

Final Phase Of Colonies Trial Against Defendant Erwin Ends In Hung Jury

By Mark Gutglueck

After nine-months of proceedings, the trial of former sheriff's deputy union boss Jim Erwin, the last of the major defendants in the Colonies Lawsuit Settlement Public Corruption Case, ended on a less than definitive note, with the jury deadlocking on all seven counts remaining against him.

It now remains to be seen whether prosecutors, more than six years after Erwin was named in a superseding indictment in 2011 that followed by more than a year the filing of the original case against him in 2010, will elect to prosecute him once more and, if so, whether the judge who presided over the now-concluded first

trial will permit the matter to go before another jury or instead dismiss the case in part or in its entirety.

The criminal case against Erwin pertained to events alleged to have transpired in 2006 and 2007.

In all, six individuals were caught up in the case, which grew out of the energetic effort by



Jim Erwin

the Colonies Partners, a consortium of 28 inves-

tors, to develop 440 acres in northeast Upland which was purchased from a successor trust of the San Antonio Water Company in 1997 for \$16 million. The property was crisscrossed with drainage easements recorded by the San Bernardino County Flood Control District in 1933, 1934, 1939 and 1962. Those See P 2

Sheriff Letting Baptist College Social Work Scholars Into County Jails



John McMahon

Students from California Baptist University will soon be welcome at San Bernardino County's detention centers.

At the recommendation of San Bernardino County Sheriff John McMahon, the board of supervisors this week approved a non-financial agreement with California Baptist University to allow students working on their master's degree in social work to do their internships at the county's detention centers beginning on October 1, 2017 and running through September 30, 2020.

According to sheriff's captain Robert O'Brine, "This agreement provides for cooperation between the sheriff's department, through its inmate services unit, and California Baptist University. Under the terms of the recommended agreement, the department will provide students currently enrolled in the master of social work program at California Baptist University with supervision, training and field experience in education programs, including trauma recovery and family relations, health and nutrition, marriage and family support services, and social work provided to clients (inmates) at the county's detention centers.

The inmate See P 4

Hesperia & Victorville Reluctantly Drawn Into The Marijuana Acceptance Ebb



Jeff Malawy

Somewhat begrudgingly, two of the county's

desert cities this month moved to accommodate the ethos of cannabis tolerance that dawned in earnest with the passage of Proposition 64 last November.

Traditionally, San Bernardino County, its cities and officials have been particularly hostile toward marijuana liberalization, even as societal views in gen-

eral with regard to the drug have changed. Recently, as California began creeping toward the tolerance previously exhibited in states such as Washington and Colorado, in San Bernardino County the state's prohibition on the recreational use of cannabis, which had been on the books for generations, was yet being spiritedly

enforced. Not until 2013, when the City of Needles broke ranks with the rest of the county's cities, did any San Bernardino County municipality allow, under the rubric of the Compassionate Use Act passed by California's voters as Proposition 215 in 1996, medical marijuana clinics to be legally set up in their jurisdictions.

Last year, with the campaign on behalf of Proposition 64 going full tilt and reliable polling showing that it was very likely to pass, city after city in San Bernardino County, anticipating the passage of the statewide marijuana decriminalization initiative, dug in their heels and further resisted the trend by codifying ordi- See P 5

Officials Act To Complete Initial Phases Of Ecological Preserves

Local governmental entities have acted within the last fortnight to overcome delays and facilitate the completion of two of the region's ecological preserves.

At its September 5 meeting, the Redlands City Council directed city staff members to work with the Redlands Conservancy to finalize the details of proposed improvements to the Redlands Gateway Ranch and the plans for

an onsite caretaker to inhabit the site.

On September 12, the San Bernardino County Board of Supervisors extended the termination date of its grant revenue agreement with the California Coastal Conservancy by one year to complete the construction of 3.8 miles of the Santa Ana River Trail.

The Redlands Conservancy has a lease to maintain the city-owned 12-acre Red- See P 3

Counselor At SB Combination Elementary & Middle School With Gun In Car Arrested

The student counselor at Paakuma School in the San Bernardino City Unified School District arrested this week for having a gun in her vehicle was delivered up to the authorities by a fellow faculty member, the *Sentinel* has learned.

Anita Rene Scott had worked for the district since 2001. She was a student resource counselor at Paakuma, the district's newest campus, which opened in 2015

as the only school in the district that is a combination elementary and middle school, with kindergarten through eighth grade classrooms.

Sometime after the beginning of the school year last month, Scott, 55, had engaged in a discussion with her colleagues in which the topics of violence, security and self-protection came up. At some point, Scott confided that she had a firearm for personal pro-

tection and that she kept it in her vehicle.

Scott does not have a concealed weapons permit. The gun, however, was registered to her.

One of her colleagues informed school district police of Scott's claim that she had a gun and that it was in her vehicle. School district police obtained a search warrant, and on Monday morning accessed her vehicle, which was in the school parking lot, and See P 6

Luth Is In For Johsz, Who Is In For Graham. Now, Who Will Be In For Luth?

The cycle of vacancy-begetting progression up the political food chain-begetting vacuum-begetting political advancement-begetting further vacuum that has beset the cities of Chino and Chino Hills and the Chino Valley Fire District which was touched off with Glenn Duncan's resignation from the City Council earlier this year remains in full throe.



Harvey Luth

In April, Duncan announced he would leave his post on the city council

– a position he held for nearly a quarter of a century and to which he had been most recently reelected in November 2016 without opposition – as a consequence of having been diagnosed with Parkinson's disease. The city council subsequently moved to replace him by appointing Dr. Paul Rodriguez, on a 4 to 1 vote, with Mayor Eunice Ulloa dissenting,

after considering and rejecting planning commissioner Harvey Luth, who was supported by Ulloa and councilman Gary George but failed to garner a crucial third vote.

Across the city limits, in Chino Hills, Ed Graham, who had been a member of the maiden city council when the City of Chino Hills formed in 1991 and then

remained in office consistently for nearly 26 years and had served as mayor of San Bernardino County's southwesternmost city six times, likewise announced his retirement in June, almost as if he was taking his cue from Duncan. Graham officially left the council in July. The city council elected to replace him with Brian Johsz, a member See P 6

Erwin's Jury Deadlocks; Mistrial Declared *from front page*

easements committed a 31-acre quarry on the property to permanent flood control use and called for allowing another 30 acres to be used for drainage purposes if needed, pursuant to terms to be worked out by the property owner and the flood control district, with the understanding that the county would defray the cost of building and be responsible for constructing any flood control facilities on those easements. In 1999, the county and the Colonies Partners entered into an agreement with the county under which the Colonies Partners agreed to construct a flood control basin on the property to alleviate drainage issues relating to the planned residential and commercial development of the property. That agreement carried the proviso that upon completion of the flood control facilities, the property would no longer be hampered by the flood control easements and the Colonies Partners would have complete and absolute control of the property and could develop it subject to the City of Upland's land use and zoning restrictions and regulations.

In the same time frame, the California Department of Transportation sought to use a roughly 40-acre swathe along the north of the Colonies Partners' property for the 210 Freeway, which resulted in litigation between the Colonies Partners and the state. That litigation was resolved with a \$17 million settlement which was intended to recompense the Colonies Partners for the taking of land and any severance damages that taking represented. In the meantime, the Colonies Partners was moving ahead with the first phase of its Colonies at San Antonio residential subdivision. By 2001, however, the county had grown unsure about whether the

67-acre flood control basin the Colonies Partners was completing met the specifications laid out in the 1999 agreement. Simultaneously, the county flood control district was constructing, at the behest of the City of Upland, what is referred to as the 20th Street Storm Drain, which collected rainwater from the northwest portion of Upland as well as runoff from the below-ground 210 Freeway. The Colonies Partners, which disagreed with the county's assessment that the flood control basin the company was constructing was in any way inadequate, filed a quiet title action aimed at obtaining a declaration from the court that the company had unfettered control over the property. In 2002, the county completed the 20th Street Storm Drain and began discharging water originating elsewhere in the city and from the freeway trough onto the Colonies property. In 2003, Superior Court Judge Peter H. Norell, who was hearing the quiet title action, made a finding that the county had abandoned the flood control easements on the Colonies Partners' property. The ruling was perceived as highly favorable to the Colonies Partners, and created the expectation that the Colonies Partners would be free to pursue its development of the property unfettered. The county, however, appealed Norell's ruling, continuing to keep the Colonies Partners from proceeding with the next phase of residential development. The following year, the county filed suit against the Colonies Partners for breaching the 1999 agreement. This touched off a counter claim from the Colonies Partners, an inverse condemnation suit, which maintained the vectoring of the water from the 20th Street Storm drain onto the Colonies Partners' property was an unconstitutional taking of its land. In that suit, the Colonies Partners sought reimbursement from the county for building the basin and compensation

for the land it claimed the county had taken. The lawsuit, however, was put on hold while the quiet title action was yet being litigated. In 2005, the Fourth District Court of Appeal reversed Norell's ruling, finding that the county's flood control easements had not been abandoned. It sent the matter back to Norell with instructions that a determination be made as to how that portion of the basin not covered by the 31-acre easement specified as absolute in the 1934 easement document fit within the rubric of the 1939 easement which indicated another 30 acres beyond the 31 acres could be used for flood control purposes with the consensus of all parties. The Fourth District Court's mandate thus sought a determination from Norell as to how much of the basin land the county would have to pay for.

