



# Guardianship Calendar

## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

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

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.

10/04/18 kd

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**GUARDIANSHIPS**

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DATE: 10/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1800071

CASE NAME: GAGE ROBERT BEILIN MENDEZ

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

BARBARA MENDEZ

(GP)...PRO/PER

GAGE ROBERT BEILIN MENDEZ

(MIN)...PRO/PER

GENERAL INFORMATION

Barbara Mendez was appointed temporary guardian of the person on 02/26/18.

OSC set on **03/21/18** when there was no appearance or notes cleared.

OSC continued from **04/26/18**. Referred to DCFS. Petitioner appeared with minor.

Petitioner to appear at next hearing.

**Continued from 07/26/18. Court takes off OSC re dismissal. Mother states she objects to petition for guardianship. Objections must be in writing and filed by 4PM on 08/30/18, or they will be waived permanently. Court orders Barbara Mendez and Lisa Beilin to be personal present in Court on 10/10/18. Court notes that is mother is not present in Court on 10/10/18, her objections will be waived.**

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian by Barbara Mendez, non-relative; minor Gage 11.

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

1. Mother Lisa Berlin signed Nomination, Consent and Waiver filed 02/20/18.
2. Petitioner is a non-relative per Pr.C. § 1513(g). **Need DCFS report. Continuance requested to 08/30/18.**
3. Father is unknown. Copy of birth certificate filed 04/02/18.
4. Does court wish to dispense notice as to father and paternal grandparents or require due diligence declarations? JTD
5. Due Diligence Declarations filed on 04/02/18 as to the following: JTD
  - a. Maternal grandmother.
  - b. Maternal grandfather Ira Berlin.
6. ~Proposed Order: 02/20/18

RECOMMENDATION  
Need DCFS report.

(lh/lc/lh)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1800102

CASE NAME: AMAYA JAILYN WILLIAMS BROWN

HEARING:  
Hearing Re: PROOF OF BLOCKED ACCOUNT

COUNSEL:  
MARQUITA WILLIAMS-BROWN (GE )...PRO/PER  
AMAYA JAILYN WILLIAMS-BROWN (MIN)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Proof of Blocked Account

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

1. Matter set on 07/26/18, wherein, Court appointed Marquita Williams-Brown as guardian of the estate of Amaya Jaily William Brown. Funds ordered placed in blocked account in lieu of bond.
2. **Need** proof of blocked account.

#### RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1800252

CASE NAME: HAILIE JADE DODSON

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

SHERRIE KAY WILCOX	(PET)...FRANK J PRAINITO
HAILIE JADE DODSON	(MIN)...
SHERRIE JEAN BECK	(MOT)...PRO/PER

**X-REF: SBFSS 82475** (DV w/children)

GENERAL INFORMATION:

Ex parte orders denied 06/15/18. Court appoints Attorney Craig Parker as GAL for minor. **Continued from 07/24/18.** Written report received from Craig Parker. Agreement has been reached regarding visitation between maternal grandmother and minor on every other weekend, from Friday 5PM to Sunday at 10PM. Visitation commences 07/27/18. Court makes orders regarding objections. Objections filed 07/20/18 are insufficient. Mother states she understands orders re objections.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother, Sherrie K. Wilcox [petitioner], minor Hailie now 16.

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

1. Father is deceased.
2. Notice is complete.
3. Minor resides with mother in Fontana, CA.
4. Indian Child Inquiry Attachment filed [LF, p. 9]. However, petitioner alleges in Section 1 that no inquiry re ancestry was made. Court may wish to inquire.
5. Petitioner alleges CPS involvement.
6. Petitioner alleges parental custody would be detrimental to minor.
7. Upon referral to Court Investigator by the Court, requires Court Investigator Report.
8. **Objections by Sherrie Beck (mother) filed 07/20/18.**
9. ~Proposed Form Order/Letters 06/07/18.

RECOMMENDATION:

Matter is contested.

(nb/lh)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1800391

CASE NAME: DAKOTA TAYLORANN BLAIR

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JESSICA HERRING (PET)...PRO/PER  
DAKOTA TAYLORANN BLAIR (MIN)...PRO/PER

GENERAL INFORMATION:

Ex Parte Orders granted 08/31/18. Jessica Herring is appointed Temporary guardian.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Jessica Herring; minor Dakota Blair (6)

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 Davontae Blair (father) and Tashiana Hodge-Quenes (mother).
  - a. **Request to Excuse Notice filed 08/27/18 as to mother and father; however, attempts to locate parents are not provided.**
2. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on unknown paternal grandparents and unknown maternal grandparents.
3. UCCJEA Declaration filed 08/24/18 is incomplete as to last 5 years of residential history. **Need** verified supplement.
4. Petitioner alleges she is the "cousin/aunty" of minor. [Petition, 8/24/18, LFpg7]. **Need** verified supplement clarifying biological relationship to minor.
5. Child Information Attachment indicates possible open DCFS case. Case number unknown. [Petition, 08/24/18, LFpg6]. Court to inquire.
6. Petitioner indicates willingness to adopt minor.
7. Upon referral to CI by the Court, requires CI report.
8. ~Proposed Form Order: 08/24/18

RECOMMENDATION:

Need to clear notes #1-4 then Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1800393

CASE NAME: JOE NATHAN HILL ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

YOLANDA L COBB (PET)...PRO/PER  
JOE NATHAN HILL (MIN)...  
ABRIEL HAILEY'ANN HILL (MIN)...  
LEGACY KOOL HILL (MIN)...

