

Superior Court of California  
County of Merced  
Probate Department

**Probate Notes**

Probate Notes for future calendars are available from the time they are created until the morning of the scheduled hearing. Updates to the Probate Examiner's Notes typically will be posted 3 days prior to the hearing. If you are filing documents to cure a technical defect, documents should be filed a minimum of 2 court days prior to the hearing. Documents filed late will not be reviewed except on the date of the hearing at the Judge's discretion and could result in a continuance of your case.

Parties intending to appear in Court regarding their hearing must notify all other parties and call (209) 725-4111 to notify the Court of such intent by 4:00 pm on the day before the hearing.

Contacting the Probate Examiner:

Probate Examiner's email address is: [probate.examiner@mercedcourt.org](mailto:probate.examiner@mercedcourt.org)

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

Questions regarding fees, forms or status of orders should be directed to the Probate Unit of the Clerk's Office at (209) 725-4111 between the hours of 8:00 a.m. – 12:00 pm. and 1:00 p.m. – 3:00 p.m., Monday – Friday.

Superior Court of California, County of Merced  
PROBATE CALENDAR  
HONORABLE: Donald Proietti

-----  
DATE: Friday, May 10, 2024  
TIME: 8:15 AM & 8:30 AM  
Courtroom 10  
-----

PROBATE CALENDAR

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4240 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to object.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. **Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the Court at (209) 725-4111 to provide their contact information for the remote hearing.**

**8:15 AM CALENDAR**

**CASE#:** 24PR-00020

**CASE NAME:** Estate of Gordon Muller

**THIS CASE IS SET FOR HEARING ON:**

Continued from March 29, 2024 re: Petition for Letters of Administration with Full IAEA Authority

**THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS WERE PREVIOUSLY NOTED:**

1. Notice not provided utilizing the mandatory Notice of Petition to Administer Estate (Judicial Council form DE-121). Prob Code §§ 8522(b), 8100
2. Proof of Publication with the corresponding signed affidavit was partially submitted and does not reflect any request by the Petitioner for IAEA Authority. Prob Code §8121, §8124
3. Additional clarification needed why the Petition and Duties & Liabilities form both reflect signatures from previously noted Co-Petitioner Thomas Charles Muller lined out by the current Petitioner Jonathan Rae Muller.

**TENTATIVE RULING:**

Appearance required.

(continued on next page)

**CASE#:** 24PR-00073

**CASE NAME:** Estate of Mary Lou Cortez

**THIS CASE IS SET FOR HEARING ON:**

Petition for Administration with Full IAEA Authority

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

None.

**TENTATIVE RULING:**

No appearance required. Petition for Administration with Full IAEA Authority is granted. Probate Referee Michael Wright is appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for November 4, 2024 at 8:15 a.m. in Courtroom 10.

**CASE#:** 24PR-00074

**CASE NAME:** Estate of MaryJane Vargas

**THIS CASE IS SET FOR HEARING ON:**

Petition for Letters of Testamentary with Full IAEA Authority

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

None.

**TENTATIVE RULING:**

No appearance required. The Petition for Letters of Testamentary with Full IAEA Authority is granted. The decedent's Will is hereby admitted into Probate. Probate Referee Michael Wright is appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for November 4, 2024 at 8:15 a.m. in Courtroom 10.

(continued on next page)

**CASE#:** 24PR-00075

**CASE NAME:** Estate of Kathleen Monso-Benfield

**THIS CASE IS SET FOR HEARING ON:**

Petition for Administration with Full IAEA Authority

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

None.

**TENTATIVE RULING:**

No appearance required. Petition for Administration with Full IAEA Authority is granted. Probate Referee Michael Wright is appointed. A Status Hearing ensuring the Closing of the Estate is hereby set for June 26, 2025 at 8:15 a.m. in Courtroom 10.

**CASE#:** 24PR-00076

**CASE NAME:** Estate of Dawn Lee Duxbury

**THIS CASE IS SET FOR HEARING ON:**

Petition for Letters of Administration with Full IAEA Authority

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

None.

**TENTATIVE RULING:**

No appearance required. Petition for Administration with Full IAEA Authority is granted. Probate Referee Michael Wright is appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for November 13, 2024 at 8:15 a.m. in Courtroom 10.

(continued on next page)

**CASE#:** 24PR-00079

**CASE NAME:** Estate of Alejandro Amador Jr. Rodarte

**THIS CASE IS SET FOR HEARING ON:**

Spousal Property Petition

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

1. No Notice to heirs/beneficiaries. Prob Code §13655(a)(2)

**TENTATIVE RULING:**

Hearing is continued to June 20, 2024 at 8:15 a.m. in Courtroom 10 for correction of deficiency.

### **8:30 AM CALENDAR**

**CASE#:** 20PR-00393

**CASE NAME:** Conservatorship of Paul Budnik

**THIS CASE IS SET FOR HEARING ON:**

Continued from February 7, 2024 re: Status of Closing of the Estate

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

1. Distributive Receipts and an Ex Parte Petition for Final Discharge have not been filed. Prob Code §2100

**TENTATIVE RULING:**

Appearance required.

(continued on next page)

**CASE#:** 21PR-00347

**CASE NAME:** Conservatorship of Areliano Salgado De Leon

**THIS CASE IS SET FOR HEARING ON:**

First Account and Report of Conservator, Petition for Allowance of Fees to Conservator of the Person and Estate and to the Attorney

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

None.

**TENTATIVE RULING:**

First Account and Report of Conservator, Petition for Allowance of Fees to Conservator of the Person and Estate and to the Attorney is approved. Counsel to submit a proposed Order.

**CASE#:** 22PR-00252

**CASE NAME:** Estate of Preston Sullivan

**THIS CASE IS SET FOR HEARING ON:**

Continued from June 9, 2023 re: Status Review

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

None.

**TENTATIVE RULING:**

Appearance required. Counsel to advise the Court as to the current case status.

(continued on next page)

Superior Court of California, County of Merced  
PROBATE CALENDAR  
HONORABLE: Mark Bacciarini

-----  
DATE: Friday, May 10, 2024  
TIME: 8:30 AM  
Courtroom 10  
-----

PROBATE CALENDAR

**CASE#:** 23PR-00319

**CASE NAME:** Estate of Jose M. Arroyo

**THIS CASE IS SET FOR HEARING ON:**

Continued from March 22, 2024 re: Confirmation of Appointment of Public Administrator

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

1. A Successor Petition for Administration has not been filed by the Public Administrator.

**TENTATIVE RULING:**

Appearance required.

(End of Tentative Rulings)