

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. The Probate Examiner's Notes typically will be posted 5 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 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, status of orders, Zoom links or remote appearances 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.

The following cases are not reflected in the Probate Notes and appearances are required unless previously excused by the Court:

- Guardianships and Conservatorships of the Person
- Minor's Compromise cases before the Probate Court for approval
- Petition for Special Immigrant Juvenile Findings

**Questions involving Guardianships (including SIJF) and Conservatorships of the Person should be directed to the Court Investigators Office at (209) 725-4190.*

***Please note no legal or procedural advice can be provided by the Court Investigator's Office. ***

Superior Court of California, County of Merced
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: Thomas Breen

DATE: Monday, October 5, 2026
TIME: 8:15 AM and 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.**

CASE#: 24PR-00060

CASE NAME: Estate of William Ernest

THIS CASE IS SET FOR HEARING ON:

Continued from July 6, 2026 re: Status Hearing ensuring the Closing of the Estate

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS WERE 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. The Administrator to advise the Court on the closing of the estate.

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CASE#: 24PR-00061

CASE NAME: Estate of Jeanne Elizabeth Wimbley

THIS CASE IS SET FOR HEARING ON:

Continued from June 8, 2026 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:

No appearance required. The Status Review Hearing is continued to January 14, 2026 at 8:15 a.m. in Courtroom 10 to allow counsel additional time to file the appropriate Distributive Receipts and Ex Parte Petition for Final Discharge with the Court.

CASE#: 24PR-00364

CASE NAME: Estate of Darlene Wright

THIS CASE IS SET FOR HEARING ON:

Continued July 2, 2026 re:

1. First and Final Waiver of Account and Report of Administrator, Petition for Final Distribution and Allowance of Statutory Compensation of Attorney's Fees
2. Continued from June 16, 2025 re: Status Hearing re: Closing of the Estate

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

1. What is the status of the real property located on Herman Street, Atwater as reflected in the I&A filed on 2/25/25? [*Addressed at the 3/5/26 hearing](#)
2. Did deceased heir David Wright have a will? Who is the personal representative of his estate? Prob Code §§11801 et seq.

TENTATIVE RULING:

Appearance required.

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CASE#: 24PR-00411

CASE NAME: Estate of Jose J. Andrade Calderon, Jr.

THIS CASE IS SET FOR HEARING ON:

Continued from May 20, 2026 re: Status Hearing ensuring the Closing of the Estate

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

None.

TENTATIVE RULING:

No appearance required. The *First and Final Report of Personal Representative; Petition for Final Account* is approved. A Status Hearing ensuring the Closing of the Estate is hereby set for January 14, 2027 at 8:15 a.m. in Courtroom 10.

CASE#: 25PR-00329

CASE NAME: Estate of Jeffrey Michael Smith

THIS CASE IS SET FOR HEARING ON:

Continued from July 1, 2026 re: Status Hearing ensuring the filing of an Inventory and Appraisal

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b)

TENTATIVE RULING:

Appearance required. Counsel to advise the Court on the status of the filing of an Inventory and Appraisal.

CASE#: 25PR-00497

CASE NAME: Estate of Jose Guadalupe Aguilera Alonso

THIS CASE IS SET FOR HEARING ON:

Continued from April 20, 2026 re: Status Hearing ensuring the filing of an Inventory and Appraisal

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b)

TENTATIVE RULING:

Appearance required. Counsel to advise the Court on the status of the filing of an Inventory and Appraisal.

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CASE#: 26PR-00346

CASE NAME: Estate of Daniel Wright

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:

Appearance required. The *Petition for Letters of Administration with Full IAEA Authority* with no bond required to be posted is granted. Probate Referee Michael Wright is appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal to be set for March 10, 2027 at 8:15 a.m. in Courtroom 10.

CASE#: 26PR-00348

CASE NAME: Estate of Manuel Laurian Bettencourt

THIS CASE IS SET FOR HEARING ON:

Petition for Probate of Lost Will and for Letters Testamentary with Full IAEA Authority

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

1. Petitioner has not filed proof that notice of the hearing was published or served on the surviving spouse, heirs, and other persons entitled to notice. Prob. Code §§ 8003, 8100–8125, 8005.
2. Additional documentation is needed concerning the lost will. A copy of the will is attached, but petitioner must provide evidence that the will was properly signed, that the copy is true and complete, and that the original was lost and not revoked. The Petitioner should provide declarations from the surviving spouse and petitioner about the original will and efforts to find it. Prob. Code §§ 6124, 8220–8223.
3. Objector's standing is unclear. The Objection by Danielle Bettencourt does not show that Objector has a direct financial interest in the estate as the purported will leaves the estate to the decedent's surviving spouse. The Court may require Objector to show she is an interested person before considering her objection. Prob. Code §§ 48, 1043.
4. No proof of service of the Objection. Objector has not filed proof that the Objection was served on petitioner or other interested persons. Prob. Code § 1215; Cal. Rules of Court, Rule 7.5.

TENTATIVE RULING:

No appearance required. The hearing is continued to November 23, 2026 at 8:15 a.m. in Courtroom 10 for correction of the deficiencies. The Petitioner shall give notice of the continued hearing date to all interested parties and file appropriate proof of service with the Court. Any corrective pleadings shall be filed with the Court and served on all interested parties no later than the close of business on November 13, 2026.

(End of Tentative Rulings)