



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 11/13/14

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.

08/27/18lh; 09/14/18lh

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

GUARDIANSHIPS

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700351

CASE NAME: MTR OF RODNEY FARRIL HARRIS

HEARING:

Hearing Re: Status of Guardianship in Texas

COUNSEL:

LINDSEY ANIECE VON TOMAN (GP)...PRO/PER

RODNEY FARRIL HARRIS II (MIN)...

Waiver of Court Fees and Costs filed by RODNEY FARRIL HARRIS II is GRANTED

XREF: GARPS1700352 *MTR OF TIMOTHY TILLMAN HARRIS*

GENERAL INFORMATION

Continued from 06/13/18 for Guardian to file proof of filings or orders made in Texas. Guardian to file the copy of order from Texas by mail by sending it to the Probate Clerk's Office of Superior Court, County of San Bernardino at 247 W. Third Street, San Bernardino, CA 92415 to be filed before hearing of 09/19/18. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Status of Guardianship in Texas re Rodney Farri Harris II (age 14)

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

1. Matter set on 12/13/17, wherein, Court appointed Lindsey Aniece Von Toman as guardian of the person of Rodney Farril Harris II. Court encouraged Ms. Von Toman to seek legal assistance for filing guardianship in Texas before 6-month residency requirement.
2. **Texas Order appointing conservator filed 07/23/18.**

RECOMMENDATION

None.

(lh)

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

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

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700472

CASE NAME: MTR OF SERENITY DAWN CAMPBELL

SEE ALSO 3, 4, & 5

HEARING:

Hearing Re: PETITION FOR APPOINTMENT OF GUARDIAN

COUNSEL:

ELIZABETH CAMPBELL	(GP)...CRISTA HAYNES
SERENITY DAWN CAMPBELL	(MIN)...
OLAN GENE KIRKLEY	(OBJ)...BRIAN J HOLOHAN
DONNA FAY KIRKLEY	(BRIAN J HOLOHAN)

GENERAL INFORMATION

Ex parte hearing held 09/13/17. General petition reset from 10/18/17 to 11/01/17. Objections must be in writing and served and filed by 4:00PM on 10/11/17. Court makes Order in FAMSS1706795 that father is to provide to the Court for the hearing on 09/21/17 in Department S50 the results of his drug test. Father states he understand this Order.

Continued from 11/01/17. Court is in receipt of ex parte application in case GARPS1700557 which is ordered transferred to S35P for all purposes. Exchange deadline is 4:00PM on 06/06/18. Court made pretrial orders. Court referred to Court Investigator. Court appointed Craig Parker as Guardian Ad Litem. Court leaves current custody and visitation orders in place with modifications.

Hearing reset on 02/07/18 and continued from 05/10/18 for T.S.C. and GAL report. Need Court Investigator report to cover minor Serenity. Court Investigator to conduct investigation outside of county.

Continued from 07/19/18. Court made pre-trial orders; exchange deadline set for 4PM on 09/19/18; proof of service of trial exchange documents to be filed by 09/19/18. Minor is not to have any unsupervised contact with father, Keith Campbell. Minor is to sleep alone until further order of Court.

THIS CASE IS SET FOR HEARING ON

- Petition -1 for Appointment of Guardian, person only, by **Elizabeth Campbell, paternal grandmother**; minor Serenity 4.
- Petition - 2 for Appointment of Guardian, person only, by **Olan Gene and Donna Kirkley, maternal grandparents**, minor Serenity 4.

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

Petitioner - 1 by Elizabeth Campbell; GARPS1700472

1. Father Keith Campbell signed Nomination, Consent and Waiver 09/03/17.
2. **Need** notice of hearing and proof of personal service [GC-020/020P] mother Christa Kirkley
3. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on Paternal grandfather Grant Campbell.
4. **Need** GAL Report from Craig Parker.
5. Court Investigator report filed 02/07/18; special report filed 07/12/18.
6. **Objections by Olan Gene Kirkley and Donna Kirkley filed 10/11/17.**
7. No proposed Order submitted.