GENERAL INFORMATION:

Ex Parte Orders granted 08/31/18. Yolanda L. Cobb is appointed Temporary Guardian.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Yolanda L. Cobb (paternal great aunt); minors: Joe (6); Abriel (5); Legacy (3)

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

1. Nomination, Consent and Waiver signed by Kalin Champoux (mother).
  - a. **Request to Excuse Notice with Due Diligence Declaration filed 09/28/18 as to mother.**
2. **Due Diligence Declaration as to Nathan Hill (father) filed 09/28/18 is not dated. JTD.**
3. **Request to Excuse Notice with Due Diligence Declarations filed 09/28/18 as to: JTD.**
  - a. **Tammie Champoux (maternal grandmother)**
  - b. **Mark Champoux (maternal grandfather)**
4. Upon referral to CI by the Court, requires CI report.
5. ~Proposed Form Order: 08/24/18

RECOMMENDATION:

Court's discretion.

(lh/kd)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1800401

CASE NAME: KAIDYN ANDERSON ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SUZETTE MARIE FLORES SMITH	(GP )...PRO/PER
KAIDYN ANDERSON	(MIN)...PRO/PER
KESSA JEAN ANDERSON	(MIN)...PRO/PER
KAIYLEB ANDERSON	(MIN)...PRO/PER
RYLEE ANDERSON	(MIN)...PRO/PER

GENERAL INFORMATION:

Ex Parte Orders granted 09/04/18. Suzette Flores Smith appointed Temporary Guardian of the person. Petitioner to prepare proposed order to be delivered to Department S37 for signature after review.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Suzette Flores Smith (maternal grandmother); minors: Kaidyn (7); Kessa (5); Kaileb (4); Rylee (2)

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)] as to Keith Anderson (father) and Vanessa Bennett (mother).
2. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations as to Barbara Anderson (paternal grandmother) and Wayne Bennett (maternal grandfather).
3. Child Information Attachment [form GC-210(CA)] is incomplete at item #1f as to the name and address of person with legal custody of minors. **Need** verified supplement indicating if there is any other person with legal custody other than the parents for notice purposes. [Petition, 08/28/18, LFpg11].
4. Guardian Screening [form GC-212] filed 08/28/18 is incomplete as to petitioner's driver's license number and state. **Need** completed form.
5. Consent of Proposed Guardian [Form GC-211]; UCCJEA Declaration [Form GC-120] filed 08/28/18 are not dated at signature. **JTD**
6. Upon referral to CI by the Court, requires CI report.



7. No proposed order submitted.

**RECOMMENDATION:**

Need to clear notes #1-4 then Court's discretion.

(lh)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR PS1800402

CASE NAME: Mtr of Leilani Renee Lether ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ARLENE FRANCIS PEPIN	(GP )...DIANA M SHROPSHIRE
LEILANI RENEE LETHER	(MIN)...
HANNA ROSE LETHER CASTRO	(MIN)...
ELY AUSTIN LETHER CASTRO	(MIN)...
RAUL MANUEL CASTRO	(FAT)...PRO/PER

**X-ref matter:** FAMSS1301623 (Dissolution)

GENERAL INFORMATION:

Ex Parte Orders granted 08/30/18. Counsel serves Raul Castro with all documents in file. Arlene Francis Pepin appointed Temporary Guardian of the person of Leilani Renee Lether, Hanna Rose Lether Castro, and Ely Lether Castro. Court suspends paternal rights. Court makes visitation orders as to Raul Castro (father of Hanna and Ely) pursuant to Findings and Order dated 05/13/10 under FAMSS900342. Mother to have visitation at discretion of guardian. Matter referred to DCFS for 1513b report and 1513c report. DCFS to prepare reports for next hearing.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Arlene Pepin

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

1. **Notice of Hearing and proof of personal service filed as to:**
  - a. **Virginia Lether (mother)**
  - b. **Raul Castro (father)**
  - c. **Ofelia Bueno (paternal grandmother)**
2. **Need Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations as to Juan M. Castro (paternal grandfather).**
  - a. **Notice of hearing and proof of mailed service filed 09/26/19 as to John Thomas Lether (maternal grandfather)**
3. **Need DCFS 1513c report.**

4. Upon referral to CI by the Court, requires CI report.
5. Petitioner requests other orders regarding visitation to mother and father.
  - a. **Petition for Visitation by Ofelia Garza (Bueno) (paternal grandmother) filed 09/27/18.**
6. **Objections by Raul Castro (father) filed 09/06/18.**
7. ~Proposed Form Order:

RECOMMENDATION:

Matter is contested.