This represented a further setback and delay for the Colonies Partners. In a 29-count indictment handed down in May 2011, it was alleged that by late 2005 and moving into 2006, an increasingly frustrated Burum, concerned over the interminable delays in his project, conspired with Jim Erwin, the one-time president of SEBA, the Safety Employees Benefit Association which served as the collective bargaining unit for the county's sheriff's deputies, to blackmail and then bribe then-county supervisors Bill Postmus and Paul Biane to forge a \$102 million settlement of the litigation. According to the indictment, Erwin assisted Burum in threatening both Postmus and Biane, then respectively the chairman and vice chairman of both the board of supervisors and the San Bernardino County Republican Party, with exposure relating to the former's drug use and homosexuality and the latter's precarious financial condition. According to the prosecution, those threats persuaded Postmus and Biane to vote in November 2006, along with then-county

supervisor Gary Ovitt, to approve conferring the \$102 million payment on the Colonies Partners to end the litigation. Thereafter, between March and the end of June in 2007, the Colonies Partners provided each of two political action committees controlled by Postmus with separate \$50,000 donations; and \$100,000 donations to each of three political action committees controlled by Biane, Erwin and Mark Kirk, who was Ovitt's chief of staff. The indictment alleged that the \$300,000 paid out to Postmus, Biane and Kirk was bribe money, kickbacks provided to Postmus and Biane in exchange for their vote to settle the litigation and a kickback that went to Kirk for his assistance in delivering Ovitt's vote in favor of the settlement. The \$100,000 received by Erwin, the prosecution maintained, was a reward provided to Erwin for his assistance in inducing Postmus and Biane to support the settlement. Both Postmus and Erwin were criminally charged in February 2010 with regard to the circumstances surrounding the 2006 lawsuit settlement, and both entered not guilty pleas at that time. Thirteen months after that criminal filing and two months prior to the indictment, Postmus in March 2011 pleaded guilty to a raft of criminal charges relating to his vote in favor of the settlement that had been filed against him in 2010, including bribery. He was the star witness before the grand jury that indicted Burum, Biane, Erwin and Kirk, and he was a central witness in the trial this year that was presided over by Superior Court Judge Michael Smith.

Two juries heard the case, one for Burum, Biane and Kirk and the other for Erwin, because statements Erwin had made to investigators prior to the indictments were deemed inadmissible against his codefendants. When those statements were presented in court against Erwin, the jury for Burum, Biane and Kirk was excluded

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from the courtroom. The prosecution rested in June, after which the juries were absent from the courtroom as the prosecution and defense hashed out before Judge Smith the mutually acceptable language for jury instructions, and Smith heard defense motions to have all of the charges against the defendants dismissed. Judge Smith granted some but not all of those dismissal motions. On July 18, the jury reconvened with the expectation that the defense would put on its case. In a surprise move, the defense called no witnesses and rested. An abbreviated summer hiatus ensued and beginning on August 14 and concluding on August 24, California Supervising Deputy Attorney General Melissa Mandel followed by the attorneys for Kirk, Biane, Burum and Erwin – Peter Scalis, Mark McDonald, Stephen Larson and Raj Maline, respectively – provided the jurors with final arguments. On August 23, the jury for Burum, Biane and Kirk began deliberations on the charges, which by that point had been whittled down to four against Burum, three against Biane and two against Kirk. The following day, the jury for Erwin began its deliberations on the seven charges still in play against him.

After just two days of deliberating, the panel for Burum, Biane and Kirk returned with not guilty verdicts on all nine remaining charges against the three defendants, which were read

to a packed courtroom on August 28.

Erwin's panel, however, was unable to resolve any of the individual members' differences over seven charges against the defendant, consisting of two counts – invoking both Penal Code Section 68 and Penal Code Section 165 – relating to aiding and abetting Postmus in receiving or asking for a bribe; two counts – invoking both Penal Code Section 68 and Penal Code Section 165 – relating to aiding and abetting Biane in receiving or asking for a bribe; two counts of perjury relating to Erwin having not disclosed on statements of economic interest routinely filled out by public officials gifts he had received from Burum and money from a political action committee controlled by district attorney Mike Ramos' political consultant David Ellis which defrayed some Erwin's legal costs; and one count of failing to fully pay his taxes in 2008.

As deliberations dragged on, both the prosecution and Erwin's attorney, Raj Maline, each sought to bounce two jurors from the panel. In the case of the prosecution, its motion called for the removal of a pair of jurors perceived as being strongly in favor of acquittal. In Maline's motion, he pushed for disqualifying two jurors, including the foreman, Joseph Harris, believed to be in favor of conviction. Judge Smith refused to grant either

Continued on Page 3

Preparations To Complete Preserves Under Way *from front page*

lands Gateway Ranch in Live Oak Canyon and intends to convert the property into an outdoor education center and native plant nursery and a garden featuring drought tolerant and drought resistant vegetation. On September 5, Redlands Quality of Life Director Chris Boatman introduced Sherli Leonard of the Redlands Conservancy, who presented details of the proposed improvements to the Redlands Gateway Ranch and the plans for an onsite caretaker.

Leonard said the first order of business was clearing the site, establishing a temporary abode for an onsite caretaker and initiating the conversion of some of the property into a native plant nursery. That is to begin relatively quickly, she said. Next year, Leonard said, what she termed a "staging area" would be created and trail connections established southward into Riverside County at the mouth of the Western Riverside County Regional Conservation Preserve and northward into the Herngt Preserve. Later next year, she said, the existing ranch house and other buildings on the property would be re-

stored, at which point the caretaker would move into the ranch house.

The conservancy is relying upon the provision of \$240,980 in donations and grants to see the project through. She said the project will move forward "as we can get funds."

Leonard said a problem facing the effort is the proliferation of non-native vegetation that is present in the area and which threatens to overrun the native vegetation. She said the recent Palmer fire, which charred some 3,874 acres in nearby and adjacent San Timoteo Canyon in late August had the salutary effect of eradicating some of the non-native vegetation and invasive plants surrounding the ranch.

The city council directed staff to work with the conservancy and update it on the plans and progress. "We look forward to the matter coming back to us," said Redlands Mayor Paul Foster.

On September 12, the San Bernardino County Board of Supervisors followed the recommendation of the county's newly installed regional parks director, Behta Davis, to extend the deadline from September 30, 2017 to September 30, 2018 to complete the phase III construction of the Santa Ana

River Trail, and extend the termination date from December 31, 2017 to December 31, 2018. Phase III is to consist of 3.8 miles of the trail from Waterman Avenue to California Street in the City of Redlands.

The Santa Ana River has its headwaters at the base of the San Bernardino Mountains near Highland and winds through San Bernardino, Riverside and Orange counties to its terminus in the Pacific Ocean. In 2006, California voters passed the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act, in the form of Proposition 84 on that year's ballot. The

act authorized \$45 million in general obligation bonds for the entire Santa Ana River Trail, which traverses all three counties. The California Coastal Conservancy was authorized by the State Resources Agency to administer the funds.

On January 29, 2015 the California Coastal Conservancy awarded a Proposition 84 revenue grant in the amount of \$3,399,500 to the San Bernardino County Regional Parks Department for construction of a 3.8 mile segment for phase III of the Santa Ana River Parkway Trail corridor from Waterman Avenue in the City of San Bernardino to California Street in the City of

Redlands, all within the County of San Bernardino. The revenue agreement to accept the grant funds was approved at the board of supervisors meeting on August 25, 2015. At that time, the completion date on the construction of that span of the trail was slated for September 30, 2017 and the termination date for the project was set at December 31, 2017.

According to Davis, "Revising the completion and termination project dates are necessary due to the length of time required to obtain permits for the inclusion of the Redlands Passenger Rail Project intersection. Additional revisions for easements of

adjacent properties, utilities and areas of impact within the Santa Ana River were factors that affected the construction timeframe. Construction is scheduled to begin on December 15, 2017 and all work is expected to be completed by September 30, 2018. The grant funding will be reimbursed to the county upon proof of expenditures related to construction costs; the work shall be completed by September 30, 2018 in accordance with the agreement. Revenue and expenditures related to the county's allotment of Proposition 84 funds will be included on a future quarterly county-wide budget report."

Hearing On Whether Erwin To Be Retried Set For September 22 *from page 2*

motion, and sent the jurors back into deliberations last week.

By Wednesday of this week, September 13, the jury had exhausted all efforts to come to a consensus. At that point, Judge Smith was absent, having sojourned to parts unknown for a long-delayed vacation.

The jury returned Wednesday morning to Smith's courtroom, where Judge Brian McCarville was substituting for his absent colleague.

Reviewing the tallies of the jury's votes on each count, McCarville preliminarily determined that no verdict had been reached on any of the charges. His exchange with the jurors confirmed that. Reportedly, the jury narrowly avoided convicting Erwin 11-1 on the income tax charge. That tally was not officially confirmed by the court. The panel also favored conviction, reportedly by an 8-4 margin, on the perjured reporting documents charges. With regard to the four bribery-related counts, the unconfirmed poll was 7-to-5 in favor of acquittal with regard to one aiding and abetting bribery charge relating to Postmus and 9-to-3 in favor of acquit-

tal in regard to the other aiding and abetting bribery charge pertaining to Postmus; the jury voted 10-to-2 in favor of acquittal on both of the aiding and abetting charges relating to Biane.

