

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: Mark Bacciarini

DATE: Friday, July 25, 2025
TIME: 8:15 AM & 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.**

8:15 AM CALENDAR

CASE #: 23PR-00078

CASE NAME: Estate of George D. Hathaway, Jr.

THIS CASE IS SET FOR HEARING ON:

Continued from May 23, 2025 re: Status on Closing of the Estate

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

1. Distributive Receipts and an Ex Parte Petition For Final Discharge And Order (DE-295) have not been submitted. Prob Code §§11753, 12250
A First and Final Waiver of Account and Report of Administrator, Petition for Final Distribution and Allowance of Statutory Compensation of Attorney's FeesVL

TENTATIVE RULING:

Appearance required.

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CASE#: 24PR-00086

CASE NAME: Estate of Benjamin Soza

THIS CASE IS SET FOR HEARING ON:

Continued from December 20, 2024 re: Status Hearing on Closing of the Estate

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

None.

TENTATIVE RULING:

No appearance required. The hearing on the *First and Final Waiver of Account and Report of Administrator, Petition for Final Distribution and Allowance of Statutory Compensation of Attorney's Fees* currently set for October 9, 2025 at 8:15 am in Courtroom 10 is confirmed.

CASE#: 24PR-00139

CASE NAME: Estate of Maria Teresa Valencia

THIS CASE IS SET FOR HEARING ON:

Continued from April 18, 2025 re: Spousal Property Petition

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

1. Case remains contested.

TENTATIVE RULING:

Appearance required.

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CASE#: 25PR-00043

CASE NAME: Estate of Gardenia Dream Gause

THIS CASE IS SET FOR HEARING ON:

Continued from May 14, 2025 re: Petition for Administration with Full IAEA Authority

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

1. Petition does not specify the location of the decedent's property which is to include the street address and city of the property referenced in Item 3a(2). **Corrected – Amended Petition filed 3/3/25*
2. Bond has not been waived by all beneficiaries. No Waiver of Bond filed by Terrie Hagins. Prob Code §8481(a)(2) **Corrected*
3. No Notice of the Amended Petition filed on 3/3/25 has not been provided to all heirs. Prob Code §8100, §8110 **Corrected – filed 5/29/25*
4. No Proof of Publication with the corresponding signed affidavit. Prob Code §8121, §8124 **Corrected – Filed 6/23/25*

TENTATIVE RULING:

The *Petition for Administration* with full IAEA Authority with no bond required is granted. Probate Referee Michael Wright is appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for December 19, 2025 at 8:15 a.m. in Courtroom 10.

CASE#: 25PR-00260

CASE NAME: Estate of Kent McDaniel Taylor

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:

1. No Proof of Publication with the corresponding signed affidavit. Prob Code §8121, §8124
2. Proposed Letters and Order for Probate has not been lodged. Prob Code §8006, §8400

TENTATIVE RULING:

Appearance required.

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8:30 AM CALENDAR

CASE#: 19PR-00191

CASE NAME: Conservatorship of Lily McDow

THIS CASE IS SET FOR HEARING ON:

Continued from June 20, 2025 re: Status on Closing of the Estate

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

1. Distributive Receipt and an Ex Parte Petition for Final Discharge have not been submitted. Prob Code §§2100, 11753, 12250

TENTATIVE RULING:

Appearance required.

CASE#: 22PR-00236

CASE NAME: Estate of Lily McDow

THIS CASE IS SET FOR HEARING ON:

Continued from June 20, 2025 re: Trailing #19PR-00191 Conserv. of Lily McDow

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:
None.

TENTATIVE RULING:

Case is trailing #19PR-00191 Conservatorship of Lily McDow

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CASE#: 22PR-00219

CASE NAME: Estate of Corinne Laurie Brierley

THIS CASE IS SET FOR HEARING ON:

Continued from March 28, 2025 re: Status Hearing

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

None.

TENTATIVE RULING:

Appearance required. Counsel to advise the Court on the current case status.

CASE#: 22PR-00252

CASE NAME: Estate of Preston Sullivan

THIS CASE IS SET FOR HEARING ON:

Continued from April 18, 2025 re: Status Review

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

1. A Petition for Final Account or Status Report has not been filed.
Prob Code §12200-12201

TENTATIVE RULING:

Appearance required. Counsel to advise the Court on the current case status.

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CASE#: PR000016

CASE NAME: Estate of Bernard Charles Gardner

THIS CASE IS SET FOR HEARING ON:

Continued from July 14, 2025 re: Further Proceedings

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

1. An Inventory and Appraisal has not been filed by the Executor.
Prob Code §8800(b)
2. A Petition for Final Account or Status Report has not been filed by the Executor.
Prob Code §12200-12201

TENTATIVE RULING:

Appearance required.

CASE#: 15PR-00217

CASE NAME: Conservatorship of Calvin Brown

THIS CASE IS SET FOR HEARING ON:

Continued from May 23, 2025 re: Status of Transfer of Assets and Closure of the Estate

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

1. An Order approving the Amended Third and Final Accounting has not been submitted to the Court for signature. **Corrected*
2. An Order approving the First and Final Account and Report of Trustee, Petition for Allowance of Fees to Trustee of the Special Needs Trust and to Attorney has not been submitted to the Court for signature. **Corrected*
3. Distributive Receipts and an Ex Parte Petition For Final Discharge And Order (DE-295) have not been submitted. Prob Code §§2100, 11753, 12250

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)