Need to clear notes #2-3.

(lh/kd)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR SS1500512

CASE NAME: DARRELL WAYNE GILLEY JR.

**SEE ALSO 9, 10, 11**

HEARING:

Hearing Re: OSC RE CONTEMPT ON GUARDIAN FOR FAILURE TO FILE

COUNSEL:

DWAYNE P. OGDEN (GPE)...PRO/PER  
DARRELL WAYNE GILLEY JR. (MIN)...

GENERAL INFORMATION:

Continued from **06/07/17**. No appearance. Court suspends powers of guardian and sets OSC re surcharge on guardian for failure to file as court ordered. Court sets OSC re contempt on guardian for failure to appear. Citation issued to Dwayne P. Ogden who is cited and required to appear on 09/27/17.

Continued from **09/27/17**. Guardian Dwayne P Ogden cited and required to appear at hearing this date. Bench warrant ordered to issue with bail set at \$50,000 and held to 01/03/18. Current hearing continued to 01/03/18

OSC Re Surcharge/Contempt.

Continued from **01/03/18**. Court ordered Dwayne Ogden to be personally present in Court on 04/04/18 at 11AM. Court ordered Dwayne Ogden to file his accounting or any supporting documents before the hearing date. Court holds bench warrant to 04/04/18. Dwayne Ogden states he understands orders.

Continued from **04/04/18**. Court orders Dwayne Ogden to be personally present at 11AM on 08/01/18. Dwayne Ogden to file accounting by 4PM on 07/02/18. Court orders clerk's office to set the accounting for 08/01/18 if accounting is filed by deadline of 4PM on 07/02/18.

**Continued from 08/01/18**. Court notes that Dwayne Ogden was present in Court at the last hearing and was ordered to be personally present this date. No appearance. Court issues and holds bench warrant in the amount of \$50,000 to next date of 10/10/18. Additionally, Court sets OSC re monetary sanctions of \$1,000 on Dwayne P. Ogden for his failure to appear; OSC set for 10/10/18 at 11AM. Citation issued to Dwayne P. Ogden.

THIS CASE IS SET FOR HEARING ON OSC Re Sucharge/Contempt/Sanctions/  
Accounting Review; minor: Darrell Wayne Gilley, Jr., age 14 (DOB 12/23/03)

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. Dwayne P. Ogden (maternal uncle) appointed Guardian of the person and estate, of minor Darrell on 03/30/16.
2. Court further ordered that any funds located are to be placed into a blocked account. Guardian is to file ex-parte within 10 days of location of funds/assets to address those funds and to determine if there should be a bond filed. Court further ordered that approval of this Court is required before any civil litigation or worker's compensation settlement is made.
3. **Need** proof of deposit into blocked account (form MC-356).
4. **Need** Final Inventory and Appraisal (form GC-040).
5. **Need** First Accounting covering the period 03/30/16 to current.
6. Return of Citation with Proof of Service filed 09/06/17.
7. **Return of Citation with Proof of Personal Service filed 08/28/18.**

RECOMMENDATION:

**Court's discretion re OSC.**

Need to clear notes 3 – 5 then Court's discretion.

(cs/lh)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR SS1500512

CASE NAME: DARRELL WAYNE GILLEY JR.

**SEE ALSO 8, 10, 11**

HEARING:

Hearing Re: OSC RE SURCHARGE ON GUARDIAN

COUNSEL:

DWAYNE P. OGDEN (GPE)...PRO/PER  
DARRELL WAYNE GILLEY JR. (MIN)...

See notes on prior matter #8.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
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DATE: 10/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR SS1500512

CASE NAME: DARRELL WAYNE GILLEY JR.

**SEE ALSO 8, 9, 11**

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$1,000.00 ON DWAYNE OGDEN

COUNSEL:

DWAYNE P. OGDEN (GPE)...PRO/PER  
DARRELL WAYNE GILLEY JR. (MIN)...

Waiver of Court Fees and Costs filed by DARRELL WAYNE GILLEY JR. is GRANTED

See notes on prior matter #8.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S35G  
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CASE#: GAR SS1500512

CASE NAME: DARRELL WAYNE GILLEY JR.

**SEE ALSO 8, 9, 10**

HEARING:

Accounting Review

COUNSEL:

DWAYNE P. OGDEN (GPE)...PRO/PER

DARRELL WAYNE GILLEY JR. (MIN)...

Waiver of Court Fees and Costs filed by DARRELL WAYNE GILLEY JR. is GRANTED

See notes on prior matter #8.