"The court finds and declares the jury is hopelessly deadlocked and I declare a mistrial at this time," McCarville pronounced.

McCarville ordered Erwin and his lawyer to return to court on September 22 for a hearing into whether the proceedings against him will continue to a retrial on all or just some of the counts. At that point, the court will entertain a motion from Maline to dismiss the case.

San Bernardino County District Attorney Mike Ramos immediately put out a statement, saying, "Today, the judge declared a mistrial in the case against defendant Jim Erwin in the 'Colonies' corruption trial. First and foremost, this jury took their job very seriously and we are extremely thankful for their service. We will continue to seek justice on behalf of the citizens of San Bernardino County and are evaluating the best course of action."

In remarks made on the first floor of the courthouse shortly after the mistrial was announced, Maline said the overriding sentiment of the jury with regard

to the most substantial charges was that not only had the prosecution failed to prove its case but that his client was innocent. "This case should not be tried again," he said. "You saw whole thing. That was the best they could do. It only gets worse for them from here."

With regard to the bribery charges which were the heart of the case, Maline said, the prosecution came nowhere near convincing a majority of the jurors that there was any substance to the allegations,



Raj Maline

let alone achieving the unanimous twelve votes needed to convict. "The jury spoke, in terms of the main bribery counts, overwhelmingly, for innocence," Maline said. "From the beginning, the vast majority of the jurors were of the opinion that he was not guilty."

Maline suggested that the jury foreman and one other juror were pursuing "their own agenda," which was in lockstep with the prosecution. "They certainly did not follow the law" in reach-

ing a conclusion of guilt, Maline said.

Maline offered a different running total of the votes with regard to the income tax evasion charge, saying the jury split 6-6, implying the report that the jury was one vote away from conviction was inaccurate.

He acknowledged that the panel was leaning toward conviction on the two statement of economic interest reporting violations. Maline said, however, that the prosecution had overcharged Erwin with regard to both of those. He said the omissions that were charged as felonies were simple oversights and he contrasted the district attorney's action in charging his client criminally to the action taken against the district attorney, Mike Ramos, who made similar reporting slip-ups on his statements of economic interest on three separate occasions. In those cases, the matters were referred to the California Fair Political Practices Commission, which nominally fined Ramos on the first offense and then imposed the maximum fine on the two follow-up omissions. The commission also noted in assessing the latter two fines that Ramos had been a repeat offender who had not taken to heart the previous admonishments

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McMahon Out Of Step With The Exacting Standards Of Former Sheriff Frank Bland *from front page*

services unit is required by Title 15 California Code of Regulations to provide adult education programming to inmates housed in all four county detention facilities. Master of social work students will assist inmate services unit staff to provide these services to the families and inmates. The goal of the agreement is to provide master of social work students, with supervised practicum placement at a detention facility for the purpose of assisting with inmate rehabilitation and successful reentry. The training and field experience will augment the master of social work students' classroom learning in preparation for professional social work practice. The sheriff's department will have the benefit of master of social work students working with inmate services unit staff as additional support to provide both male and female inmates with classes, interactive counseling sessions, and one-on-one support in an effort to reduce the cycle of trauma and incarceration."

This policy and Title 15 California Code of Regulations, which has been updated several times since 1982, very likely has Frank Bland,

the longest serving sheriff in San Bernardino County history, spinning in his grave. Bland was elected sheriff in 1954 and remained in office seven terms – 28 years – until January 1983.

Bland did not believe in mollycoddling criminals. Reports are that his current successor, McMahon, considers himself a Christian. Bland personally professed disdain for those he considered "bleeding heart liberals" who cloaked the lenient treatment of those incarcerated in his jails in religious rhetoric. He said there was "no place for Christian charity in our jails."

In November 1970, the San Bernardino County Grand Jury released a report that expressed disapproval of the physical abuse of prisoners in the county's detention facilities and the practice of housing prisoners deemed to be disrespectful or uncooperative with their jailers in what was referred to as "the hole," i.e., in isolation, a dank and unlighted set of chambers.

Bland had an immediate, and predictably negative, reaction to the criticism. "The grand jury just doesn't know what it's talking about," he told the board of supervisors.

In private conversations with those he considered to be right-thinking and sensible who had the proper respect for law enforcement, Bland expressed himself

somewhat differently, acknowledging that jails were unpleasant places and that the experience of jail and prison was intended to make a lasting impression on those consigned to them. Whatever experience those in jail underwent, Bland maintained, was a consequence of their own criminal acts.

Within a short span of time, his department produced a written response to the grand jury report that was intended to mollify his department's critics. "The report is an incredible collection of half truths and misstatements," Bland said. "It was obviously prepared by people who, out of idealism, inexperience, and ignorance, have not obtained all the facts."

Bland dismissed suggestions that those jailed were subjected to mistreatment, by either their keepers or other inmates. "Inmates classified to serve their time in maximum security are considered to be escape risks due to their past history of escaping, or the fact that they are facing a major prosecution in this county or elsewhere, due to the fact that they are addicted to the use of narcotics or dangerous drugs and will go to every means to sustain their habit, or they are homosexuals and must be isolated from the other inmates for their own protection and to prevent the occurrence of criminal sex acts."

Nevertheless, evidence of Bland's contempt for efforts to interfere with his employment



Frank Bland

of a harsh incarceration regime crept into the response, with an assertion that his approach was one that found favor with the public at large.

"The people throughout the United States are extremely dissatisfied with the present judicial system thinking only of the rights of the defendant and failing to consider the protection of society against the criminals," Bland asserted.

Less than a year later, Judges John Lawrence and Roy Chapman threw the weight of their gravitas and authority, albeit quietly at first, behind those who felt Bland was misguided in his belief that the conditions of incarceration should be

onerous and used for instilling a life lesson in those entrusted to his custody that the wages of

lieu of sending them to jail where he said they could be subjected to homosexual attack. Bland went ballistic, calling for the removal of Lawrence unless the judge could provide evidence to support his assertion about homosexual rape taking place in the county's jails. Lawrence, Bland told the board of supervisors, was justifying his propensity for sentencing leniency "by saying the jails are unsafe for criminals. All young people placed in the county jails are kept separate from known homosexuals or hardened criminals."

Bland, comfortable in the knowledge that then-San Bernardino County District Attorney Lowell Lathrop had his back and his status as county sheriff afforded him virtual invulnerability, rode out the storm, and was able to remain in office another 11 years.

For at least some historians, sociologists and criminologists, it might be illuminating to know what Bland would have to say about the concessions McMahon has made to the standards being applied with regard to the warehousing of society's criminal element now, some two generations after Bland was the unchallenged ruler of San Bernardino County's law enforcement fiefdom. That size-up is not available, as Bland died in 1986. –

Mark Gutglueck

Cultural Current Sucking Hesperia & Victorville Toward Cannabis Tolerance from front page

nances either tightening existing codes or creating new ones outlawing altogether the sale of marijuana within their city limits. Some would-be entrepreneurs, either ignorant of the passage of those ordinances or believing that state law would in some fashion trump local ordinances, set up dispensaries, created distribution networks or established cultivation operations. For some of those would-be marijuana capitalists, things did not go particularly well. Nearly all had their operations shut down and their products and proceeds on hand compensated. Many were arrested. A few, particularly those with large quantities of the drug or ones who flouted the law in some conspicuous way, have been prosecuted.

While this virulent anti-marijuana ethos has continued to persist in many place around the county – in Upland, for example, the voters during the November election soundly defeated one ballot measure that would have allowed up to three medical marijuana clinics to operate in the city and in June the city's voters passed yet another ballot measure confirming that dispensaries are prohibited within Upland City Lim-

its – in other spots cracks in the cannabis prohibition façade have evinced themselves.

Following Needles' lead, cash strapped-Adelanto in 2015 moved to allow large-scale marijuana cultivation operations within its industrial park. Initially, the city council drew the line at that level, preparing to permit plants to be grown and harvested and sold wholesale, but continuing to prohibit retail sales or the operation of dispensaries and clinics. The mad rush of investment and property purchases in the aftermath of the opening of the city to marijuana-related agricultural operations caught a lot of attention and more recently, the city dropped the prohibition on clinics and dispensaries. At the county seat, San Bernardino, where the city council had evinced its philosophical opposition to allowing open access to cannabis for medical purposes over the years, city officials in vain sought to ward off the inevitable last year when two groups qualified ballot measures calling for allowing retail marijuana operations in the city. The city council responded by using its authority to place on the ballot a measure calling for the commercial availability of marijuana that was more restrictive than either of the voter petition initiatives. The city's measure failed and the two others, Measure N and Measure O

passed, by 51.1 percent and 55.12 percent, respectively. Measure O was sponsored by vice-impresario Randy Welty, a multi-millionaire who operates directly or indirectly some two dozen adult entertainment venues, pornographic bookstores and peep shoes, along with at least 56 medical marijuana clinics throughout California. Predictably, the first licensed marijuana distribution operation in San Bernardino is owned by Welty.

In the last two weeks, the cities of Hesperia and Victorville did what a generation ago, a decade ago, a year ago or even six months ago would have been unthinkable. In Hesperia's case, it passed an ordinance which, while yet banning storefront retail sales and the outdoor growing of marijuana, created a regulation regime for the home delivery of marijuana and the basing of such operations within the city of 94,000, as well as the indoor cultivation of the weed. In Victorville, while not yet finalizing anything, city officials there gave indication they are poised to make some concessions to the new reality.