Petitioners - 2 by Olan Gene and Donna Kirkley; GARPS1700557

8. **Need** notice of hearing and proof of personal service [GC-020/020P]
 - a. Father, Keith Campbell;
 - b. Mother Christa Kirkley.
9. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on Paternal grandfather Grant Campbell.
10. Court Investigator report filed 02/07/18 and 07/12/18 under this case number.
11. No proposed Order submitted.

RECOMMENDATION

Matter is contested. Need to clear notes 2-4, 8-9.

(lh/lc/lh)

Future Hearing: 10/10/18 Court Trial

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700472

CASE NAME: MTR OF SERENITY DAWN CAMPBELL

SEE ALSO 2, 4, & 5

HEARING:

Readiness Calendar

COUNSEL:

ELIZABETH CAMPBELL	(GP)...CRISTA HAYNES
SERENITY DAWN CAMPBELL	(MIN)...
OLAN GENE KIRKLEY	(OBJ)...BRIAN J HOLOHAN
DONNA FAY KIRKLEY	(BRIAN J HOLOHAN)

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

No notes—readiness-JTD

(lh)

Future Hearing: 10/10/18 Court Trial

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700557

CASE NAME: MTR OF SERENITY DAWN CAMPBELL

SEE ALSO 2, 3, & 5

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

OLAN GENE	(GP)...BRIAN J HOLOHAN
DONNA FAY KIRKLEY	(GP)...BRIAN J HOLOHAN
SERENITY DAWN CAMPBELL	(MIN)...

See notes on prior matter #2.

(lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700557

CASE NAME: MTR OF SERENITY DAWN CAMPBELL

SEE ALSO 2, 3, & 4

HEARING:

Readiness Calendar

COUNSEL:

OLAN GENE (GP)...BRIAN J HOLOHAN
DONNA FAY KIRKLEY (GP)...BRIAN J HOLOHAN
SERENITY DAWN CAMPBELL (MIN)...

Waiver of Court Fees and Costs filed by SERENITY DAWN CAMPBELL is GRANTED

No notes—readiness—JTD

Future Hearing: 10/10/18 Court Trial

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

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800166

CASE NAME: MTR OF KARISSA SALAZAR

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JENNIFER ERHART	(GP)...PRO/PER
JULIZZA VALDEZ	(GP)...PRO/PER
KARISSA SALAZAR	(MIN)...

GENERAL INFORMATION

Ex parte orders denied on 04/24/18. No appearance.

Continued from 07/10/18. Court notes related guardianship case, Marelyn Chavez, withdraws her petition for guardianship and temporary guardianship is vacated. Court dispenses with notice as to father, maternal grandfather, and paternal grandparents. Court finds no further notice is required on minor as minor is aware of proceedings. Court notes this case was referred to Department of Children and Family Services on 05/23/18. Clerk's office to give courtesy minute order to DCFS to update as to future hearing date. Court to receive full report by 09/19/18.

Ex parte orders granted 07/18/18. Court finds good cause to grant Temporary Guardianship of the person to Jennifer Erhart and Julizza Valdez.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian of the Person by Jennifer Erhart (non-relatives) and Julizza Valdez (sister), minor Karissa (age 15)

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

1. Mother is deceased.
2. **Report of no report filed 09/13/18. Need DCFS report.**
3. ~Proposed Order: 04/17/18

RECOMMENDATION

Need DCFS report then Court's discretion.

(lh/nb/lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800322

CASE NAME: MTR OF JEALYNN TARIN

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ANGELA J RICKMAN
JEALYNN TARIN

(GP)...GREGORY L ZUMBRUNN
(MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Angela Rickman, minor Jealynn (age 7)

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

1. April Witteman (mother) and Juan Jesus Tarin (father) were served.
2. **Need** Request to Excuse Notice with Due Diligence Declaration per Local rule 20-1304 as to unknown paternal grandparents and Jimmy Jiron (maternal grandfather).
3. Petitioner alleges possible pending custody matter in Texas. Court to inquire.
4. Upon Court referral to CI, requires CI report.
5. ~Proposed Form Order: 07/25/18

RECOMMENDATION:

Need to clear note #2 then Court's discretion.

(lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800342

CASE NAME: Mtr of Daniel David Soto

HEARING:
Case Management Conference

COUNSEL:
SHAWNA ESPINOZA (GP)...PRO/PER
DANIEL DAVID SOTO (MIN)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Case Management Conference re Guardianship

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

1. Shawn Espinoza (maternal grandmother) was appointed guardian of the person of Daniel Soto (16), on 09/24/10 in Riverside County.
2. Riverside County Superior Court ordered matter transferred to San Bernardino on 06/20/18 on Court's own motion.
3. **Need** amended letters to reflect this county.

RECOMMENDATION

Need amended Letters.

(lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800343

CASE NAME: ALANA KENNEDY TATUM

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

LORI BYNUM (PET)...PRO/PER
ALANA KENNEDY TATUM (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Lori Bynum (non-relative); minor: Alana (12)

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

1. Minor Alana signed Consent and Waiver of Notice filed 08/06/18.
2. Proof of Service of Notice by certified mail filed 08/21/18 as to Kenneth Tatum (father); however, **need** return of signed receipt (green card) per Local Rule 20-1317.
3. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Amber Mitchell (mother).
4. Upon Court referral, need DCFS non-relative report.
5. ~Proposed Form Order: 08/06/18

RECOMMENDATION:

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

(lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS800052

CASE NAME: MTR RE EUSTAQUID ANTONIO LOPEZ PAVA

SEE ALSO 11, 12

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00 ON EACH PETITIONER

COUNSEL:

DANIEL ARVIZU	(GP)...PRO/PER
MARIA D ARVIZU	(GP)...PRO/PER
EUSTAQUID ANTONIO LOPEZ PAVA	(MIN)...
GUADALUPE JACOBO OCHOA	(GP)...PRO/PER

Waiver of Court Fees and Costs filed by GUADALUPE JACOBO OCHOA is GRANTED

XREF: FAMSS1202330 *MARIA LOPEZ -N- DANIEL ARVIZU*
FAMSS1200985 *MARIA DE LOS ANGELES LOPEZ -N- DANIEL ARVIZU*
SDASS097264
SBFSS93853

See notes on next matter #11.

(lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS800052

CASE NAME: MTR RE EUSTAQUID ANTONIO LOPEZ PAVA

SEE ALSO 10, 12

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION FOR TRANSFER OUT

COUNSEL:

DANIEL ARVIZU	(GP)...PRO/PER
MARIA D ARVIZU	(GP)...PRO/PER
EUSTAQUID ANTONIO LOPEZ PAVA	(MIN)...
GUADALUPE JACOBO OCHOA	(GP)...PRO/PER

XREF: FAMSS1202330 *MARIA LOPEZ -N- DANIEL ARVIZU*
FAMSS1200985 *MARIA DE LOS ANGELES LOPEZ -N- DANIEL ARVIZU*
SDASS097264
SBFSS93853

GENERAL INFORMATION:

Continued from 05/21/18. There is no appearance or contact by petitioners, Daniel and Maria Arvisu. This matter is continued to 07/11/18 at 11:00AM in Dept S35. Daniel Arvisu and Maria Arvisu are ordered to be personally present at this next hearing. Notice was given by Judicial Assistant.

Continued from 07/11/18. No appearance. Court sets matter for OSC re Sanctions of \$500, each, on petitioners for failure to appear, and sets OSC re dismissal of petition for transfer out. Court orders petitioners to be personally present, or else sanctions will be imposed and petition will be dismissed.

