

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: Thursday, May 12, 2022
TIME: 8:15 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. **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#: 21PR-00304

CASE NAME: Estate of William B. Lampley III

THIS CASE IS SET FOR HEARING ON:

Continued from April 7, 2022 re: Petition to Determine Succession to Real Property

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

1. Named Petitioner Ronald Eugene Anderegg has not signed the Petition. [*Corrected](#)
2. Petition signed by Cheryl Lampley who is not named as a Petitioner. [*Corrected](#)
3. Inventory and Appraisal signed by the Probate Referee is not attached.
Prob Code §13152
4. Petition missing Attachment #11 – Legal Description of Real Property. [*Corrected](#)
5. No facts submitted upon which the petitioner bases the allegation that the described property is property passing to the petitioner. Prob Code §13152
Community Property? Prob Code §16351 (a)(3)-(4)

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CASE#: 21PR-00304

CASE NAME: Estate of William B. Lampley III (continued)

6. Petition missing Attachment #14 reflects the names, relationships to decedent, ages, and residence or mailing addresses of all persons named or checked in items, 1, 9 and 10; and all other heirs of the decedent. *Corrected
7. Amended Petition filed 1/3/22 does not reflect Notice to any interested parties. Prob Code §15153, 1020
8. Amended Petition filed on 1/3/22 remains under review.

PROBATE EXAMINER'S RECOMMENDATION:

Case is trailing and should proceed by way of a Spousal Property Petition in case #22PR-00079 Estate of William B. Lampley III.

CASE#: 22PR-00079

CASE NAME: Estate of William B. Lampley III

THIS CASE IS SET FOR HEARING ON:

Continued from April 7, 2022 re: Spousal Property Petition

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

1. Petition #7 – no information has been submitted as to the facts upon which the petitioner bases allegations as to how the property should pass or be confirmed to the surviving spouse. How the community property claim is established (date asset acquired, date of marriage, manner in which asset acquired and how asset is community property). Prob Code §13651(a)(3)-(4)
2. How is the title currently held?
3. No notice to the minor children listed in the Petition. Prob Code §§13655, 1020

TENTATIVE RULING:

Hearing is continued to June 2, 2022 at 8:15 am for correction of deficiencies.

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CASE#: 22PR-00096

CASE NAME: Estate of Gary A. Boyer

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:

Petition for Administration with Full IAEA Authority is granted.

CASE#: P18668

CASE NAME: Estate of Manuel K. Lopes

THIS CASE IS SET FOR HEARING ON:

Continued from March 10, 2022 re: Petition for Order Appointing Successor Trustee;
For Final Distribution; and for Termination of Testamentary Trust

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

None.

PROBATE EXAMINER'S RECOMMENDATION:

Appearance required. Counsel to update the Court as to status of accounting.

(End of Tentative Rulings)