Hesperia's ordinance stops short of embracing marijuana as a socially acceptable intoxicant on the order of alcohol. Nevertheless, along several narrowly defined parameters it allows those who want to use it to do so.

Hesperia's lawyers

began crafting the ordinance shortly after the council in March voted to put what one council member called a "sensible," another council member said was a "realistic," and a third council member touted as a "conservative" approach to marijuana availability. At that time, a majority of the council yet appeared to be opposed to allowing any commercial activity relating to cannabis in the city, but a tipping point came when an elderly woman at a public meeting said she had to drive a great distance to get marijuana to treat her medical condition. A council majority indicated then that some reasonable means of making the drug available to those who truly need it in a medical context should be forged.

Under Hesperia's ordinance, outdoor cultivation is prohibited, but the six plants each adult is permitted to foster under state law can be grown indoors if such growers register the address of where the cultivation is taking place, renew that registration annually, and ensure that the horticulture confines itself to a locked and secured room or outbuilding. The owner of rented property upon which such activity is to occur must consent to his or her tenant(s) growing it. The city council also expressed its will to impose a yet-to-be-determined fee on those seeking an indoor growing permit.

The ordinance allows

distribution warehouses for the delivery services to be located in Hesperia if they are located in the city's general industrial zone, but prohibits any "medically related" activity there other than that to facilitate the delivery of the product to medical patients, whose prescriptions must be verified by a doctor in order for those deliveries to be made. All activity relating to the warehousing, processing, packaging or storing of the product must be carried out indoors and the receiving and loading of the product must take place behind rather than in front of the building. There can be no displaying of the merchandise inside the delivery warehouses, and no sales can take place on the premises. The warehouses from which the deliveries originate must incorporate ventilation systems to keep the odor of marijuana from reaching adjoining properties. The building in which the warehouse is located is to have no signage relating to marijuana. The warehouses must be outfitted with security cameras and an alarm system. The deliveries are to be made to residential addresses. While one section of the ordinance says the delivery vehicles are to be unmarked, another says the vehicles may include a business name, address and phone number, but are not to bear logos.

According to Hesperia's assistant city attor-

ney, Jeff Malawy, "The distribution businesses are not intended to be storefronts. Customers will have to order over the phone or by the internet for delivery to take place, which can only occur during daylight hours. The deliveries are to take place at homes. There is a provision that there can be no exchanges of goods on the sidewalk or in the public way, which should stop people from flagging down delivery vehicles."

The ordinance requires that each medical marijuana distribution business be specifically permitted as a mobile dispensary and, in addition, have a business license. Licensees are to be subjected to a complete background check and those who have been criminally charged with regard to past marijuana distribution within the city or those cited administratively for the same will be denied a license until any past fines or fees have been paid.

In addition to any state fees and excise tax the business is subject to and the yet-to-be-determined city fee to be levied on distribution operations, the ordinance puts forth that the business could be subject to any tax imposed on it by the city as a consequence of a vote by city residents approving such. Medical marijuana retail sales, under the ordinance, remain exempt from state sales taxes.

Malawy told the *Sen-*
Continued on Page 6

Erwin's Portion Of Colonies Criminal Trial Ends With Hung Jury from page 3

relating to his previous reporting violations. Maline noted that Erwin was rung up on a felony violation relating to an error he made the first time he had filled out the reporting forms.

"That should never have been charged as a felony," Maline said. "The district attorney charged Jim criminally twice for simple mistakes that the district

attorney himself has engaged in repeatedly."

"Although it is difficult to refrain from responding to the frivolous attacks being reported in the newspaper, along with the unfounded comments about this case being politically motivated, our ethical duties as prosecutors prevent us from trying the case in the media," Ramos said in a prepared statement. "At this time, we have no further comment while the case is still pending retrial."

"I am grateful to the jurors who believed in me and took the time to

look at the truth," said Erwin. "I am not completely happy with the deadlock but what I had to deal with was two renegade jurors whose minds were made up. They kept hammering on the others."

He said the closest the prosecution came to getting a conviction consisted of a final vote on the income tax count, which he said jurors originally were divided on 6-to-6. "They weren't even close on anything else, but as a compromise, I understand, they concentrated on that count and it moved to 11-to-1

for conviction," Erwin said. "One of the jurors held out. She said she couldn't vote to convict because she knew I was not guilty. That was as close as they got."

Erwin said he is anxious to return to court on September 22, when a motion to dismiss based on Penal Code Section 1385 will be presented to the court. He said he and his legal team have had "no communication with the prosecution," but he said the consensus is it will be very difficult for prosecutors to mount a convincing opposition to the dismissal mo-

tion. "On the so-called corruption charges, the jurors were overwhelmingly on my side," he said. "The other charges on perjury and income tax were meant to overwhelm me and get me to plead early on. That didn't work, and those charges should never have been brought. I didn't call any witness in my defense and if they re-file, this time there will be a full-fledged defense. That is the situation they [the prosecutors] have to analyze. If they want to retry any count, I am not waiving time."

Stephen Larson, Burum's lead attorney, said that jury's majority vote to acquit Erwin on the bribery-related charges should convince the prosecution to "do the right thing and put this to rest."

Charged, but yet to be prosecuted in the case is Dino DeFazio, who stands accused of assisting Postmus in the laundering of the bribes he admitted to receiving from the Colonies Partners. It is not known what impact the earlier acquittals will have on the case against him.

Hesperia Willing To Permit Medical Marijuana Delivery

from page 5

tinel he believes the ordinance is airtight and any challenges of it on constitutional or other grounds will fail.

“There was a provision in Proposition 64 allowing cities to reasonably regulate marijuana use in their respective jurisdictions,” said Malawy. “I think our ordinance is even more lax than most ordinances adopted by cities around the state.”

With regard to a possible challenge over the ordinance’s requirement that the marijuana distribution operators keep a list of customers and addresses that are subject to examination by the government, Malawy said he did not

think something like that would gain traction. Liquor store owners are not similarly subjected to obtaining such information on their customers and compromising it to the government. A distinction between intoxicants can be drawn, Malawy suggested. He said, “We consider that to be a reasonable requirement, that marijuana customers be registered for safety reasons. You should understand that from the standpoint of governments regulating businesses, the courts have said that if a legislative body, such as in this case the city council, has a rational basis for making a distinction between two types of businesses, they can impose different requirements on those businesses. We think the city has a rational basis in this case because a business dealing in marijuana might have

more of an impact on the community in various ways, such as creating more crime than a liquor business. You might disagree and others might agree. We think that a court looking at it would see a rational reason for treating those two types of business differently. I think our ordinance would meet the constitutional test.”

With regard to the legal defensibility of charging cultivators growing plants for their own use, Malawy said, “We see that as reasonable, as well. Section 11362.b of the Health and Safety Code adopted in Proposition 64 says a fee can be charged up to the cost the city bears in regulating the program. The determination of that will come later when the ordinance is fully adopted. The city will have to do a study to determine how much the permit-

ting program can charge. We are legally prohibited from charging more than what it would take to recover our costs.”

Malawy acknowledged that enforcing the ordinance might present challenges. “There are lots of laws that can be difficult to enforce,” he said. “Things like no sale of the product to those other than those who order it first could be difficult, but section 5.50.100 requires that businesses maintain records with regard to sales and deliveries, and that there be a single accounting sheet for each sale. They are required to keep various records like that on site, which are subject to inspection upon request. If they do not consent to giving us those records, that is reasonable suspicion to get a warrant from a court to inspect their records.”

As to the city reserv-

ing its right to ban those who have transgressed with regard to marijuana related offenses in the past, even in the era of tolerance, Malawy said the city was on solid legal footing. “In that, we are applying what the state has told us we can do,” he said, “Under Proposition 64 or laws adopted by the legislature, including Business and Professions Code Section 26057b4, cities may deny a permit for anyone who has been sanctioned in the past for violating a marijuana-related law or ordinance.”

Malawy also spoke to the apparent leeway in the ordinance which would allow the city, speaking through its citizens at the ballot box, to essentially obstruct marijuana availability in Hesperia by yet imposing a tax on the sale of the drug that would be so hefty no customer would

be willing to pay it. “The city council or citizens through the initiative petition process could go to the voters on a marijuana tax proposal,” he acknowledged. “There’s no limit on the amount of a tax to be approved by voters. Legally, that would be fine. But it is not really very likely. If the entire citizenry of Hesperia hated marijuana, the city council would have decided to impose an outright ban. They did not. Remember, in November, the majority of Hesperia voters favored Proposition 64.”