(lh)



Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRIALS**

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DATE: 10/10/18 TIME: 1:30 DEPT: S35G  
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CASE#: GAR PS1700472

CASE NAME: MTR OF SERENITY DAWN CAMPBELL

**SEE ALSO 12A**

HEARING:

Hearing Re: COURT TRIAL (FIRST SESSION)

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—Court Trial—JTD

(lh)

Superior Court of Calif, County of San Bernardino  
Page: 12A add-on  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: STANFORD E. REICHERT

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DATE: 10/10/18 TIME: 1:30 DEPT: S35G  
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CASE#: GAR PS1700472

CASE NAME: MTR OF SERENITY DAWN CAMPBELL

**SEE ALSO 12**

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.

**Continued from 09/19/18. Counsel confirm ready for trial. Brian Holohan lodges transcript from last hearing with the Court this date.**

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/kd)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 10/10/18      TIME: 1:30      DEPT: S35G  
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CASE#: GAR PS1700557

CASE NAME: MTR OF SERENITY DAWN CAMPBELL

**SEE ALSO 14**

HEARING:

Hearing Re: COURT TRIAL (FIRST SESSION)

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—Court Trial—JTD

(lh)

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

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DATE: 10/10/18 TIME: 1:30 DEPT: S35G  
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CASE#: GAR PS1700557

CASE NAME: MTR OF SERENITY DAWN CAMPBELL

**SEE ALSO 13**

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 matter #12A  
(kd)

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: 10/10/18    TIME: 11:00    DEPT: S36G  
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CASE#: GAR PS1700365

## **VACATED**

CASE NAME: MTR OF SCARLETTE GUZMAN, ET AL

### **SEE ALSO 2**

HEARING:

Petition for appointment of guardian of minor person

#### COUNSEL:

ROSALIE MARIE GUZMAN	(GP )...JANIS L HILKE
SCARLETTE GUZMAN	(MIN)...
SERENITY GUZMAN	(MIN)...
ERNIE SANTACRUZ	(PET/FAT)...ANDREW M ROSENFELD
ROSALIE MARIE GUZMAN	(PET)...JANIS L HILKE

Waiver of Court Fees and Costs filed by SERENITY GUZMAN, SCARLETTE GUZMAN & SERENITY GUZMAN is GRANTED

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 10/10/18      TIME: 11:00      DEPT: S36G  
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CASE#: GAR PS1700365

**VACATED**

CASE NAME: MTR OF SCARLETTE GUZMAN, ET AL

**SEE ALSO 1**

HEARING:

Petition for GRANDPARENT VISITATION

COUNSEL:

ROSALIE MARIE GUZMAN	(GP )...JANIS L HILKE
SCARLETTE GUZMAN	(MIN)...
SERENITY GUZMAN	(MIN)...
ERNIE SANTACRUZ	(PET/FAT)...ANDREW M ROSENFELD
ROSALIE MARIE GUZMAN	(PET)...JANIS L HILKE

Waiver of Court Fees and Costs filed by SERENITY GUZMAN, SCARLETTE GUZMAN & SERENITY GUZMAN is GRANTED

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

-----  
DATE: 10/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1700546

CASE NAME: ADDILYNN J HILLS

HEARING:

Hearing re: Petition for Termination of Guardianship

COUNSEL:

DENISE HILLS	(PET)...PRO/PER
ADDILYNN J HILLS	(MIN)...
JAMIE HILLS	(MOT)...PRO/PER

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by Jamie Hills, mother

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

1. Denise Hills (maternal grandmother) was appointed guardian of the person of Addilynn (1) on 06/11/18.
2. Petitioner, Jamie Hills (mother), seeks Court to terminate guardianship, alleging she is sober and living in a rehabilitation home where she can have minor with her. Petitioner alleges minor's welfare would be substantially enhanced if returned to petitioner's care.
3. Court previously excused notice as to unknown father and unknown paternal grandparents.
4. Notice is complete.
5. **Court to review parent questionnaire filed 10/03/18.**
6. Note: Amended Petition for Termination filed 09/12/18; however, it appears to be a supplement providing further reasons for termination. Does Court wish to deem Amended Petition as a supplement? If not, Court to trail to 10/24/18. **JTD**
7. ~Proposed Form Order: 09/12/18

#### RECOMMENDATION

Court's discretion re amended petition.

(lh/kd)

*Future hearing date: 10/24/18 Amended Petition for Termination by Jamie Hills*



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

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DATE: 10/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1800265

CASE NAME: Dayana A Herrera et al

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MARTHA P HERNANDEZ	(GP )...LISETH M ROBLEDO
DAYANA ALIZE HERRERA	(MIN)...
ZERENETY N ZARAGOZA	(MIN)...
CIRO HERRERA	(FAT)...PRO/PER

**XREF: FAMSS1706472** ZAYRA TORRES -N- CIRO HERRERA

GENERAL INFORMATION:

Continued from **07/23/18**. Court deems mother served and father of Dayana served as they are present in Court this date. Mother and father of Dayana to file written objections. **Continued from 09/05/18. This petition is as to Zerenety Zaragoza and the other minor Dayana Herrera, family court case FAMSS1706472 has jurisdiction.** Court will excuse notice as to the paternal grandparents.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Martha Hernandez (maternal grandmother), minor: Dayana, 7 and Zerenety, 1