THIS CASE SET FOR HEARING ON **OSC re Sanctions/OSC Re Dismissal**/Petition for transfer out & Clarification of Daniel Arvizu as Guardian

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

1. Maria and Daniel Arvizu (aunt and uncle) appointed co-guardians, of the person only of minor, on 07/21/08. Minor, Eustaquio now age .11 (DOB 06/20/07)
2. On 08/07/13 the Court ordered **Daniel Arvizu to be removed as guardian, but Maria Arvizu remains as guardian. On 01/07/15 Court ordered Daniel and Maria Arvizu to remain appointed as guardian of minor.**

3. Petitioner requests clarification on the status of Daniel Arvizu's appointment as guardian since he was ordered removed on 08/07/13, and later on 01/07/15, both petitioner and Daniel were ordered to remain guardians of minor. **JTD**
4. Petitioner requests that Daniel Arvizu remain as guardian,
5. Petitioner and minor have been residing in Riverside since 02/04/13. Accordingly, Petitioner requests to transfer matter to Riverside County.
6. Post move Notice of change of address, per PrC § 2352 and CRC 7.1013(c) filed 04/04/18; however, **need** proof of service.
7. **Need** Amended Letters issued by San Bernardino County.
8. ~Proposed order: 04/04/18.

RECOMMENDATION:

Court's discretion re OSC.

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

(cs/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/18 TIME: 11:00 DEPT: S35G

CASE#: GAR SS800052

CASE NAME: MTR RE EUSTAQUID ANTONIO LOPEZ PAVA

SEE ALSO 10, 11

HEARING:

Petition for transfer out & Clarification of Daniel Arvizu as Guardian

COUNSEL:

DANIEL ARVIZU	(GP)...PRO/PER
MARIA D ARVIZU	(GP)...PRO/PER
EUSTAQUID ANTONIO LOPEZ PAVA	(MIN)...
GUADALUPE JACOBO OCHOA	(GP)...PRO/PER

Waiver of Court Fees and Costs filed by GUADALUPE JACOBO OCHOA is GRANTED

XREF: FAMSS1202330 MARIA LOPEZ -N- DANIEL ARVIZU

FAMSS1200985 MARIA DE LOS ANGELES LOPEZ -N- DANIEL ARVIZU

SDASS097264

SBFSS93853

See notes on prior matter #11.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

GUARDIANSHIPS

DATE: 09/19/18 TIME: 8:30 DEPT: S36G

CASE#: GAR SS1400516

CASE NAME: BRYCE F MYERS

SEE ALSO 7

HEARING:

Petition for Second and Final Ptn for Payment of Atty Fees

COUNSEL:

LYNE MYERS

(GPE)...NOREEN FONTAINE

BRYCE F MYERS

(MIN)...SANDRA TURNER

BRYCE F. MYERS

(MIN)...

SANDY TURNER

(PET)...SANDY L. TURNER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Sandy Turner

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

1. Petitioner, Sandy Turner, was appointed Counsel for minor on 12/03/15.
2. Petitioner requests fees in the reduced amount of \$14,805 for 42.3 hours at \$350 per hour for paralegal services.
3. Petitioner requests to be removed as Counsel to avoid further costs to minor's estate; however, request is not reflected within prayer. **JTD**
4. **Need** Notice of Hearing and Proof of Service as to Lyne Myers, guardian.
5. No proposed order submitted. Submit after hearing.

RECOMMENDATION

Need notice then Court's discretion.

(lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700640

CASE NAME: MTR OF TYTIANNA MARIE MOORE

SEE ALSO 1A

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

BERNICE VEGA	(GP)...MARK J. ANDREW FLORY
RICARDO HERRERA	(GP)...MARK J. ANDREW FLORY
TYTIANNA MARIE MOORE	(MIN)...
TONY MOORE	(PET/OBJ)...PRO/PER

XREF: FAMSS1103960 ARACELI MOORE-N-TONY MOORE

GENERAL INFORMATION

On **12/15/17** temporary hearing was continued. Due to allegations Court referred matter to DCFS for investigation.

Continued from 01/29/18. Attorney Flory just retained. A supplement filed.

The father objects to the petition - to file written objections prior to next hearing. Ex Parte orders granted, person only.

Continued from 03/13/18. Court has read report from DCFS. Matter continued for Attorney Mark Flory to be present.