In Victorville this week, the city council there on Tuesday acknowledged that not only has the attitude in the State of California shifted with regard to the acceptability of the use of marijuana, resi-

Continued on Page 18

Luth Replaces Johsz On Fire Board from front page

of the Chino Valley Fire District’s board of directors. Johsz, who was once a staff member with former San Bernardino County Fourth District

Supervisor Gary Ovitt, was himself appointed to the fire district board in 2013 to replace Ray Marquez, who left the fire board after winning a special election to fill a vacancy on the Chino Hills City Council created when councilman Wilburn “Bill” Kruger resigned from that posi-

tion. As a result of his elevation to the city council, Johsz resigned as a fire board member. Last week, the four remaining members of the fire board - Sarah Evinger-Ramos, Mike Kreeger, Ed Gray and John De-Monaco – took up the assignment of replacing Jo-

hshz within their ranks. Under consideration were Chino Community Services Commission President Kevin Cisneroz, Chino Planning Commissioner Steve Lewis, Chino Planning Commissioner Harvey Luth, retired Chino City Manager Richard Rowe, Chino Hills Parks and

Recreation Commissioner Joe Schaffer and Carbon Canyon Fire Safety Council Member Vance Stearns. Ultimately, the board voted 3-1, with Kreeger dissenting, to appoint Luth.

Luth moved to Chino with his parents when he was three-years old in 1959, living on his family’s Euclid Avenue farm until he was in junior high. His family moved into a single family residential home in Chino in 1969. He attended Ontario Christian High School, graduating in 1974. He attended and graduated from Cal Poly Pomona, where he studied horticulture. He is the proprietor of L and L Nursery Supply in

Chino. Luth is a Kiwanis member, and was a board member with the Chino Community Services Commission, 3-Way Thrift Store, the YMCA board, and the Chino Community Theatre. He was sworn in on Wednesday and will need to stand for reelection in November 2018 to remain in office beyond the expiration of his current term in December 2018.

To take up his position on the fire board, Luth resigned from the Chino Planning Commission. It is anticipated the Chino City Council will fill that vacancy sometime within the next two months.

School Counselor With Gun Arrested from front page

found the gun.

It is illegal to have a firearm on a school campus in California. Scott was arrested and transported to West Valley Detention Center in Rancho Cucamonga, where she was booked on suspicion of bringing a firearm to a school. Early Tuesday she posted \$25,000 bail, and was released. By that point, the

district had placed her on administrative leave.

According to San Bernardino City Unified School District Police Chief Joseph Paulino, there is nothing to indicate Scott ever took the gun out of her vehicle. The vehicle was locked at the time the search was carried out. Paulino said Scott had never made a threat to use the weapon. “We don’t believe [Scott] is a threat to the campus,” Paulino said.

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Public Notices

FICTITIOUS BUSINESS NAME STATEMENT
FBN 20170009486
The following person(s) is(are) doing business as: JMC 744 W CEDAR ST ONTARIO, CA 91762 8333 ROCKING HORSE CIR JURUPA VALLEY, CA 92509 JOSE MARIO CALVILLO MENCHACA 8633 ROCKING HORSE CIR JURUPA VALLEY, CA 92509
Business is Conducted By: An Individual

Began Transacting Business On: 12/01/2009
Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.
s/Jose Mario Calvillo Menchaca
This statement was filed with the County Clerk of San Bernardino on: 8/22/2017
I hereby certify that this is a correct copy of the original statement on file in my office.

Began Transacting Business: Not Applicable
County Clerk, s/GA
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code).
Published in the San Bernardino County Sentinel 8/25/2017, 9/01/2017, 9/08/2017 & 9/15, 2017

FICTITIOUS BUSINESS NAME STATEMENT
FBN 20170008776
The following person(s) is(are) doing business as: HOME AND MIND ALIGNED 27515 CLOVERLEAF DRIVE HELENDALE, CA 923432 P.O. BOX 1971 HELENDALE CA 92342 ERIKA L DOMINGUEZ 27515 CLOVERLEAF DRIVE HELENDALE, CA 92342
Business is Conducted By: An Individual
Began Transacting Business On: N/A
Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.
s/Erika L. Dominguez
This statement was filed with the County Clerk of San Bernardino on: 8/03/2017
I hereby certify that this is a correct copy of the original statement on file in my office.

Began Transacting Business: Not Applicable
County Clerk, s/GA
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Began Transacting Business On: N/A
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s/Erika L. Dominguez
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Published in the San Bernardino County Sentinel 8/25/2017, 9/01/2017, 9/08/2017 & 9/15, 2017

FICTITIOUS BUSINESS NAME STATEMENT
FBN 20170008772
The following person(s) is(are) doing business as: PHOENIX 1 AUTO SALES 161 W. MILL ST. SUITE 204A SAN BERNARDINO, CA 92408 JOSHUA R PHOENIX 25652 RIMGATE DR UNIT 4G LAKE FOREST, CA 92630
Business is Conducted By: An Individual
Began Transacting Business On: N/A
Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.
s/Joshua R. Phoenix
This statement was filed with the County Clerk of San Bernardino on: 8/03/2017
I hereby certify that this is a correct copy of the original statement on file in my office.

Began Transacting Business: Not Applicable
County Clerk, s/GA
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Published in the San Bernardino County Sentinel 8/25/2017, 9/01/2017, 9/08/2017 & 9/15, 2017

Fictitious Business Name Statement
FBN 20170008690
The following person is doing business as: JOJOS SOLAR SHINE 465 W. VICTORIA ST. RIALTO, CA 92376 ERNESTO J RAMIREZ 465 W. VICTORIA ST. RIALTO, CA 92376
This business is conducted by: AN INDIVIDUAL.
The registrant commenced to transact business under the fictitious business name or names listed above on: N/A.
By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.
s/Ernesto J. Ramirez
Statement filed with the County Clerk of San Bernardino on 8/01/2017
I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy

Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14411 et seq., Business and Professions Code).
Published in the San Bernardino County Sentinel August 25, and September 1, 8 & 15, 2017

ORDER TO SHOW CAUSE FOR CHANGE OF NAME
CASE NUMBER CIVDSI715608
TO ALL INTERESTED PERSONS: Petitioner: MOHINI ROHITKUMAR PATEL filed a petition with this court for a decree changing names as follows:
MOHINI ROHITKUMAR PATEL to: MOHINI SUCHAK THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any,

why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.
Notice of Hearing:
Date: 09/28/2017
Time: 8:30 a.m.
Department: S17
The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino
IT IS FURTHER ORDERED that a copy of this order be published in SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.
Dated: August 17, 2017
Michael A. Sachs
Judge of the Superior Court.
Published in SAN BERNARDINO COUNTY SENTINEL on 08/25/2017, 09/01/2017, 09/08/2017 & 09/15/2017.

Public Notices

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Published in the San Bernardino County Sentinel 8/25/2017, 9/01/2017, 9/08/2017 & 9/15, 2017

SUMMONS CITACIÓN NOTICE TO RESPONDENT: RICARDO SANCHEZ, an individual; JESUS E. RAMOS, an individual; OTTO R. BRAVO, an individual; CARLOS BARBA, an individual; and DOES 1 through 100, inclusive.
CIVDSI617843
You are being sued by plaintiff: Lo esta demandando el demandante: VARDAN ISAYAN, an individual.
Notice! You have been sued. Read the information below. Lo han demandado. Lea la información a continuación
Case number: CIVDSI617843
Filed Superior Court of California County of San Bernardino San Bernardino District OCTOBER 25, 2016 by Clerk (Secretario) VERONICA GONZALEZ, Deputy (Adjunto) NOTICE!
You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.
You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local bar association.

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Public Notices

courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.
NOTE:
The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.
¡AVISO!
Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.
Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta.
Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.
Hay otros requisitos legales . Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos extensos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.
The name and address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino
IT IS FURTHER ORDERED that a copy of this order be published in SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.
Dated: August 17, 2017
Michael A. Sachs
Judge of the Superior Court.
Published in SAN BERNARDINO COUNTY SENTINEL on 08/25/2017, 09/01/2017, 09/08/2017 & 09/15/2017.

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Published in the San Bernardino County Sentinel 8/25/2017, 9/01/2017, 9/08/2017 & 9/15, 2017

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Published in the San Bernardino County Sentinel 8/25/2017, 9/01/2017, 9/08/2017 & 9/15, 2017

Public Notices

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Published in the San Bernardino County Sentinel 8/25/2017, 9/01/2017, 9/08/2017 & 9/15, 2017

Public Notices

Public Record upon filing.
s/Edwin Rivera
This statement was filed with the County Clerk of San Bernardino on: 7/28/2017
I hereby certify that this is a correct copy of the original statement on file in my office.
Began Transacting Business: Not Applicable
County Clerk, s/EF
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code).
8/25/2017, 9/1/2017, 9/8/2017, 9/15/2017

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Published in the San Bernardino County Sentinel 8/25/2017, 9/01/2017, 9/08/2017 & 9/15, 2017

Public Notices

Public Record upon filing.
s/Kena L Poole
This statement was filed with the County Clerk of San Bernardino on: 7/28/2017
I hereby certify that this is a correct copy of the original statement on file in my office.
Began Transacting Business: Not Applicable
County Clerk, s/DOM
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code).
8/25/2017, 9/1/2017, 9/8/2017, 9/15/2017

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1716995
TO ALL INTERESTED PERSONS: Petitioner: NANCY TREVINO filed a petition with this court for a decree changing names as follows:

OSCAR ALBERTO PORTILLO to: OSCAR ALBERTO TREVINO

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing:
Date: 10/16/2017
Time: 8:30 a.m.
Department: S17

The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino

IT IS FURTHER ORDERED that a copy of this order be published in SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: September 1, 2017
Michael A. Sachs
Judge of the Superior Court.
Published in SAN BERNARDINO COUNTY SENTINEL On 09/01/2017, 09/08/2017, 09/15/2017 & 09/22/2017

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20170010106

The following person(s) is(are) doing business as: G.R.S. 15688 Pecan Lane, Fontana, CA 92337, Gateway Recovery Solutions LLC, 15688 Pecan Lane, Fontana, CA 92337
Business is Conducted By: A Limited Liability Company
Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.
s/Michael Maggiulli
This statement was filed with the County Clerk of San Bernardino on: 9/6/2017

I hereby certify that this is a correct copy of the original statement on file in my office.
Began Transacting Business: 8/28/2017
County Clerk, s/LV

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code).
9/8/2017, 9/15/2017, 9/22/2017,

Public Notices

9/29/2017
FICTITIOUS BUSINESS NAME STATEMENT
FBN 20170010081

The following entity is doing business as: LE MIGLIORE 322 N. LANCEWOOD AVE RIALTO, CA 92376 JOCELYNE X PORTILLO 4121 W 136 ST HAWTHORNE, CA 90250
Business is Conducted By: An Individual
Began Transacting Business On: N/A

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.
s/Jocelyne X. Portillo
This statement was filed with the County Clerk of San Bernardino on: 9/05/2017

I hereby certify that this is a correct copy of the original statement on file in my office.
County Clerk, s/Rhea Smith
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code).