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

1. Request to Excuse Notice with Due Diligence Declaration filed 07/17/18 as to unknown maternal grandfather; however, form is blank. **JTD**
2. **Request to Excuse Notice with Due Diligence Declaration filed 10/03/18 as to paternal grandparents. Image not available to review. Court previously excused notice to paternal grandparents.**
3. Child Information Attachment for minor Zerenety is incomplete as to item 1(c)(2) re reason known whether child may be Indian minor. Court to inquire.
4. UCCJEA Declaration indicates custody related matter FAMSS1706472.
5. **Written objections filed by Cilo Herrera (father of Dayana).**
6. Need: Upon referral to CI by the Court, requires CI report.
7. ~Proposed form Order submitted: 06/15/18

RECOMMENDATION:  
Matter is contested.

(cs/lh/kd)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1800325

CASE NAME: MTR OF VIOLET KIM

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ESTHER KIM	(GP )...PRO/PER
INSUK KIM	(GP )...PRO/PER
VIOLET KIM	(MIN)...

GENERAL INFORMATION:

Esther and Insuk Kim appointed Temporary Guardians of the person on 07/27/18. Court will deny Grace Kim visitation with Violet Kim at this time. If Grace Kim wishes to have visitation a petition needs to be filed with the court. Matter referred to Dept. of Children and Family Services for investigation in compliance with WIC §§328, 329.

**Continued from 09/04/18 to clear probate notes.**

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother, Insuk Kim and maternal aunt, Esther Kim [petitioners], minor Violet now 3 ½.

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

1. **Need** Notice of Hearing and proof of personal service on mother, Grace Kim and unknown father.
  - a. Petitioners request an Order Dispensing with Notice as to mother, Grace Kim, which was granted for temporary petition. **JTD.**
2. **Need** Notice of Hearing and proof of mailed service on maternal grandfather, Young Kim and unknown paternal grandparents or file Due Diligence Declaration(s).
3. As father and paternal grandparents are purportedly unknown, **need** certified copy of birth certificate.
4. Confidential Guardianship Questionnaires are not dated at signature line on page 7. **Need** complete forms.
5. Petitioner alleges prior CPS involvement. **Need** DCFS Report.
6. Upon referral to Court Investigator by the Court, requires Court Investigator Report.
7. Court to review Confidential Guardian Screening Forms.
8. Petitioner alleges parental custody would be detrimental to minor.

9. ~Proposed Form Order/Letters 07/26/18.

**RECOMMENDATION:**

Need to clear notes #1-5 then Court's discretion.  
(nb/lh)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1800335

CASE NAME: ANGEL PANTHER, SETH PANTHER, NADINE PANTHER

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

LORRAINE MERCADO	(PET)...PRO/PER
ANGEL GRACE PANTHER	(MIN)...
SETH ISSAC PANTHER	(MIN)...
NADINE STAR PANTHER	(MIN)...

GENERAL INFORMATION

Continued from 09/05/18. Court will excuse notice as to paternal grandmother, paternal grandmother, paternal grandfather and maternal grandmother. Matter is continued to file consent by the father..

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian by Lorraine Mercado (maternal step-grandmother); minors: Angel (14); Seth (12); Nadine (10)

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

1. James Panther (father), and minors, Angel and Seth, signed Consent and Waiver filed 09/05/18.
2. Notice is complete.
3. Upon Court referral, need CI Report.
4. ~Proposed Order: 08/02/18

RECOMMENDATION

Court's discretion.

(lh)

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

-----  
DATE: 10/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1800386  
CASE NAME: MTR OF LAYLA MARIE MCNALLY

HEARING:  
Hearing re: Petition for Appointment of Guardian

COUNSEL:

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

GENERAL INFORMATION

Rose Rosado appointed counsel on 08/30/18. Exparte hearing continued to 09/05/18. Pennie Jean and Larry Taylor appointed temporary guardians, person only, on 09/05/18. **Ex parte orders granted 09/05/18. Court appointed Pennie Jean Taylor and Larry Randall Taylor as Temporary Guardians of Layla Marie McNally. Parties agree to change 10/04/18 hearing to 10/10/18.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, person only by Pennie Jean and Larry Taylor, maternal grandparents; minor Layla 15.

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

1. Father Casey McNally signed nomination, consent and waiver.
2. Mother Randi Taylor served.
3. **Need** notice of hearing and proof of personal service [GC-020/020P]
  - a. Minor Layla.
4. **Need** notice of hearing and proof of mailed service [GC-020] or due diligence declaration on
  - a. Sibling Dominic who is stationed in Italy.
5. Report of Counsel Rosado filed 09/05/18.
6. Paternal grandmother Penny McNally signed consent and waiver.
7. Paternal grandfather is deceased.
8. **If** referred to Court Investigator, need report.
9. ~Proposed Form Order: 08/23/18.

