

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

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 3, 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#: 21PR-00052

CASE NAME: Estate of Marcenia Rodgers

THIS CASE IS SET FOR HEARING ON:

Continued from March 8, 2024 re: Status Hearing ensuring Closing of the Estate

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

1. Distributive Receipts and an Ex Parte Petition For Final Discharge And Order (DE-295) have not been submitted. Prob Code §§11753, 12250

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 21PR-00334

CASE NAME: Estate of Aurelio Robles

THIS CASE IS SET FOR HEARING ON:
Former Executor's Request for Reimbursement

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:
None.

TENTATIVE RULING:
Appearance required.

CASE#: 22PR-00302

CASE NAME: Estate of Carmelita Branco

THIS CASE IS SET FOR HEARING ON:
Continued from March 1, 2024 re: Status Hearing

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

1. A Petition for Final Account or Status Report has not been filed.
Prob Code §12200-12201

TENTATIVE RULING:
Appearance required.

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CASE#: 23PR-00372

CASE NAME: Estate of Joe Salas

THIS CASE IS SET FOR HEARING ON:

Continued from March 1, 2024 re: Spousal Property Petition

THE FOLLOWING ISSUES OR DEFICIENCIES IN THE PAPERS WERE PREVIOUSLY NOTED:

1. The name, age, address, and relation to the deceased spouse of each heir is missing in the Spousal Property Petition (item #9). Prob.C. §13651(a)(5).
*Corrected
2. Is there a written agreement between decedent and Petition regarding any non pro-rata distribution of aggregate value of community property.
Prob.C. §13651(a)(4). *Corrected
3. More information needed concerning the manner in which the real property was acquired. A copy of the most recent vesting deed to be provided.
Prob Code 13651(a)(3)-(4) *Corrected

TENTATIVE RULING:

No appearance required. The Spousal Property Petition is approved. Counsel to submit a proposed Order.

CASE#: 24PR-00057

CASE NAME: Estate of Gregoria M. Cosio

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 Letters of Administration with Full IAEA Authority is granted. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for November 14, 2024 at 8:15 a.m. in Courtroom 10.

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CASE#: 24PR-00058

CASE NAME: Estate of Isabel Herrera

THIS CASE IS SET FOR HEARING ON:

Petition for Letters of Administration with Limited IAEA Authority

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

1. Court's discretion concerning funds to be placed in a blocked account or counsel's Attorney-Client Trust Account.

TENTATIVE RULING:

Appearance required.

CASE#: 24PR-00062

CASE NAME: Estate of Juan Pulido

THIS CASE IS SET FOR HEARING ON:

Spouasl Property Petition

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

1. Additional information is needed to establish the community property claim. (date asset acquired, manner in which asset was acquired and how asset is community property, what were the decedent's assets at the time of marriage, how was the down payment made for the real property? Was it made with separate property or community property? Was the real property a gift? How were the mortgage payments made?) Prob Code 13651(a)(3)-(4)
2. How is title currently held? Copy of the most recent vesting deed to be provided.
3. Notice has not been provided to the decedent's heirs. Prob Code §13655(a)(2)
4. Court's discretion if a Guardian Ad Litem is to be appointed for the minor children.

TENTATIVE RULING:

Appearance required.

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CASE#: 23PR-00226

CASE NAME: In Re The Robert and Lois Sparks Revocable Trust dated May 3, 1991

THIS CASE IS SET FOR HEARING ON:

Continued from March 1, 2024 re: Status of Settlement

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

None.

TENTATIVE RULING:

Appearance required. Parties to update the Court as to case status.

8:30 AM CALENDAR

CASE#: 19PR-00191

CASE NAME: Conservatorship of Lily McDow

THIS CASE IS SET FOR HEARING ON:

Continued from April 5, 2024 re: Amended Third and Final Report of Conservator

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

1. Proposed distribution as reflected in the Amended Third and Final Report of Conservator does not provide for the estate assets to be distributed to the estate Executor as per the conservatee's estate plan.

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 20PR-00204

CASE NAME: Estate of Alan Bettencourt

THIS CASE IS SET FOR HEARING ON:

Continued from March 8, 2024 re: Status Hearing ensuring the 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 And Order (DE-295) have not been submitted. Prob Code §§11753, 12250

TENTATIVE RULING:

Appearance required.

CASE#: 24PR-00093

CASE NAME: Estate of Angelo Espinola Picanco

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:

1. Notice must be given to the Canadian Consulate if the sole heir is a Canadian citizen. Prob Code §8113
2. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124

TENTATIVE RULING:

Hearing to June 14, 2024 at 8:30 a.m. in Courtroom 10 for correction of deficiencies.

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CASE#: 20PR-00395

CASE NAME: Conservatorship of Angelo Picanco

THIS CASE IS SET FOR HEARING ON:

Continued from April 19, 2024 re: Review of Case Status

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

None.

TENTATIVE RULING:

Trailing related Probate case #24PR-00093 Estate of Angelo Picanco.

CASE#: 15PR-00217

CASE NAME: Conservatorship of Calvin Brown

THIS CASE IS SET FOR HEARING ON:

Continued from March 8, 2024 re: Third and Final Account and Report of Conservator, Petition for Allowance of Fees to Conservator of the Petion and Estate and to the Attorney

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

1. An Amended Accounting has not been filed as noted at the March 8, 2024 hearing.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)