Continued from 03/21/18. Court deems notice complete as to the father as he is appearing before the court. All temporary orders and letters to remain in full force and effect. Referred to Court Investigator for investigation and report.

Continued from 07/17/18. Temporary letters to continue in full force and effect. Parties ordered to report to Family Court Services and to cooperate fully with Child Recommending Counselor during all stages of proceedings.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian of the person only by Bernice Vega and Ricardo Herrera, sister and her spouse, for minor: Tytianna (9)

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

1. Araceli Ramirez (mother) is deceased.
2. **Need** Notice of Hearing and Proof of Service by Mail or file Due Diligence Declarations (local form) as to unknown paternal grandparents.
3. **Need** Consent of Proposed Guardian form (GC-211) by Ricardo.

4. **Need FCS report.**
5. DCFS report filed 03/09/18. **Emergency Response Notice of Referral Disposition filed 05/07/18.**
6. CI Report filed.
7. Supp. (01/29/18) Petitioners allege it would be detrimental to the minor to remain with father, Tony Moore. Court to read supp. filed 01/29/18.
8. **Objections filed by father, Tony Moore.**
9. **Supp. (03/21/18)** includes letter by minor and recent report card.
10. ~Proposed Form Order:12/08/17

RECOMMENDATION: Matter is contested.
Need to clear notes 2-4 then Court's discretion.

(ww/nb/lh/nb/lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700640

CASE NAME: MTR OF TYTIANNA MARIE MOORE

SEE ALSO 1

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

BERNICE VEGA	(GP)...MARK J. ANDREW FLORY
RICARDO HERRERA	(GP)...MARK J. ANDREW FLORY
TYTIANNA MARIE MOORE	(MIN)...
TONY MOORE	(PET/OBJ)...PRO/PER

XREF: FAMSS1103960 ARACELI MOORE-N-TONY MOORE

GENERAL INFORMATION

Continued from 08/29/18. Family Court Services appointment with the minor was 08/28/18. Matter is continued to 09/19/18 for Court to review the FCS report and to trail the petition to appoint guardian filed by Vega and Herrera.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by Tony Anthony Moore, father; minor Tytianna (age 10)

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

1. Bernice Vega (sister) and Ricardo Herrero (sister's spouse) were appointed temporary co-guardians of the person only of Tytianna on 01/29/18.
2. Petitioner, Tony Anthony Moore has objected to general petition for guardianship, and seeks termination of [temporary] guardianship. Petitioner alleges there is currently a custody agreement in place, and that temporary guardian's petition for guardianship is based on intentional misrepresentation.
3. **Need** Notice of Hearing and Proof of Service by mail as to Bernice Vega and Ricardo Herrera (temporary co-guardians), Cynthia Macias (sibling), Alfredo Gutierrez (maternal grandfather), Ramona Santiago (maternal; grandmother), and Velma Moore (paternal grandmother).
4. ~Proposed Order: 07/26/18

RECOMMENDATION

Need notice then Court's discretion.

(lh)

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

Superior Court of Calif, County of San Bernardino

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

DATE: 09/19/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800256

CASE NAME: ANDREW RAY ESTRADA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MICHELLE ESQUIVEL (PET)...PRO/PER
CECILIA VALLEZ (PET)...PRO/PER
ANDREW RAY ESTRADA (MIN)...

GENERAL INFORMATION:

Temporary Orders denied on 06/18/18. No appearance. No emergency.

Continued from 07/30/18. Matter referred to Legal Aid for legal assistance.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Michelle Esquivel and Cecilia Vallez, (maternal grandmother and maternal aunt) for minor: Andrew (5)

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

1. Minor currently resides with his mother in Ontario, CA.
2. Proof of Service of notice filed 09/12/18 as to Vivian Venegas (mother) and Daniel Esquivel (maternal grandfather). However, only 10 days' notice was given. **Need proper service to include at least 15 days' notice.**
3. Petitioners request to dispense with notice Alberto Estrada (father) as he is allegedly incarcerated and address is unknown. [LF pg. 6] **JTD**
4. Due Diligence Declaration as to unknown paternal grandparents filed 09/06/18. **JTD**
5. Petitioners do not reside in the same address as indicated on page 1 of the petition. Michelle resides in San Bernardino and Cecilia in Ontario, Ca. Court to clarify where minor will be residing if guardianship is granted. **JTD**
6. Upon referral to CI by the Court, requires CI report.
7. ~Proposed Form Order: 06/11/18

RECOMMENDATION:

Need to clear note #2 then Court's discretion.