RECOMMENDATION

Need to clear notes 3-4.

(lc/lh)

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

-----  
DATE: 10/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1800414

CASE NAME: Mtr of Diego Ezequias Cedillo Matom

**SEE ALSO 9**

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

FLORENCE CRITTENTON SERVICES ORANGE (GP )...PRO/PER  
DIEGO EZEQUIAS CEDILLO MATOM (MIN)...BHAIRAVI ASHER

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Diego Matom, minor (16), to appoint Florence Crittenton Services

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

1. Need Notice of Hearing and Proof of Service as to Gaspar Guzaro (father) and Juana Marcos (mother) either by a) international registered mail, return receipt; b) service by agent (typically an attorney in Guatemala); c) service by Letters Rogatory; or (d) service via the Guatemala 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).
  - a. **Consent and Waiver filed by Gaspar Guzaro (father) and Jauna Marcos (mother) submitted with fingerprint in lieu of signature. JTD.**
2. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations as to unknown paternal grandfather, and sibling Andres Matom if 12 years+.
  - a. **Consent and Waiver of Notice filed as to siblings: Maria Matom; Jacinto Matom; Francisco Matom; Pedro Matom; Jacinta Matom; Nicolas Matom; Baltazar Matom.**
  - b. **Fingerprint in lieu of signature submitted as to Jacinto Matom, and Baltazar Matom. JTD.**
3. UCCJEA Declaration filed 09/05/18 indicates minor has resided in California since 07/10/18. Court does not have current jurisdiction under Ca. Fam. Code §3424 for 6

months. However, court has temporary jurisdiction under Pr. C. § 2202 and 2352(a).

4. Does Court wish to require DCFS non-relative report per Pr.C. §1513(g)? **JTD**
5. ~Proposed Form Order: 09/05/18

**RECOMMENDATION:**

Need to clear note 2 then Court's discretion.

(lh/kd)



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

-----  
DATE: 10/10/18 TIME: 11:00 DEPT: S36G  
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CASE#: GAR PS1800414

CASE NAME: Mtr of Diego Ezequias Cedillo Matom

**SEE ALSO 8**

HEARING:

Confidential Hearing re: Petition for Special Immigrant Juvenile Findings

COUNSEL:

FLORENCE CRITTENTON SERVICES ORANGE (GP )...PRO/PER  
DIEGO EZEQUIAS CEDILLO MATOM (MIN)...BHAIRAVI ASHER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status by Diego Matom (16)

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

1. Petitioner, Diego Matom, a minor (age 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 Diego Matom offers a declaration in support of the requested findings stating, inter alia, the following:
  - a. Minor was born on 07/18/02 in Guatemala and lived there with minor's parents until December, 2017.
  - b. Minor was abused and neglected by minor's parents, was hit with tree branches, and had to quit school to help support his family
  - c. Minor came to the United States in search for a better life because his parents could not provide for him.
  - d. Minor does not believe he can return to minor's parents because they are abusive and unable to provide for minor.
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 as to Gaspar Guzaro (father) and Juana Marcos (mother).
  - a. **Wavier of Notice filed as to Gaspar Guzaro (father) and Juana Marcos (mother) submitted with fingerprints in lieu of signatures. JTD.**

#### RECOMMENDATION

Court to reach only if petition for guardianship is first granted, then Court's discretion re factual findings that would support this petition and notice.

(lh/kd)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**GUARDIANSHIPS**

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DATE: 10/10/18 TIME: 11:00 DEPT: S37G  
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CASE#: GAR PS1700579

CASE NAME: MTR OF RAIN N SIMMONS ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

TENESHA A MIXSON	(GP )...PRO/PER
RAIN N SIMMONS	(MIN)...
NIC'SON R SAPP-REVELS	(MIN)...

#### GENERAL INFORMATION

**Continued from 12/06/17.** Court clears notes regarding notice to Nicole Sapp, Dominic Simmons (father of Nic'son), Mickey Sapp, Lisa Hinds, and paternal grandparents of Rain. On Court's own motion, Court reset hearing for 04/18/18 and continued to 05/23/18. Notice sent by Judicial Assistant.

**Continued from 05/23/18. Matter re-referred to Court Investigator to allow guardian to participate in investigation. Guardian advises the court that her temporary letters of guardianship have expired. Court reappoints Tenesha Mixson as Temporary Guardian of Rain Simmons and Nic-Son Sapp-Revels. Order to be filed. Case referred to Legal Aid for assistance.**

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Tenesha Mixson (maternal aunt), minors: Rain Simmons (3) and Nic'son (1)

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

1. Petitioner indicates father of Nic'son is not listed on birth certificate, but does not indicate whether father is unknown. See birth certificate [see petition, 11/01/17, LFpg17]. Court to inquire. JTD
2. Notice is complete.
3. **CI Report filed 05/11/18 & 09/28/18.**
4. Court to see letter from SAC Healthsystem filed 07/12/18. **JTD**
5. ~Proposed form Order: 11/01/17

RECOMMENDATION:

Courts discretion.