Published in the San Bernardino County Sentinel 9/08, 9/15, 9/22 & 9/29, 2017.

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1717361

TO ALL INTERESTED PERSONS: Petitioner: Nicole Marie Ramirez filed a petition with this court for a decree changing names as follows:

Nicole Marie Ramirez to: Nicole Marie Goforth

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing:
Date: 11/07/2017
Time: 8:30 a.m.
Department: S17

The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino

IT IS FURTHER ORDERED that a copy of this order be published in SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: Sept.07, 2017
Michael A. Sachs
Judge of the Superior Court.
Published in SAN BERNARDINO COUNTY SENTINEL On 09/08/2017, 09/15/2017, 09/22/2017, 09/29/2017

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1717362

TO ALL INTERESTED PERSONS: Petitioner: Annette Roberta Ramirez filed a petition with this court for a decree changing names as follows:

Annette Roberta Ramirez to: Annette Roberta Martinez
THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any,

Public Notices

why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing:
Date: 11/07/2017
Time: 8:30 a.m.
Department: S17

The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino

IT IS FURTHER ORDERED that a copy of this order be published in SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: Sept.07, 2017
Michael A. Sachs
Judge of the Superior Court.
Published in SAN BERNARDINO COUNTY SENTINEL On 09/08/2017, 09/15/2017, 09/22/2017, 09/29/2017

NOTICE OF PETITION TO ADMINISTER ESTATE OF HIAM A. FEHMI, CASE NO. PRO PSI700794

To all heirs, beneficiaries, creditors, and contingent creditors of HIAM A. FEHMI and persons who may be otherwise interested in the will or estate, or both: A Petition for Probate has been filed by AMINE P FEHMI in the Superior Court of California, County of SAN BERNARDINO, requesting that ALAN YAGHDJIAN be appointed as personal representative to administer the estate of HIAM A. FEHMI. The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.)

The petition is set for hearing in Dept. No. S36 at SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO SAN BERNARDINO DISTRICT - PROBATE DIVISION 247 W. 3rd STREET SAN BERNARDINO, CA 92415-0212 on NOVEMBER 8, 2017 at 08:30 AM IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney. IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in subdivision (b) of Section 58 of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery of the notice to you under Section 9052 of the California Probate Code. YOU MAY EXAMINE the file kept by the court. If you are interested in the estate, you may request special notice of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Section 1250 of the California Probate Code. Attorney for Petitioner: JOHN G. YPHANTIDES 539 WEST GRAND AVENUE ESCONDIDO, CALIFORNIA 92025 Telephone: (760) 738 -1328
Published in the San Bernardino County Sentinel September 15, 22 & 29, 2017

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1717392

TO ALL INTERESTED PERSONS: Petitioner: Casey Lynn Burns filed a petition with this court for a decree changing names as follows:

Casey Lynn Burns to: Casey Lynn Hestehave
THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the

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FICTITIOUS BUSINESS NAME STATEMENT
FBN 20170009343

The following person is doing business as: MINI MI'S WARDROBE 3430 4TH STREET APT 2038 ONTARIO, CA 91764 CHRISTINA L VALDIVIA-WARREN 3430 4TH STREET APT 2038 ONTARIO, CA 91764

This business is conducted by: AN INDIVIDUAL

Date began transacting business: N/A

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.
s/Christina L Valdivia-Warren
This statement was filed with the County Clerk of San Bernardino on: 8/17/2017

I hereby certify that this is a correct copy of the original statement on file in my office.

County Clerk, s/Deputy

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14411 et. Seq. Business & Professions Code).
Published in the San Bernardino county Sentinel 9/15, 9/22, 9/29 and 10/06, 2017.

FICTITIOUS BUSINESS NAME STATEMENT
FBN 20170009484

The following person is doing business as: TUTORING VISIONS 357 W. SECOND STREET SAN BERNARDINO, CA 92401 VANESSA L FANNING 357 W. SECOND STREET SAN BERNARDINO, CA 92401 Mailing Address: P.O. BOX 9884 SAN BERNARDINO, CA 92427

This business is conducted by: AN INDIVIDUAL

Date began transacting business: 5/01/2017

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.
s/Vanessa L Fanning
This statement was filed with the County Clerk of San Bernardino on: 8/22/2017

I hereby certify that this is a correct copy of the original statement on file in my office.
County Clerk, s/Deputy

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14411 et. Seq. Business & Professions Code).
Published in the San Bernardino county Sentinel 9/15, 9/22, 9/29 and 10/06, 2017.

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1717392

TO ALL INTERESTED PERSONS: Petitioner: Casey Lynn Burns filed a petition with this court for a decree changing names as follows:

Casey Lynn Burns to: Casey Lynn Hestehave
THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the

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petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing:
Date: 10/20/2017
Time: 8:30 a.m.
Department: S17

The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino

IT IS FURTHER ORDERED that a copy of this order be published in SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: Sept.08, 2017
Michael A. Sachs
Judge of the Superior Court.
Published in SAN BERNARDINO COUNTY SENTINEL On 09/15/2017, 09/22/2017, 09/29/2017, 10/06/2017

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1717099

TO ALL INTERESTED PERSONS: Petitioner: Anthony Lando Nabong Fagsao filed a petition with this court for a decree changing names as follows:

Anthony Lando Nabong Fagsao to: Anthony Lando

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing:
Date: 10/16/2017
Time: 8:30 a.m.
Department: S17

The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino

IT IS FURTHER ORDERED that a copy of this order be published in SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: Sept.01, 2017
Michael A. Sachs
Judge of the Superior Court.
Published in SAN BERNARDINO COUNTY SENTINEL On 09/15/2017, 09/22/2017, 09/29/2017, 10/06/2017

FBN 20170008944
The following person is doing business as: SKUNK'S AUTO & TRUCK PARTS 14675-59 WHITTRAM AVE FONTANA CA 92335

This business is conducted by: A CORPORATION.

The registrant commenced to transact business under the fictitious business name or names listed above on: N/A
By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.

s/ BROTHERS AND BROTHERS CORPORATION
Statement filed with the County Clerk of San Bernardino on 08/08/2017

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy

Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code).

Public Notices

Published in the San Bernardino County Sentinel 08/25; 09/01; 09/08 & 09/15/2017 CNBB331701

FBN 20170008944
The following person is doing business as: WEST COAST CORRALS 2695 N. MACY ST. SAN BERNARDINO CA 92407-6528

This business is conducted by: A GENERAL PARTNERSHIP.

The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.

s/ JOSE R FREGOZO; MASIEL B PINEDA

Statement filed with the County Clerk of San Bernardino on 08/08/2017

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Published in the San Bernardino County Sentinel 08/25; 09/01; 09/08 & 09/15/2017 CNBB331702

FBN 20170008924
The following person is doing business as: LIGHT UP THE WORLD PRODUCTIONS 2195 THUNDERBIRD RD APT 4 APPLE VALLEY CA 92307

This business is conducted by: AN INDIVIDUAL.

The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

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s/ ALAWAMLEH INC
Statement filed with the County Clerk of San Bernardino on 08/08/2017

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Published in the San Bernardino County Sentinel 08/25; 09/01; 09/08 & 09/15/2017. CNBB331703

FBN 20170008943
The following person is doing business as: TANDOORI BITES GRILL 9654 BASELINE ROAD RANCHO CUCAMONGA CA 91701.

This business is conducted by: AN INDIVIDUAL.

The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.

s/ MAGDIELA I HERNANDEZ
Statement filed with the County Clerk of San Bernardino on 08/08/2017

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Published in the San Bernardino County Sentinel 08/25; 09/01; 09/08 & 09/15/2017. CNBB331704

FBN 20170008949
The following person is doing business as: REM TRUCKING 13550 SANDSTONE DR VICTORVILLE CA 92392

This business is conducted by: AN INDIVIDUAL.

The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.

s/ ENOH S UDOFFIA
Statement filed with the County Clerk of San Bernardino on

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08/08/2017

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Published in the San Bernardino County Sentinel 08/25; 09/01; 09/08 & 09/15/2017. CNBB331705

FBN 20170008938

The following person is doing business as: JOTR DESIGNS 35575 AVENUE B YUCAIPA CA 92399-4404

This business is conducted by: AN A GENERAL PARTNERSHIP.