(ww/lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800351

CASE NAME: JOSUE EDINO GONZALEZ GARNICA

SEE ALSO 4

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JOSUE EDINO GONZALEZ GARNICA (PET)...ANDREW TRAUTMAN
ADRIANA LISSETH GARAY ALVARADO (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Josue Garcia (uncle); Adriana (19)

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

1. Proposed ward, Adriana, signed consent on petition but did not waive service. **Need** Notice of Hearing and Proof of Personal Service.
2. **Need** notice of hearing and proof of service as to father (Julio) and Maritza Alvara (mother) either by a) international registered mail, return receipt; b) service by agent (typically an attorney in El Salvador); c) service by Letters Rogatory; or (d) service via the El Salvador Ministry of Foreign Affairs. CCP section 413.10(c); Pr. C. §1511; In re Alyssa F. (2003) 112 Cal. App. 4th 846, 885, fn. 10; Convention on the "Service Abroad of Judicial and Extrajudicial Documents" in Civil or Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. No. 6638 (Hague Service Convention).
3. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] as to Adrian Morales and Angela Gardy (maternal grandparents).
4. **Need** Due Diligence Declarations as to unknown paternal grandparents and siblings, Andrea Garay and Angie Garay (if 12 years+).
5. Upon Court referral, need CI report.
6. ~Proposed Form Order: 08/08/18

RECOMMENDATION:

Need notice then Court's discretion.

(lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800351

CASE NAME: JOSUE EDINO GONZALEZ GARNICA

SEE ALSO 3

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

JOSUE EDINO GONZALEZ GARNICA (PET)...ANDREW TRAUTMAN
ADRIANA LISSETH GARAY ALVARADO (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status by Josue Garnica (uncle); Adriana (19)

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

1. Petitioner, Josue Garnica (uncle), requests 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. Petitioner offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Proposed ward was born on 10/30/98 in El Salvador and was abandoned by her parents at a young age.
 - b. Proposed ward was a victim of rape from gang members in El Salvador and was subjected to physical abuse and threats on a daily basis.
 - c. Proposed ward resided with her maternal grandmother until she traveled to the United States to stay with her aunt and uncle on 06/10/16.
 - d. Minor does not believe he/she can return to minor's parents because she was abandoned at a young age, and her aunt and uncle provide her with necessities.
 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 as to Adriana Garay Alvarado (proposed ward), father (Julio) and Maritza Alvara (mother).

RECOMMENDATION

Need notice then Court's discretion re factual findings that would support this petition.

(lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800354

CASE NAME: MTR OF SECRET R GILMORE-WOODS

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

NAONI F DOUGLAS (GP)...PRO/PER
SECRET R GILMORE-WOODS (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Naoni Douglas (paternal grandmother); minor: Secret (age 7)

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

1. Ramund D. Woods (father) is deceased.
2. Request to Excuse Notice with Due Diligence Declaration filed 09/07/18 as to Remi Chapel, mother. **JTD**
3. Petitioner alleges minor was abused by mother's current boyfriend. [Petition, 08/10/18, LFpg8].
4. UCCJEA Declaration filed 08/10/18 includes residential history for the past year. **Need** verified supplement to include last 5 years of residences.
5. Upon Court referral, need CI Report.
6. ~Proposed Form Order: 08/10/18

RECOMMENDATION:

Need to clear note #4 then Court's discretion.

(lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1000089

CASE NAME: MTR RE DAELAN MICHAEL LEWIS (MasterFile)

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

TAMILEE NEWNHAM	(GP)...PRO/PER
DAELAN MICHAEL LEWIS	(MIN)...
ALEXA DAWN LEWIS	(MIN)...