(lh/kd)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S37G  
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CASE#: GAR PS1800197

CASE NAME: ARTURO SARZA III & ALIZE FAITH SARZA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ANNETTE AMBALONG	(PET)...PRO/PER
ARTURO S SARZA III	(MIN)...
ALIZE FAITH SARZA	(MIN)...

GENERAL INFORMATION:

**Continued from 06/13/18.** Mother deemed served by her appearance today. A copy of father's power of attorney giving petitioner authorization over minor reviewed by the Court and will be filed today. Mother to file written objections. Court made visitation orders. Mother not to remove minors from County of San Bernardino pending further orders of the Court. Annette Ambalong is appointed Temporary Guardian of the person of Arturo Sarva III and Alize Faith Sarza. Annette Ambalong to prepare Orders and Letters. Case referred to Legal Aid for legal assistance. Minors to remain in temporary guardian pending next hearing. Referred to Court Investigator for report.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal great-grandmother, Annette Ambalong [petitioner], minors now Arturo (5) & Alize (4).

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

- 1 **Need** Notice of Hearing and proof of **personal service** on father, Arturo Sarza
- 2 UCCJEA is not signed or dated. **Need** same.
- 3 **CI Report filed 10/03/18.**
- 4 **Declaration with copy of limited power of attorney filed 06/13/18.**
- 5 ~Proposed Form Order/Letters 05/07/18.

RECOMMENDATION:

Need to clear notes 1- 2 then Court's discretion.

(nb/lh/kd)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S37G  
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CASE#: GAR PS1800387

CASE NAME: Andrea Dariana Benitez Castillo

**SEE ALSO 3A**

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SANTOS ENRIQUE CASTILLO (GP)...ROGELIO V MORALES  
ANDREA DARIANA BENITEZ CASTILLO (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Santos Enrique Castillo (maternal grandfather) for minor: Andrea (2)

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

1. Brenda Castillo-Agul (mother) signed Nomination, but did not sign Consent/Waiver. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)],
2. **Need** Request to Excuse Notice with Due Diligence Declaration per Local rule 20-1304 as to Manuel Juventuz Benitez Lopez (father).
3. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] or file Due Diligence Declarations on unknown paternal grandparents and Sonia Aguilar De Castillo (maternal grandmother) and Manuel Castillo (sibling, if 12 years+).
4. Petitioner indicates willingness to adopt minor.
5. Upon referral to CI by the Court, requires CI report.
6. ~Proposed Form Order: 08/23/18

RECOMMENDATION:

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

(lh)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S37G  
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CASE#: GAR PS1800387

CASE NAME: Andrea Dariana Benitez Castillo

**SEE ALSO 3**

HEARING:

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

COUNSEL:

SANTOS ENRIQUE CASTILLO (GP)...ROGELIO V MORALES  
ANDREA DARIANA BENITEZ CASTILLO (MIN)...

GENERAL INFORMATION

**Continued from 10/01/18. Attorney Rogelio Morales (Senaída) makes a telephonic appearance. Hearing continued at request of Court to be heard with guardianship petition. Notice to be given by Mr. Morales.**

THIS CASE IS SET FOR HEARING ON Request for findings re: special immigrant juvenile status of Andrea Dariana Benitez Castillo (2).

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

1. Petitioner, Santos Enrique Castillo (maternal grandfather) of minor Andrea Dariana Benitez Castillo (2), 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 and mother offer declarations in support of the requested findings stating, inter alia, the following:
    - a. Minor was born on 04/14/16 in El Salvador and lived there with minor’s parents until shortly after Andrea’s birth.
    - b. Minor was abused and neglected by minor’s parents (see documents for specifics).
    - c. Minor was forced to move to the United States with her mother, due to neglect and abandonment by her biological father.
    - d. Andrea’s mother brought her to the United States shortly after her birth to escape the emotional, verbal and physical abuse of the father. Andrea’s father did not help with the support of the family and they could not provide for their own basic life needs, such as food and shelter. They cannot return to El Salvador as they do not have a place to live or any opportunities there.
    - e. Petitioner alleges minor was neglected and abandoned by minor’s father (see documents for specifics).
  6. **Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition which is set for 10/10/18.**
  7. **Need** Notice of Hearing and Proof of Service by Mail [form GC-020] as to:
    - a. Brenda Esmeralda Castillo-Aguilar (mother)
    - b. Manuel Juventuz Benitez Lopez (father). Father is in ***El Salvador***

**RECOMMENDATION:**

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

(kd)

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S37G  
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CASE#: GAR PS1800397

CASE NAME: Jeremiah Trinidad Larios-Lamas

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JESSIE LAMAS (GP )...PRO/PER  
JEREMIAH TRINIDAD LARIOS-LAMAS (MIN)...  
ISAIAH ANTHONI LARIOS-LAMAS (MIN)...