The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.

s/ JOSHUA J ZEDALIS 35575 AVENUE B YUCAIPA CA 92399

Statement filed with the County Clerk of San Bernardino on 08/08/2017

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Published in the San Bernardino County Sentinel 08/25; 09/01; 09/08 & 09/15/2017. CNBB331706

FBN 20170008936

The following person is doing business as: NOURISH CARE HOMES; NURTURE CARE HOMES 9546 SEASONS DR RANCHO CUCAMONGA CA 91730

This business is conducted by: AN INDIVIDUAL.

The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

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s/ ABEER T HORVOTH
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Published in the San Bernardino County Sentinel 08/25; 09/01; 09/08 & 09/15/2017. CNBB331707

FBN 20170008926

The following person is doing business as: CHELO'S BURGERS #4 1609 W VALLEY BLVD COLTON CA 92324; 65305 DONOVAN CIR MECCA CA 92254

This business is conducted by: AN INDIVIDUAL.

The registrant commenced to transact business under the fictitious business name or names listed above on: 08/08/2017

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s/ ABDELI A ANGULO PEREZ

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San Bernardino County Coroner Reports

Coroner's Case #701706212 On 09/06/2017, at 4:48 am, the San Bernardino County Sheriff's Department received a 911 call regarding a traffic collision at Hermosa Ave., and 19th St., in Rancho Cucamonga. A 2000 Kia Sephia and a 2012 Toyota Corolla collided in the intersection. The driver of the Kia, Alma Garcia, a 25 year-old female resident of Bloomington, was transported to San Antonio Regional Hospital. Garcia was pronounced dead at the hospital as a result of injuries sustained in the collision. The San Bernardino County Sheriff's Department-Rancho Cucamonga Station is investigating the collision. [09062017 1710 SC]

Coroner's Case #701706113 Evan Mitchel Guest was a 26 year old resident of Lancaster. On 09/02/2017, at 2:09 PM, Guest was traveling west bound on State Highway 138 east of Oasis Rd., in Pinion Hills and rear ended a truck that was also traveling west bound on State Highway 138. Guest was pronounced dead at the scene. The California Highway Patrol is investigating. [09052017 1815 SC]

Coroner's Case #701706182 On 09/05/2017, at about 5:55 am, the Ontario Police Department responded to reports of an unresponsive male in a refrigerator in the 600 block S. Hope Ave., Ontario. Paramedics responded to the scene and confirmed the male dead. An autopsy will be conducted to determine cause of death. Once the male is positively identified and his next of kin notified his name will be released.

The Ontario Police Department is investigating the incident. [09052017 1820 SC]

Coroner's Case #701706177 On 09/05/2017 at 12:41 am, the San Bernardino Police Department was notified of a traffic collision on Kendall Drive just west of N. 4th Street in San Bernardino. A 2005 Ford SUV was traveling eastbound on Kendall Drive when it was rear ended by a small black sedan Volkswagen. The driver of the Ford, Daryl Lopez, age 54 of Aliso Viejo, was transported to St. Bernadine Medical Center. He was pronounced dead at 1:38 am. The San Bernardino Police Department is investigating the collision. [09052017 1825 SC]

Coroner's Case #701706095 On 09/02/2017 at 11:19 pm, the San Bernardino County Sheriff's Department received a 911 call regarding a traffic collision on US 395, near Palmdale Road, in Victorville. Deputies and paramedics arrived at the scene to find a motorcyclist down in the roadway. The motorcyclist, Cornelius Turner a 45-year-old resident of Victorville, was pronounced dead on scene at 11:30 pm. The San Bernardino County Sheriff's Department MAIT Division is investigating the collision. [09042017 0830 SC]

Coroner's Case #701706076 On Thursday, 08/31/2017 at 10:07 PM, Officers with Upland Police Department and paramedics responded to southbound N. Mountain Avenue at Brookdale Drive in Upland, for a call for service. When they arrived, they found Jorge Diaz, a 21-year-old male, resident of Riverside, with injuries consistent with being struck by a vehicle. He was pronounced dead at the scene at 10:11 PM. The Upland Major Accident Investigation Team (MAIT) is investigating the incident. [09012017 1330 JK]

Coroner's Case # 701705967 On Friday, 08/25/2017, at 12:52 p.m. Deputies with the San Bernardino County Sheriff's Department and paramedics responded to a single vehicle collision on US Highway 395 between Eucalyptus Street and Main Street in Victorville. Paramedics located the driver, 48 year-old Derron Thomas of Adelanto, with traumatic injuries. He was transported to Desert Valley Hospital and then transferred to Arrowhead Regional Medical Center. On Monday, August 28, 2017, at 09:41 a.m., Derron was pronounced deceased in the intensive care unit. The San Bernardino County Sheriff's Department is investigating the collision. [08302017 1530 SC]

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Cultural Current Sucking Hesperia & Victorville To- ward Cannabis Tol- erance from page 6

dents in Victorville are moving in step with that trend.

During a discussion of the subject this week that presaged possible future action, Councilwoman Blanca Gomez emphasized that Proposition 64 in November garnered the backing of 56 percent of Victorville's voters. She said the city should bow to the inevitable by accepting the popularity of cannabis use, move toward sensible "regulation," and seize the revenue-producing potential the newly accepted way of pursuing intoxication presents. "Taxation," she said, "makes sense."

While Gomez was clearly a vote in favor of liberalization, the attitudes of two of her colleagues, Councilman Eddie Negrete and Mayor Gloria Garcia, with regard to giving

city residents access – indeed easy and convenient access – to the drug do not appear to be as progressive. Both gave guarded comments this week with regard to moving perhaps as far as Hesperia has in allowing regulated home delivery to certified medical patients, but neither was willing to leap to welcoming brick-and-mortar dispensaries to set up shop.

Most surprising during this Tuesday's special session of the council, which was aimed at revisiting its eight-year-old ban on commercial marijuana operations in Victorville, was the outright shift of a dyed-in-the-wool ally of the most vociferous of the city's long-time opponents of marijuana use, and the less radical move toward the center on that issue of another of that passionate marijuana use opponent's allies.

In 1972, then-California Governor Ronald Reagan appointed Victorville Mayor Joesph

Campbell to the Superior Court. Because of state statutes pertaining to the incompatibility of public offices, Campbell was required to resign his elected municipal position to go on the bench. With Campbell's assonance, the city council on March 7, 1972 appointed Terry Caldwell to fill out the slightly more than two years left on Campbell's unexpired term. Caldwell spent the next 38 years and nine months on the Victorville City Council, the longest tenure of any Victorville elected official before or since. Along the way, he formed a close alliance and friendship with Jim Cox, who was then Victorville's city manager. Caldwell would also find himself closely affiliated with Jim Kennedy, the husband of his law partner. When Caldwell chose not to seek reelection in 2010, he and his longtime supporters threw their support behind Kennedy, who was elected. Kennedy was, and still is, perceived

as a continuation of Caldwell's guidance of the City of Victorville. Two years later, Cox, who upon retiring from Victorville later went on to serve as Apple Valley city manager, in 2012 himself successfully vied for the Victorville City Council.

Both Cox and Kennedy not only replicated but embodied much of Caldwell's philosophy and approach. One firm plank in Caldwell's philosophy is that drugs are no good. While in office, he supported the sheriff's department's zero tolerance of drug offenders, including ones who blew grass or sold pot. He was a prime mover in the city's stringent ban on marijuana related businesses in the city, which remains in effect. Indeed, as late as February of this year, the council, in defiance of the marijuana liberalization breaking out everywhere in the Golden State, was set to reiterate and intensify that existing ban and ratchet it up

a notch or two with even more explicit language prohibiting any type of commercial activity relating to the substance.

This week, however, Kennedy, rather unexpectedly, sounded the alarm of retreat in the war on drugs. Criminalizing the use of marijuana has gone on, Kennedy said "for 70 years." He then shocked many when he said it was "stupid [to] fight" a pervasive social trend which could not be

stopped. He said marijuana has moved from being illicit and a staple of the black market into the economic mainstream. "Let's allow a certain amount of free trade to happen," he said.

Kennedy, while indicating that there is money to be made in the private sector from the sale of what was formerly contraband, and that marijuana could prove

Continued on Page 20

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County Wildlife Corner

The Western Monarch Butterfly



The monarch butterfly, which is sometimes referred to as the milkweed butterfly, common tiger butterfly, wanderer butterfly, and black veined brown butterfly and is known to botanists as the *Danaus plexippus*, is a milkweed butterfly of the subfamily Danainae in the family Nymphalidae. An iconic pollinator, it is probably the North American butterfly most familiar to Americans. Its numbers in California have dropped precipitously in the last several decades, however, and the western population is moving toward extinction.

The eastern and western populations of North American monarch are notable for their annual southward late-summer/autumn migrations, covering thousands of miles. Eastern monarchs originating in the northern and central United States and southern Canada end up in Florida and Mexico. The lion's share of the North American population of monarchs west of the Rocky Mountains migrates to sites in southern California, with a somewhat smaller number continuing southward to overwinter in Mexico. The succeeding generation of monarchs return north in the spring.

