

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: Friday, April 12, 2024
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#: 22PR-00293

CASE NAME: Estate of Robert Gonzales

THIS CASE IS SET FOR HEARING ON:

Continued from February 7, 2024 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

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 22PR-00322

CASE NAME: Estate of Elias Quihuis

THIS CASE IS SET FOR HEARING ON:

Continued from October 30, 2023 re: Status Hearing

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

None.

TENTATIVE RULING:

Appearance required.

CASE#: 23PR-00433

CASE NAME: Estate of Janice Hatcher

THIS CASE IS SET FOR HEARING ON:

Continued from February 16, 2024 re: Petition for Letters of Testamentary

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

1. No Notice to all heirs, beneficiaries & executors. Prob Code §8100, §8110 *Proof of Service attached to the *Notice of Petition to Administer Estate (DE-121)* filed on February 23, 2024 does not reflect IAEA Authority sought by the Petitioner in box #5. *Corrected
1. No Proof of Publication with the corresponding signed affidavit. Prob Code §8121, §8124 *Corrected

TENTATIVE RULING:

The Petition for Letters of Testamentary is granted. A Status Hearing ensuring the filing of an Inventory and Appraisal to be set for October 14, 2024 at 8:15 a.m.

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CASE#: 21PR-00357

CASE NAME:

In the Matter of the George E. Mitchell 2021 Trust dated January 15, 2021

THIS CASE IS SET FOR HEARING ON:

Petition for Approval of Settlement Agreement Resolving Petition to Instruct Trustee to Act and Related Cross-Petition and Elder Abuse Action in Related Civil Case

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS:

1. Notice has not been provided to all interested parties. Prob Code §§17203, 17100, 1200-1212, CRC 7.51

TENTATIVE RULING:

Appearance required.

8:30 AM CALENDAR

CASE#: 19PR-00308

CASE NAME: Estate of Kenneth Wheaton

THIS CASE IS SET FOR HEARING ON:

Continued from March 1, 2024 re: Status Review Hearing

TENTATIVE RULING:

Appearance required. Counsel to update the Court as to case status.

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CASE#: 20PR-00166

CASE NAME: Estate of Cleever Wheaton

THIS CASE IS SET FOR HEARING ON:

Continued from March 1, 2024 re: Status Review Hearing

TENTATIVE RULING:

Appearance required. Counsel to update the Court as to case status.

CASE#: 21PR-00146

CASE NAME: Conservatorship of Perry Wheaton

THIS CASE IS SET FOR HEARING ON:

Continued from March 1, 2024 re: Status Review Hearing

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

1. An Ex Parte Petition For Final Discharge And Order (DE-295) have not been submitted. Prob Code §§2100, 12250

TENTATIVE RULING:

Appearance required. Counsel to update the Court as to case status.

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CASE#: 21PR-00181

CASE NAME: Conservatorship of Kristal Rene Limon

THIS CASE IS SET FOR HEARING ON:

1. Petition for Attorney's Fees and Costs
2. Continued from April 3, 2024 re: Status Review Hearing

THE FOLLOWING ISSUES AND/OR DEFICIENCIES ARE NOTED:

1. No Notice to the Public Defender who remains appointed on behalf of the conservatee. Prob Code §1460

TENTATIVE RULING:

Appearance required.

CASE#: 22PR-00300

CASE NAME: Conservatorship of Herminia Malardino

THIS CASE IS SET FOR HEARING ON:

Continued from March 1, 2024: Status Ensuring All Assets were transferred to the Trust

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

None.

TENTATIVE RULING:

Appearance required. Counsel to update the Court as to case status.

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CASE#: 23PR-00123

CASE NAME: Conservatorship of Otis Lee Morris

THIS CASE IS SET FOR HEARING ON:

Continued from March 22, 2024 re:

Status/Trial Setting for:

1. Appointment of Conservator
2. Petition for Order Establishing Conservatee's Claim to Personal and Real Property in Which Title is Held by Another; Double Damages; for Constructive Trust
3. Petition to Create and Fund Revocable Trust and Pour Over Will

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

1. An Inventory and Appraisal has not been filed as directed by the Court on February 9, 2024.

TENTATIVE RULING:

Appearance required.

CASE#: 20PR-00158

CASE NAME: Estate of Robert Alan Hunter

THIS CASE IS SET FOR HEARING ON:

Continued from February 16, 2024 re: Review of Case Status

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

None.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)