

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: Wednesday, January 25, 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#: 18PR-00345

CASE NAME: Guardianship of Andrea E. Navarro and Sofia C. Navarro

THIS CASE IS SET FOR HEARING ON:

Continued from November 14, 2022 re: Status Review Hearing

TENTATIVE RULING:

On the Court's own Motion the hearing is hereby continued to March 30, 2023 at 8:15 a.m.

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CASE#: 18PR-00131

CASE NAME: Estate of Nestor Navarro

THIS CASE IS SET FOR HEARING ON:

Continued from November 14, 2022 re: Status Review Hearing/Accounting

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

1. What is the current status of the Citibank accounts that were made custodial accounts?
2. Accounting needs to include the estate funds placed the custodial accounts.
3. Additional information needed concerning the specifics for a personal loan obtained by and from the administrator with estate funds.
4. Additional information needed concerning the performance of “debt service” paid in exchange for the administrator paying rent to the estate.
5. Schedule C does not reflect any monies received as deposit (\$40,000.00) towards the purchase of the real property as per the August 24, 2018 Court order.
6. Final Inventory and Appraisal filed on October 15, 2018 in the amount of \$415,300.00 is missing the signature of the Probate Referee.
7. Real property located at Bell Avenue, Livingston, CA is not included in any filed Inventory and Appraisals.
8. Clarification needed concerning the correct APN for the real property located at Bell Avenue, Livingston, CA and the real property located at 2350 Lecco Way, Merced, CA. Petition and I&A filed 10/15/18 reflect the same APN number for these two properties.
9. Additional information needed concerning the remaining loan owed by Jose H. Navarro.
10. What is the GAL status of the minor beneficiary I. Ramos?
11. What is the disposition of the decedent’s real property located at 2350 Lecco Way, Merced, CA ?
12. Clarification needed concerning Schedule C “Farm Rent Income” – Annual Mortgage Payments – Who is the tenant? Rental Agreement? No payments reflected for 2021.
13. DMV fees were paid for the spouse’s vehicle. Does the estate have an interest in the spouse’s vehicle? Additional information needed concerning the vehicle for which the DMV fees were paid for in the amount of \$341.00 on October 26, 2021.
14. Family Allowance disbursements have not been formally Petitioned, Noticed, and allowed by the Court. Prob Code §6541
15. Are any of the decedent’s real properties generating residential rental income?
16. Clarification needed regarding what costs are being sought by counsel and any possible reimbursement to the Administrator for costs personally paid.

TENTATIVE RULING:

Per the request of parties as per the recently submitted Stipulation and Order, the hearing is hereby continued to March 30, 2023 at 8:15 a.m.

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CASE#: 21PR-00168

CASE NAME: Estate of Lorraine Morris

THIS CASE IS SET FOR HEARING ON:

Continued from December 8, 2022 re: Petition for Waiver of First and Final Account and Final Distribution; Fee Request

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

1. No Notice to beneficiaries. Prob Code §§11000, 1220 *Corrected

TENTATIVE RULING:

Recommend to grant.

CASE#: 22PR-00281

CASE NAME: Conservatorship of April T. Oros

THIS CASE IS SET FOR HEARING ON:

Petition for Permanent Appointment of Conservator of the Estate

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

1. No information has been provided concerning the identity of the guardians of the conservatee's minor daughter Rosa Luisa DeSantos. *Corrected
2. No information has been provided concerning any missing person report having been filed concerning the proposed conservatee.

TENTATIVE RULING:

Appearance required.

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CASE#: P18710

CASE NAME: Conservatorship of Marcus Spagnola

THIS CASE IS SET FOR HEARING ON:

Eighteenth Account Current and Report of Conservators, and Petition for Increase of Bond and Approval of Attorney Fees

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

1. Bond:
 - a. Current proof of bond to be filed with the Court.
 - b. Court's discretion concerning increase of bond
2. Court's discretion concerning increase in compensation sought by conservators.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)

Superior Court of California, County of Merced
PROBATE CALENDAR
HONORABLE: Brian McCabe

DATE: Wednesday, January 25, 2023
TIME: 8:15 AM
Courtroom 8

PROBATE CALENDAR

CASE#: 22PR-00355

CASE NAME: Estate of Michael David Truhett

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:

1. Bond has not been waived by all beneficiaries (Karen Truhett and Ron Truhett). Prob Code §8481
2. Will has not been lodged with the Court. Prob Code §8200
3. No Notice to heirs, beneficiaries & executors. Prob Code 8110
4. Proposed Letters have not been submitted. Prob Code §8006, §8400

TENTATIVE RULING:

Hearing is continued to March 3, 2023 at 8:15 a.m. for correction of deficiencies.

(End of Tentative Rulings)