

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: Monday, March 6, 2023
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 encourages 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#: 22PR-00193

CASE NAME: Estate of Marvin Eugene Jeffcoats

THIS CASE IS SET FOR HEARING ON:

Petition for Waiver of First and Final Account and Final Distribution; Fee Request

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

None.

TENTATIVE RULING:

Petition for Waiver of First and Final Account and Final Distribution; Fee Request is granted. Counsel to submit a new proposed order reflective of the specific monetary distributive amounts to each beneficiary.

(continued on next page)

CASE#: 23PR-00015

CASE NAME: Estate of Salvador Duran Lopez

THIS CASE IS SET FOR HEARING ON:

Spousal Property Petition

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

None.

TENTATIVE RULING:

Spousal Property Petition is granted.

CASE#: 23PR-00017

CASE NAME: Estate of Tomas Hernandez

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:

Petition for Letters of Testamentary with Full IAEA Authority is granted. A Status hearing is hereby set for September 7, 2023 at 8:15 a.m. in Courtroom 10.

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CASE#: P23514

CASE NAME: In re the Daniel Martinez Special Needs Trust

THIS CASE IS SET FOR HEARING ON:

Petition for Approval of Eleventh Account and Report of Trustee; Fee Request

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

1. Additional clarification needed concerning the reimbursed costs sought in the amount of \$984.36. Counsel has provided the following supporting documentation:
 - a. 1/6/21 – \$487.70 (filing fees for the 10th Accounting)
 - b. 3/23/21 - \$8.26 (filing fees for Declaration re: 10th Accounting)
 - c. Requested anticipated filing fees - \$487.70 (11th Accounting)

Amount sought in reimbursed costs regarding the filing fees for the 10th Accounting (\$487.70) do not appear to account for the adjustment (credit) to counsel due to the clerical error 1/6/21. Corresponding documentation needed regarding the current amount of reimbursement sought (including the current filing fees for the 11th Accounting). Any amount sought should account for the credited adjustment as it related to the 10th Accounting.

TENTATIVE RULING:

Hearing is continued to April 7, 2023 at 8:15 a.m. in Courtroom 10 for correction of the deficiency.

CASE#: 22PR-00396

CASE NAME: Estate of Norbert F. Miller

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:

1. Declaration to be submitted regarding lost will that complies with Probate Code §8223.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)