



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 10/04/18

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

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **GUARDIANSHIP**

DATE: 10/04/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700131

CASE NAME: ERNESTO JESUS BOJORQUEZ JR ET AL

SEE ALSO 2

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

CHRISTIAN EFREN BOJORQUEZ	(MIN)...PRO/PER
EFREN LLAMAS	(GP)...PRO/PER
ERNESTO JESUS BOJORQUEZ JR	(MIN)...PRO/PER
RAQUEL V LLAMAS	(OBJ)...
RAQUEL V LLAMAS	(PET)...PRO/PER
RUTH LLAMAS	(GP)...PRO/PER

T.S.C. – No notes – JTD

(lc)

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

DATE: 10/04/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700131

CASE NAME: ERNESTO JESUS BOJORQUEZ JR ET AL

SEE ALSO 1

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

CHRISTIAN EFREN BOJORQUEZ	(MIN)...PRO/PER
EFREN LLAMAS	(GP)...PRO/PER
ERNESTO JESUS BOJORQUEZ JR	(MIN)...PRO/PER
RAQUEL V LLAMAS	(OBJ)...
RAQUEL V LLAMAS	(PET)...PRO/PER
RUTH LLAMAS	(GP)...PRO/PER

GENERAL INFORMATION:

Ruth Llamas and Efren Llamas are appointed Temporary Guardians of the person on 03/23/17. Raquel Llamas (mother) objects; Deadline for mother's objections 04/06/17. Continued from **04/27/17**. Court dispenses with notice to mother (as she filed objections), father and the paternal grandparents. Referred to the CI for investigation and report. Continued from 08/10/17. Father Ernesto Bojorquez objects. Written objections to be filed by 09/14/17; if not filed, objections will be waived permanently.

Continued from 04/05/18 per request of mother Raquel Llamas who now resides in Arizona. Minors authorized to be enrolled in school in Arizona.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Ruth and Efren Llamas, maternal grandparents; minor: Ernesto, 4 and Christian, 3

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

1. UCCJEA filed on 03/16/17 is incomplete regarding minor's residency. **Need** corrected form to include list of minors' addresses since birth.
2. CI report filed 08/02/17.
3. Court to review Guardian Screening and Questionnaire forms by Ruth Llamas. Proposed guardians indicate they reside in different residences. Question with whom will minors reside?
5. **Objections filed by Raquel Llamas, mother. on 03/29/17 and 10/04/17.**
6. ~Proposed form Order: 03/16/17

RECOMMENDATION:

Need to clear note 1. Contested matter.

(cs/ww/lh/lc)

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

DATE: 10/04/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700243

CASE NAME: HAZEL ELIZABETH BLAZE DOUGLAS

HEARING:

Hearing Re: PETITION FOR GUARDIANSHIP

COUNSEL:

HAZEL ELIZABETH BLAZE DOUGLAS (MIN)...
HEIDI FLORES (PET)...GEORGE MARICIC
JASON FLORES (PET)...GEORGE MARICIC

GENERAL INFORMATION:

Jason and Heidi Flores are appointed temporary guardians on 05/15/17, person only. Referred to DCFS. Vacate 06/14/17 hearing. Counsel to give notice for new hearing date of October 23, 2017.

OSC Continued from 10/23/17 and 03/26/18. DCFS report alleges lack of cooperation by petitioner and fee not paid.

Continued from 05/03/18. OSC taken off calendar. Petitioners have a pending adoption case. Matter stayed pending outcome.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Jason and Heidi Flores, non-relatives; Hazel 1.

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

1. Minor was born in Pensacola, Florida and has resided with petitioners in Alta Loma, since 04/16/17.
2. Mother appears to be in the military. If Court determines that mother is currently on active duty in the military, Court to appoint counsel for mother per Soldiers' and Sailors' Civil Relief Act. JTD
3. Mother, Annette Prow, signed Nomination, Consent and Waiver.
4. Petitioners request to excuse from giving notice to father Cory Douglas [petition, LF p. 4]. JTD
5. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
 - a. unknown paternal grandparents
 - b. maternal grandparents Allen Cowan & Davina Tanner
 - c. Petitioners request to excuse notice on all grandparents, [Petition, LF p. 4]. JTD

6. Court to review Guardianship Questionnaire form by Heidi Flores, LF p, 4.
7. Notice from DCFS re continuance request to 11/27/17. **Dismissal** report filed 03/21/18.
8. ~Proposed form Order: 05/05/17

RECOMMENDATION:

Need to clear note 5 and Inquire status of adoption.