Easily recognizable by its wings' black, orange, and white pattern, the monarch has a wingspan of 3 1/2 to four inches. The uppersides of the monarch butterfly's wings are tawny orange, the veins and margins are black, and there are two series of small white spots in the margins. Monarch forewings also have a few orange spots near their tips. Wing undersides are similar, but

the tips of forewings and hindwings are yellow brown instead of tawny orange and the white spots are larger. The shape and color of the wings change at the beginning of the migration and appear redder and more elongated than later migrants. Wings' size and shape differ between migratory and non-migratory monarchs. Monarchs from eastern North America have larger and more angular forewings than those in the western population.

Monarch adults exhibit gender dimorphism. Males are slightly larger than females and have a black patch or spot of androconial scales on each hindwing. The male's black wing veins are lighter and narrower than those of females. Males tend to have larger wings than females, and are heavier than females, on average. Both males and females have similar thorax dimensions, as the wing muscles are contained in the thorax. Female monarchs tend to have thicker wings, which gives them greater tensile strength. This makes female wings less likely to be damaged during migration. Also, females have lower wing loading, the value derived from the ratio of wing size to body weight, than males. Thus, females require less energy to fly.

The monarch has six legs like all insects, but uses only its middle legs and hindlegs. The forelegs are vestigial, as in all other Nymphalidae, and held against its body.

Monarchs, like most butterflies, waft in their flight, and thus appear to be slow. In actuality, they move along at clip of roughly 5.5 miles per

hours.

The range of the western and eastern populations of the monarch butterfly expands and contracts depending upon the season. The range differs between breeding areas, migration routes, and winter roosts. However, no genetic differences between the western and eastern monarch populations exist; reproductive isolation has not led to subspeciation of these populations, as it has elsewhere within the



Caterpillar becoming a chrysalis

species' range.

Their wintering habitat typically provides access to streams, plenty of sunlight (enabling body temperatures that allow flight), and appropriate roosting vegetation, and relative avoidance of predators. While breeding, monarch habitats can be found anywhere where there is access to larval host plants. Habitat requirements change during migration. During the fall migration, butterflies must have access to nectar-producing plants. During the spring migration, butterflies must have access to larval food plants and nectar plants.

The monarch butterfly undergoes five stages of complete metamorphosis. Eggs are laid singly on the underside of a young leaf of a milkweed plant during the spring and summer months. The eggs are cream colored or light green, ovate to conical in shape, and about 1.2x0.9 mm in size. The eggs weigh less than 0.5 mg each and have raised ridges that form longitudinally from the point to apex to the base. Though each egg is 1/1000 the mass of the female, she may lay up to her own mass in eggs.

Females lay smaller eggs as they age. Larger females lay larger eggs. The number of eggs laid by a female, who may mate several times, ranges from 290 to 1,180. Females lay their eggs on milkweed, which makes their offspring healthier. Eggs take 3 to 8 days to develop and hatch into larva or caterpillars. Monarchs will lay eggs along the southern migration route.

After each stage of growth, the caterpillar molts. The first instar

caterpillar that emerges out of the egg is pale green and translucent. The second instar larva develops a characteristic pattern of white, yellow and black transverse bands and grows black tentacles. The third instar larva begins to eat along the leaf edges. The fourth instar develops white spots on the prolegs. The fifth instar larva has a more complex banding pattern and white dots on the prolegs, with front legs that are small and very close to the head. Each caterpillar, or instar, that molts is larger than the previous as it eats and stores energy in the form of fat and nutrients to carry it through the nonfeeding pupal stage. When the caterpillar completes its growth, it is one inch to one-and-four fifths inch long and five to eight millimeters wide. Fifth-instar larvae increase in weight 2000 times from first instars and begin to eat more leaf tissue. Before pupation, larva must consume milkweed to increase their mass.

At some point, larva stop feeding and search for a pupation site. The caterpillar attaches itself securely to a horizontal surface, using a silk

pad. It latches on with its hindlegs and hangs down. It then molts into an opaque, blue-green chrysalis with small gold dots. At normal summer temperatures, it matures in 8-15 days. The cuticle of the chrysalis becomes transparent and the monarch's characteristic orange-and-black wings become visible. At the end of metamorphosis, the adult emerges from the chrysalis, expands and dries its wings and flies away. Monarch metamorphosis from egg to adult occurs during the warm summer temperatures in as little as 25 days, extending to as many as seven weeks during cool spring conditions. During the development, both larva and their milkweed hosts are vulnerable to weather extremes, predators, parasites and diseases; commonly fewer than 10 percent of monarch eggs and caterpillars survive.

During the breeding season adults reach sexual maturity in four or five days, however, the migrating generation



Monarch emerging from a chrysalis

does not reach maturity until overwintering is complete. Monarchs typically live for two to five weeks during their breeding season.

Healthy males are more likely to mate than unhealthy ones. Females and males typically mate more than once. Mating for the overwintering populations occurs in the spring, prior to dispersion. Mating is less dependent on pheromones than other species in its genus.

Courtship occurs in two phases. During the aerial phase, a male pursues and often forces a female to the ground. During the ground phase,

the butterflies copulate and remain attached for about 30 to 60 minutes. During copulation, a male transfers his spermatophore to a female. Along with sperm, the spermatophore provides a female with nutrition, which aids her in egg laying. An increase in spermatophore size increases the fecundity of female monarchs. Males that produce larger spermatophores also fertilize more females' eggs.

The name "monarch" may be in honor of King William III of England. The monarch was originally described by Carl Linnaeus in his *Systema Naturae* of 1758 and placed in the genus *Papilio*.

The U.S. Fish and Wildlife Service is considering giving monarch butterflies west of the Rockies Endangered Species Act protection, as the number of monarchs surveyed in California is down by more than 90 percent from the early 1980s. A recently completed study, funded by the U.S. Fish

and Wildlife Service and published in the scientific journal *Biological Conservation*, concluded the western monarchs have a 63 percent chance of extinction in 20 years and an 84 percent chance in 50 years if current trends continue. The western population has declined to about 300,000 from 10 million less than four decades ago, scientists say, due to climate change, the destruction of roosting forests in California and Mexico and the increasing use of pesticides that kill milkweed plants. Habitat restoration is a primary goal in monarch conservation efforts.

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Velvet seems to be taking the cake in fashion, and looking great in



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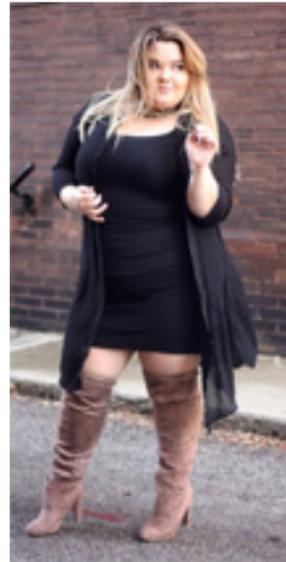
terial make great outfit combos. Included are roomy outdoor pants and



By Grace Bernal

coats. Velvet is complementary to both men and women.

Don't forget that there is also crushed velvet that comes in colors like purple. It's going to be a fun fall season as



velvet stays strong and the people get into the swing of the creativity it can inspire. With that said, velvet everything is in and the fabric is rich enough to take you into the holiday season. Get



on point with your velvet and enjoy the beginning of fall with a twist of trend.



"Velvet is great. It's warm as well. And it's snug." -Eddie Redmayne



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Victorville Council Ready To Abandon Caldwell's Lifelong Stance Opposing Marijuana Liberalization from page 18

a boon to the economy that way, said he did not believe governments and

city governments in particular stood to end up afloat in a sea of cash as a result of the changes to be made.

Cox came across as less gung ho about hitching the Victorville community's economic wagon to the rising cannabis star than either Kennedy or Gomez. He

did though, say he considered himself "open" to the idea of allowing medical marijuana clinics to operate in town. He was less sanguine with regard to allowing smoke shops selling it as an intoxicant. Still, he said, "I'm willing to look at their proposals," meaning the dozens of entrepreneurs looking to invest in potential marijuana-related businesses in Victorville.

The council made no commitments, but will send the issue to the planning commission for further consideration before again taking it up. The city wants to redraft the ordinance relating to marijuana prior to a deadline by the state to have all such regulations consolidated.

Through it all, there was something of a tawdry element, from Hesperia to Victorville to

other points in San Bernardino County, in the way the marijuana gold rush frenzy is playing out: Individuals, officials, politicians and the government entities they speak for, who just a few years ago or less were openly advocating a strict prohibition on marijuana and were in some cases fully supportive of imprisoning those using it or selling it, are now reversing course and saying they find marijuana to be an acceptable element of the community and its culture, just as long as they, too, can get a piece of the action.

Malawy took a stab at explaining the paradox. "When Proposition 64 was approved, maybe the governments, which weren't going to do any of this on their own, saw the tide turning," he said. "That gave them the incentive to change their

minds and when they looked at the numbers, it gave them the confidence that if they permitted marijuana use it would be okay with their constituents. Majorities in only two of the county's cities – Chino Hills and Upland – voted against Proposition 64. That was a real turning point. That is an overriding change."

But before people get carried away, Malawy said, they should consider that marijuana use, sales or activity is still illegal in the eyes of the federal government. "If you get the feds looking at you and they decide you are a bad actor, you can still find yourself in trouble," he said. -Mark Gutglueck



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