GENERAL INFORMATION

Temporary order taken off calendar as counsel not present – no action taken.

GARPS1800160 Continued from 05/21/18. Court orders this case consolidated into GARSS1000089. Case consolidated with Case(s) GARSS1000089 for all purposes MASTER FILE GARSS1000089.

Continued from 07/30/18.

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, estate only, by non-relative, Tamilee Newnham [Petitioner] minor: Alexa (15)

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

1. Petitioner was appointed temporary guardian of the person of minor and her sibling (Dealan) on 04/12/10 and general guardian of the *person* on 12/10/10.
2. Estate consists of \$8,300 inheritance as a result of the death of great-grandmother. Petitioner requests all funds held in blocked accounts in lieu of bond. **JTD**
3. Paternity matter indicated in petition under case SBFSS081769.
4. Ronald White (father) was served.
5. Proof of Service of Notice filed 07/27/18 alleges mother signed Notice of Acknowledgment of Receipt. However, form not filed or attached as alleged. **Need** Notice of Hearing and Proof of Personal Service as to Ruth Lewis (mother).
6. Request to Excuse Notice as to unknown paternal grandmother filed 07/27/18. **JTD**
7. ~Proposed order 04/12/18, If granted the case number should be corrected to GARSS1000089.

RECOMMENDATION:

Need to clear note #5, then Court's discretion. If estate powers are granted, set control date for proof of blocked account for **11/19/18**; and hearing re Accounting review for **11/18/19**. Any accounting to be filed 30 days in advance. Note Local Rule requirements.

(cs/ww/lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1400516

CASE NAME: BRYCE F MYERS

SEE ALSO A1

HEARING:

Petition for Settlement of Third & Final Account and Report of LYNE MYERS and Petition for allowance of fees

COUNSEL:

LYNE MYERS	(GPE)...NOREEN FONTAINE
BRYCE F MYERS	(MIN)...SANDRA TURNER
BRYCE F. MYERS	(MIN)...
SANY TURNER	(PET)...SANDY L. TURNER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Third and Final Account and Report of Successor Guardian and Petition for Fees by Lyne Myers; minor: Bryce (age 11)

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

1. Court approved Second Account Current on 11/15/17. **Need Order.**
2. As a guardianship estate is still active and necessary, it appears this should be a Third Account *Current*. **Need** amended accounting.
3. Accounting period: 07/01/17 to 06/25/18
4. Assets on hand: \$658,589.43, consisting of real property and \$393,224.20 in cash held in blocked US Bank money market accounting ending in x4601. It appears balance exceeds current FDIC limit of \$250,000. Court to inquire.
5. Charges and Credits do not balance. Also, assets at beginning of this accounting period [\$735,612.46] do not match assets at end of last accounting [\$726,060.82]. **Need** amended accounting.
6. **Need** Summary of Account on *mandatory* form GC-400(SUM).
7. Minor now resides in San Diego County. **Need** post-move change of address and proof of service.
8. Prayer includes request for transfer to San Diego County; however, request is not reflected in caption. **JTD**
9. Petitioner waives fees.

10. Attorney requests fees of **\$45,255** for 129.3 hours at \$350 per hour. Billings attached but hours and fees are not calculated. [Acct, 8/14/18, LFpgs9; 27-35]. **Need** verified supplement.
11. Attorney requests reimbursement of **\$2,627** for advanced costs. Itemized. [Acct, 8/14/18, LFpg34-35].
12. Accounting is not verified by petitioner per Pr. C. §1021. **Need** same.
13. No proposed order submitted.

RECOMMENDATION

Need Order on Second Account prior to approval.

Court's discretion re transfer to San Diego.

Need to clear notes. If approved, set future hearing for Accounting/Status Review on **08/28/19**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 09/19/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800139

CASE NAME: MTR OF AUDRIE MICHELLE CHAVEZ TORRES

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

OFELIA RODRIGUEZ (GP)...PRO/PER

AUDRIE MICHELLE CHAVEZ TORRES (MIN)...