(cs/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **GUARDIANSHIP**

DATE: 10/04/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800026

CASE NAME: TANNADEYHA GERVASIO PUERTOS

HEARING:

Petition for Visitation Filed by Marcia P Gervasio Puertos

COUNSEL:

MARCIA P GERVASIO PUERTOS

(OBJ)...FREDDIE VERNON VEGA

MARCIA P GERVASIO PUERTOS

(PET)...FREDDIE VERNON VEGA

PATRICIA P PEREZ

(PET)...BENJAMIN HAMPTON

TANNADEYHA GERVASIO PUERTOS

(MIN)...

VICTOR GARCIA

(PET)...BENJAMIN HAMPTON

Visitation – No notes – JTD

FCS report filed 09/13/18.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/04/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800204

CASE NAME: Scarlett Hannah Quen et al

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

BERNICE R JACOBSON	(GP)...PRO/PER
FRANCESCA ARIANNA QUEN	(MIN)...
SCARLETT HANNAH QUEN	(MIN)...

GENERAL INFORMATION

Continued from 06/21/18. Referred to legal aid.

Continued from 08/16/18. Petitioner stated father has taken minors. Matter referred to DCFS per Pr.C. § 1513(b) investigation.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, person only by Bernice Jacobson, maternal grandmother; minors Scarlett 9 and Franchesca 5.

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

1. Request to excuse notice filed 06/21/18 as to
 - a. Father Sergio Quen.
 - b. Mother Scarlett Quen.
 - c. unknown paternal grandparents.
2. Maternal grandfather is deceased.
3. **If** referred to Court Investigator, need report.
4. DCFS narrative filed 09/04/18.
5. Two letters filed on 08/16/18 re father which appear to be by minor and Sergio Morales [unknown relation]; however, not in proper declaration form.
6. ~Proposed Form Order: 05/09/18.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/04/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800294

CASE NAME: Charlotte Rose D. Aguero

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CHARLOTTE ROSE D. AGUERO	(MIN)...
MARGARITA VALDIVIA	(GP)...PRO/PER
MARIA V AGUERO	(GP)...PRO/PER

GENERAL INFORMATION

Maria Aguero and Margarita Valdivia appointed temporary guardian on 07/12/18. Father unknown after review of birth certificate. Notice dispensed.

Continued from 08/16/18. Referred to Legal Aid.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, person only by Maria Aguero and Margarita Valdivia, Maternal grandmother and aunt; minor Charlotte-Rose 1.

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

1. Temporary order/letters not signed/issued at time of review on 07/16/18.
2. Mother Martha Aguero served on 8/11/18.
3. Section 1c does not indicate who has custody of child. Court to inquire. Alternatively, require verified supplement. **JTD**
4. Maternal grandfather is deceased.
5. **If** referred to Court Investigator, **need** report.
6. ~Proposed Form Order: 07/05/18.

RECOMMENDATION

Court's discretion re note 3.

(lc)

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

DATE: 10/04/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800295
CASE NAME: SAPHARIE HARRIS
HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

ALYSSA ANDREWS (GP)...PRO/PER
GINNY LUDWIKOWSKI (GP)...PRO/PER
QUINTASHA JOHNSON (PET)...PRO/PER
SAPHARIE HARRIS (MIN)...PRO/PER

GENERAL INFORMATION

Alyssa Andrews and Ginny Ludwikowski appointed temporary guardians of person only on 07/12/18. On 07/13/18 Exparte re objections, mother Quintasha appeared. Antoinette Fraser is maternal grandmother and Jacqueline Griffin is friend. Orders confirmed.

Continued from 08/16/18. Matter referred to Legal Aid.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardians, person only by Alyssa Andrews and Ginny Ludwikowski, non-relatives; minor Sapharie 17.

