS1800088

CASE NAME: LILY ANN ALDERSON

**SEE ALSO 1**

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JOSEPH ALDERSON	(PET)...PRO/PER
STEPHANIE LARSEN	(PET)...PRO/PER
LILY ANN ALDERSON	(MIN)...

See notes on matter 1.

(ww)



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: 09/10/18 TIME: 11:00 DEPT: S37G  
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CASE#: GAR PS1800117

CASE NAME: Mtr of Jayden Joshua Wild

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

TINA WILD	(GP )...PRO/PER
JOHN WILD	(GP )...PRO/PER
JAYDEN JOSHUA WILD	(MIN)...PRO/PER

GENERAL INFORMATION:

**Continued from 04/23/18. The Court will require no further notice as to parents and maternal grandfather Jacob Perry. Tina and John Wild are appointed as Temporary co-guardians of the person only for minor. Referred to Court Investigator for investigation and report.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Tina and John Wild (paternal grandparents), minor: Jayden (5)

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

1. Court to see Guardian Screening forms and Guardianship Questionnaires by both petitioners.
2. UCCJEA Declaration [form FL-105/GC-120] indicates that there is a related child support case but that the case number is unknown. Court to inquire.
3. CI report filed 09/04/18.
4. ~Proposed Form Order: 03/12/18

RECOMMENDATION:

Need CI report then Court's discretion.

(ww/kd)