GENERAL INFORMATION

Ex parte orders granted on 04/05/18. Ofelia Rodriguez appointed temporary guardian of the person only of Audrie Torres.

Continued from 05/02/18. Court accepts Due Diligence Declaration father but required notice to be given to paternal grandparents. Court does not appoint Guardian Ad Litem to mother as she is 17 years old. Referred to Court Investigator for investigation and report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian of the person only by Ofelia Rodriguez (maternal grandmother)

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

1. Sarah Torres, mother, signed Nomination, Consent and Waiver filed 03/29/18.
2. **Need** Notice of Hearing and Proof of Service by mail as to Marisol Chavez (pgm) and unknown paternal grandfather. **JTD.**
3. **CI Report filed 09/06/18.**
4. ~Proposed form Order: 03/29/18

RECOMMENDATION

Need notice then Court's discretion.

(lh)

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

DATE: 09/19/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800167

CASE NAME: JOHN PADILLA, JR & VERONICA PADILLA

HEARING:

Hearing Re: PETITION FOR GUARDIANSHIP

COUNSEL:

JENNIFER HUTCHISON	(PET)...PRO/PER
JEFFREY CABRERA	(PET)...PRO/PER
JOHN PADILLA jr	(MIN)...
VERONICA PADILLA	(MIN)...

GENERAL INFORMATION:

Ex parte orders granted 04/25/18. Jennifer Hutchison and Jeffrey Cabrera appointed temporary guardians of the person of John Jr and Veronica Padilla. Court referred matter to DCFS for non-relative guardianship report. Notice given by Judicial Assistant.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Jennifer Hutchison and Jeffrey Cabrera (non-relatives); minor: John (12) and Veronica (13)

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

1. Father and maternal grandfather are deceased.
2. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] as to minors, John and Veronica, and Kimberlie Gillespie (mother).
3. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] as to Lupe Padilla (pgm), unknown paternal grandfather, and siblings (if 12 years+): Paul Baker, Kristy Shaw, Leon, Sabrina Rose, or file Due Diligence Declaration(s).
4. **Need** DCFS report. **Notice of No Report filed requesting continuance to 10/24/18. JTD**
5. Petitioner indicates willingness to adopt minors.
6. ~Proposed Form Order: 04/18/18

RECOMMENDATION:

Court's discretion re DCFS request for continuance.

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

(lh)

Superior Court of Calif, County of San Bernardino
Page: 3 add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/19/18 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1400559

CASE NAME: Angelique, Joni and Malia Maylad

HEARING:

Hearing Re: RECEIPT OF BANK STATEMENTS

COUNSEL:

ENRIQUE P MAYLAD iii	(PG)...PRO/PER
ANGELIQUE MAYLAD	(MIN)...JAMES B CHURCH
JONI MAYLAD	(MIN)...JAMES B CHURCH
MALIA MAYLAD	(MIN)...JAMES B CHURCH

GENERAL INFORMATION:

Continued from 08/27/18. No appearance. Enrique Maylad ordered to be present at next hearing and provide Court with Declaration with attached bank statement as ordered 09/14/16.

THIS CASE IS SET FOR HEARING ON Receipt of Bank Statements

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

1. Father appointed guardian on 07/08/15, with funds place in blocked account in lieu of bond.
2. Matter set at hearing held on 09/14/16, wherein, the Court orders declaration with bank statements attached filed yearly in lieu of formal accountings or petition to dispense with accounting.
3. Order signed on 05/17/17 for statement covering period of 8/06/15-07/21/16.
4. Declaration with statements filed 07/21/17 covering period of 08/01/16 – 06/30/17.
5. Declaration with attached bank statements filed 08/27/18 covering period 08/01/17 to 07/31/18.
6. No proposed Order submitted. Submit after hearing.

RECOMMENDATION:

Court's discretion. If approved Court to set accounting review/receipt of bank statements for **09/25/19**.

(cs/lh)