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

1. Petitioners allege there is a current guardian Jacqueline Griffin
2. Mother Quintasha Johnson appeared in court.
3. **Need** referral to DCFS for report as petitioners are non-relatives Pr.C. § 1513(g).
4. **Need** notice of hearing and proof of personal service [GC-020/020P]
 - a. unknown father.
 - b. Minor Sapharie.
5. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
 - a. Maternal grandmother Antionette Fraser.
 - b. Unknown paternal grandparents
 - c. Unknown maternal grandfather.
6. Relatives section is incomplete as to all parties. Petitioners state all relatives are unknown.
7. UCCJEA states unknown for any addresses prior to 2015. Court to inquire.
8. **If** referred to Court Investigator, **need** report.
9. **Objections filed by mother in form of ExParte petition on 07/13/18.**
10. ~Proposed Form Order: 07/05/18.

RECOMMENDATION

Need to clear notes 3-5. Matter appears contested.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/04/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800350

CASE NAME: DANIEL DELANO SMITH ET AL

HEARING:

Hearing re: Petition for Visitation

COUNSEL:

CAROLYN TAYLOR	(GP)...PRO/PER
DANIEL DELANO SMITH	(MIN)...PRO/PER
ANGEL AXEL GAXIOLA	(MIN)...PRO/PER
ARMANDO ROCHA JR	(FAT)...PRO/PER

Visitation - No notes – JTD

Future Hearing:

01/09/19 Hearing re: Petition for appointment of Guardian

Superior Court of Calif, County of San Bernardino

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

DATE: 10/04/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800386

CASE NAME: MTR OF LAYLA MARIE MCNALLY

VACATED on calendar for 10/10/18

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

LARRY RANDALL TAYLOR (GP)...PRO/PER
LAYLA MARIE MCNALLY (MIN)...
PENNIE JEAN TAYLOR (GP)...PRO/PER

(lc)

Future hearing dates: 10/10/18 Petition for Guardianship

Superior Court of Calif, County of San Bernardino

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

DATE: 10/04/18 TIME: 11:00 DEPT: S36G

CASE#: VG VS02295

CASE NAME: MTR OF DEJANAE & DEDRIANA JACKSON

HEARING:

Accounting Review by ***

COUNSEL:

DEDRIANA YOLANDA JACKSON	(MIN)...
DEJANAE TAMIRA JACKSON	(MIN)...
TAMMY MONROE	(PET)...PRO/PER

GENERAL INFORMATION:

Continued from 02/27/18, 04/12/18, 06/14/18 and 08/09/18. No appearances. Tammy Monroe cited to appear.

THIS CASE IS SET FOR HEARING ON Accounting Review, minors Dejanae 19 and Dedriana 18.

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

- 1 Tammy Monroe, maternal aunt, appointed guardian of person on 02/02/17 and estate powers added 08/31/17.
- 2 **Need** first and final account as to Dejanae for which an Order for Withdrawal of Funds from Blocked Account approved on 09/06/17.
- 3 **Need** first and final account as to Dedriana, who reached age of majority on 02/23/18.
- 4 Register of actions indicates returned mail on 06/28/18.
- 5 **Need** return of citation issued 08/09/18. Unsuccessful service of citation filed 09/18/18.

RECOMMENDATION:

Inquire status of both accountings and citation.

(/lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **GUARDIANSHIP**

DATE: 10/04/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800390

CASE NAME: FELIX LEONEL PABLO DIRCIO

SEE ALSO 2

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

DAVID AND MARGARET HOME INC (GP)...PRO/PER
FELIX LEONEL PABLO DIRCIO (MIN)...ELAINE TORRES

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, person only by minor for David and Margaret Home Inc.; minor Felix 16.