GENERAL INFORMATION:

Ex Parte Orders granted 09/04/18. Jessie Lamas appointed Temporary Guardian of the person. Court recommends petitioner notify law enforcement and DCFS due to allegations minors are making. Petition advised to have minors engage in counseling.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only by Jessie Lamas (maternal aunt); minors: Jeremiah (12); Isaiah (10)

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

1. Request to Excuse Notice as to Arlin Lamas (mother) filed 08/28/18 indicates mother is incarcerated at Glen Helen Rehabilitation. Need Notice of Hearing and Personal Service. Alternatively, notice may be served by certified mail and return of receipt, along with declaration of hardship per Local Rule 20-1317.
  - a. **Proof of Personal Service filed as to Arlin Lamas (mother) indicates that Notice of Hearing was served; however, Notice is not filed. JTD.**
2. **Request to Excuse Notice as to Jesus Lamas (maternal grandfather) and unknown paternal grandparents filed 09/24/18. JTD.**
3. Request to Excuse Notice as to Trinidad Larios (father) filed 08/28/18 & 09/24/18. **JTD**
4. Child Information Attachment form indicates Juvenile proceedings, case numbers J-215119; J-217558. [Petition 08/28/18, LFpg8]. Court to inquire.
5. Upon referral to CI by the Court, requires CI report.
6. ~Proposed Form Order:

RECOMMENDATION:

Court's discretion.

(lh/kd)



Superior Court of Calif, County of San Bernardino

Page: 5

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

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DATE: 10/10/18 TIME: 11:00 DEPT: S37G  
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CASE#: GAR RS800167

CASE NAME: JASON & BRIAN OHIAERI

HEARING:

Petition for ENFORCEMENT OF ORDER FOR ATTORNEY FEES FOR  
ADDITIONAL ATTORNEY FEES ETC

COUNSEL:

IKECHUKWU OHIAERI	(PET)...NOREEN T FONTAINE
JASON IKENNA OHIAERI	(MIN)...
BRIAN NNAEMEKA OHIAERI	(MIN)...
JASON IKENNA OHIAERI	(MIN)...
IKE OHIAERI	(PET/GE)...NOREEN T FONTAINE
E. JOAN NELMS	(PET)...BROWN WHITE & NEWHOUSE LLP.
MARK J. ANDREW FLORY	(PET)...MARK J. ANDREW FLORY
BROWN WHITE AND OSBORN	(PET)...BROWN WHITE & OSBORNE, LLP
POLLIE OKORONKWO	(OBJ)...OGOCHUKWU VICTOR ONWAEZE
ANTHONIA OKHEANI	(MITCHELL I ROTH)

**XREF: PROPS0800955** *NONYEREM A. OHIAERI*

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Enforcement of Order for Attorney Fees; For Additional Attorney's Fees; Removal of Guardian; Appointment of Successor Guardian by Mark J. Flory, GAL.

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

1. Petitioner alleges on 07/15/16, Court approved Order granting petition for attorney's fees for **\$30,000** to Brown White & Osborn LLP. Guardian has failed to pay Court-ordered fees.
2. On 06/09/17, Brown White & Osborn LLP filed a Petition for Enforcement of Attorney's Fees compelling guardian to comply with Court's order, or be removed as guardians. An Order Authorizing Withdrawal of Funds was entered 07/17/17; however, payment has not been made.

3. Petitioner requests Court to set an OSC re Sanctions for Failure to Comply with Court's order for payment of fees; for removal of guardians and appointment of successor.
4. Petitioner requests statutory interest of **\$7,808.24** at 10% per annum as of 08/22/18, per CCP §685.010. **JTD**
5. Petitioner requests an additional **\$4,114.50** for 26.9 hours in attorney and paralegal time in effort to collect outstanding fees. Itemized. [Petition, 08/28/18, LFpg12]. **JTD**
  - a. **Need** verified supplement with qualifications of paralegals per requirements of CRC 7.703(e)(1)(c) which show the completion of mandatory continuing education per Business & Professions Code 6450(d).
6. Petitioner requests additional **\$1,260** for 1.5 hours at \$350 per hour for attorney time, an additional anticipated 1.5 hours at \$350 per hour for court appearance, and an additional 1.5 hours at \$105 per hour for paralegal time to prepare this petition and send notice. **Need** verified supplement with itemization of additional time accrued.
7. Notice was given.
8. No proposed order submitted.

#### RECOMMENDATION

Need to clear notes #5-6 then Court's discretion.

(lh)

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: 10/10/18 TIME: 11:00 DEPT: S37G  
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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.

**Continued from 09/19/18. Jennifer Hutchinson makes a telephonic appearance 09/18/18. Hearing continued at request of Petitioner as Petitioner just had surgery. Petitioner to give notice.**

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:

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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.

**Court's discretion re DCFS request for continuance.**  
Need to clear notes #2-4 then Court's discretion.

(lh/kd)