

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

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DATE: Friday, May 20, 2022  
TIME: 8:15 AM  
Courtroom 10  
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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. **To limit the spread of the COVID-19 virus, the court will only conduct remote hearings. 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.**

**CASE#:** 18PR-00198

**CASE NAME:** Guardianship of Nicholas Andrew Sanchez, et al.,

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

Petition for Termination of Guardianship of the Estate as to Nicolas A. Sanchez only

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

None.

**TENTATIVE RULING:**

Petition for Termination of Guardianship of the Estate as to Nicolas A. Sanchez only is granted.

(continued on next page)

**CASE#:** 22PR-00056

**CASE NAME:** Estate of Dorothy H. Lessard

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

Continued from May 6, 2022 re: Petition for Administration with Full IAEA Authority

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

1. No Proof of Publication with signed affidavit filed. Prob Code 8121, 8124  
\*Corrected
2. No Notice to all heirs, beneficiaries & executors of the Amended Petition.  
Prob Code §8100, §8110 \*Corrected
3. No Proof of Holographic Instrument filed. Prob Code §§ 6111, 8222 \*Corrected
4. Proposed Letters and Order for Probate has not been submitted.  
Prob Code §8006, §8400 \*Corrected

**TENTATIVE RULING:**

Appearance required.

**CASE NAME:** In the Matter of the 1998 Smith Revocable Trust (dated March 10, 1998)

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

Continued from May 2, 2022 re: Petition for Instructions

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

None.

**TENTATIVE RULING:**

Objection filed. Appearance required.

(continued on next page)

**CASE#:** 22PR-00108

**CASE NAME:** Estate of Elsa Collins

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

Petition for Letters of Administration with Will Annexed

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

None.

**TENTATIVE RULING:**

Petition for Letters of Administration with Will Annexed is granted. Will is admitted into Probate.

**8:30 AM CALENDAR**

**CASE#:** 20PR-00204

**CASE NAME:** Estate of Alan Bettencourt

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

1. Additional information needed concerning the status of Doris Evelyn Bettencourt Gustafson and maternal aunt Johannah Hurley Lowe \*Corrected

**TENTATIVE RULING:**

Appearance required.

(continued on next page)

**CASE#:** 19PR-00191

**CASE NAME:** Conservatorship of Lily McDow

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

Continued from March 25, 2022 re: Petition for First Account & Report of Conservator;  
Petition for Fees

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

1. No assets are listed for the conservatee but there are property and life insurance payments being made. Are there additional assets? I.e.: Real property, bank accounts, life insurance, vehicles, personal property of value, pensions, Keogh plans, 401(k) plans, individual or other retirement accounts? [I&A filed 6/5/21](#)
2. There are no annuity payments received for August and September 2020. [\\*Corrected](#)
3. Why are annuity payments sent to Betty Harris instead of Public Conservator? [\\*Corrected](#)
4. Are utility and other housing expenses included in the monthly amount received by the Conservatee? [No consistent utility payments \(PG&E\) are reflected in the amended accounting other than the initial payment for \\$950.00 after a 48-hour Notice was given. Who was paying for any subsequent amounts due from PG&E and any other utilities for the residence \(water, sewer, garbage\) during the accounting period? \\*Addressed in Second Amended First Petition](#)
5. There is one significant payment to PG&E in January 2020 but no additional payments during the accounting period. [\\*Corrected](#)
6. Amended Accounting includes payments to Lincoln Heritage Life Insurance Co. – this insurance company has not been inventoried and appraised. [\\*Newly noted deficiency for the 11/19/21 hearing. \\*Corrected I&A 2/8/22](#)
7. Amended Petition:
  - a. Schedule F –
    - i. Credits per Statement Dates 3/21/21, 4/22/20, 5/20/20 and 6/20/20 do not correspond to the corresponding bank statements. [\\*Corrected](#)
8. What are the terms of the reverse mortgage? Tenure? Term? Lump Sum? [\\*Addressed in Second Amended First Petition](#)
9. Bank of America joint account cannot be properly accounted for as the account appears to contain co-mingled deposits and withdrawals with the joint account holder. [\\*Addressed in Second Amended First Petition](#)

**TENTATIVE RULING:**

Appearance required.

(End of Tentative Rulings)