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

1. Foster parents Leonorilda and Salvador Fligio consent and waive notice.
2. David and Margaret Home Inc. is a licensed facility [LFpg6]. Therefore, it does not appear a DCFS report would be required.
3. Minor Felix consents and waives notice and is also petitioner.
4. **Need** notice of hearing and proof of service for Father Silvano Pablo Mariano and Mother Catalina Dircio Balbuena either by a) international registered mail, return receipt; b) service by agent (typically an attorney in Mexico); c) service by Letters Rogatory; or (d) service via the Mexico Ministry of Foreign Affairs. CCP section 413.10(c); Pr. C. §1511; In re Alyssa F. (2003) 112 Cal. App. 4th 846, 885, fn. 10; Convention on the "Service Abroad of Judicial and Extrajudicial Documents" in Civil or Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. No. 6638 (Hague Service Convention).
5. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on the following siblings.
 - a. Patricia Dircio
 - b. Pedro Dircio
 - c. Valerio Dircio
 - d. Gerardo Dircio
 - e. Estela Dircio
 - f. Isabel Dircio
 - g. Celestina Dircio
6. Maternal and paternal grandparents are allegedly deceased.
7. No Proposed Form Order submitted.

RECOMMENDATION
Need to clear notes 4-5.
(lc)

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

DATE: 10/04/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800390
CASE NAME: FELIX LEONEL PABLO DIRCIO

SEE ALSO 1

HEARING: Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

DAVID AND MARGARET HOME INC (GP)...PRO/PER
FELIX LEONEL PABLO DIRCIO (MIN)...ELAINE TORRES

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status person only by minor for David and Margaret Home Inc.; minor Felix 16.

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

1. Petitioner, Felix Leonel Pablo Dircio, a minor 16 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. Minor offers a declaration in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on 07/10/2002, in Mexico and lived there with his parents until the age of 14 where he moved to Sonora Mexico looking for work.
 - b. Minor was neglected by minor's parents as to being supported financially (see documents for specifics). Minor then moved in with his sister in Sonora
 - c. Minor was forced to move to the United States to work as minor's sister could not care for minor.
 - d. Minor does not believe he/she can return to minor's parents because they cannot support and care for him. Declaration refers to **Crittenton**; however, Crittenton is not proposed guardian in this matter.
 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 of hearing and proof of service for Father Silvano Pablo Mariano and Mother Catalina Dircio Balbuena.
 8. ~Proposed Form Order: 08/24/18.

RECOMMENDATION

Need to clear note 7. Court's discretion re factual findings that would support this petition.
(lc)

Superior Court of Calif, County of San Bernardino

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San Bernardino Superior Court

CIVPRO San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/04/18 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1000179

CASE NAME: IN MTR RE NADIA DEL RIO ETAL

HEARING:

Petition for visitation filed by Paul Bazaure

COUNSEL:

ANDREW RODRIGUEZ JR	(MIN)...
CELESTE RODRIGUEZ	(MIN)...
JUANTIA NUNEZ	(SG)...JOSEFINA LISA VALDEZ
MARISOL DEL RIO	(PET)...MAREBD M GARRETT
NADIA ADRIANNE DEL RIO	(MIN)...
PAUL BAZAURE	(GP)...MAREND M GARRETT
RICARDO DEL RIO, JR.	(FAT)...PRO/PER

Visitation – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/04/18 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1300178

CASE NAME: NAZANIEN SESSY DUNCANTELL ETAL
HEARING: Hearing re: Petition for Termination of Guardianship

COUNSEL:

AMAR CHAND	(GP)...SHEASBY AND ASSOCIATES
BALJINDER CHAND	(PET)...PRO/PER
HARINDER KAUR CHAND	(GP)...PRO/PER
JUSPREET LAVIN DUNCANTELL	(MIN)...
LACEY DUNCANTELL	(MOT)...PRO/PER
NAZANIEN SESSY DUNCANTELL	(MIN)...

XREF: FAMSS1400156 (*Harinder Kaur Chand-n-Lacey Lorraine Duncantell*)

ADO1400036

ADO1400037

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Termination of Guardianship by Baljinder Chand, father; minors Nazanien 13 and Juspreet 11.

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

1. Amar & Harinder Chand, paternal grandparents, appointed guardian on 11/14/13.
2. Petitioner, father, seeks termination on the basis that he is no longer incarcerated and able bodied to care for both minors.
3. **If** referred to Court Investigator, need report.
4. ~Proposed Form Order: 08/20/18

RECOMMENDATION

Court's discretion.

(lc)