

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, April 25, 2025
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-00371

CASE NAME: Estate of Jean Yook Fong

THIS CASE IS SET FOR HEARING ON:

Continued from November 18, 2024 re: Status of Filing an Inventory and Appraisal

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

None.

TENTATIVE RULING:

No appearance required. An Inventory and Appraisal has been filed. A Status Hearing ensuring the Closing of the Estate to be set for December 18, 2025 at 8:15 a.m. in Courtroom 10.

(continued on next page)

CASE#: 25PR-00123

CASE NAME: Estate of Anthony Wadell Gallegos

THIS CASE IS SET FOR HEARING ON:

Petition for Letters Testamentary 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

TENTATIVE RULING:

Appearance required.

8:30 AM CALENDAR

CASE#: 19PR-00023

CASE NAME: Conservatorship of Ronald P. Hamlin, Jr.

THIS CASE IS SET FOR HEARING ON:

Continued from February 21, 2025 re: Status Conference

1. *Annual Review*
2. *Status Review of Settlement of Accounting*

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 21PR-00282

CASE NAME: Conservatorship of Marlene Knipp

THIS CASE IS SET FOR HEARING ON:

Continued from March 7, 2025 re: Second Account and Report of Conservator, Petition for Allowance of Fees to Conservator of the Person and Estate, and to the Attorney

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

Second Accounting:

1. Additional explanation needed for what appears to be overpayments for the conservatee's care in the following months:

September 2022:

- a. 9/28/22 – Ck# 474018 to R&J Business Resources, LLC for Board & Care (for the period September 9/1/22 – 9/22/22) - \$2,660.07
- b. 4/10/23 – Ck# 482187 to San Luis Convalescent Hospital for Board & Care – September 2022 - \$1,384.00

July 2023:

- a. 7/3/23 – Ck#485709 to San Luis Convalescent Hospital – July 2023 - \$1,384.00
- b. 7/17/23 – Ck#486257 to San Luis Convalescent Hospital – July 2023 Increase - \$3,109.00

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 23PR-00054

CASE NAME: Conservatorship of Michael Mason

THIS CASE IS SET FOR HEARING ON:

1. Petition for Order for Attorney Fees
2. Continued from January 24, 2025 re:
 - i. Accounting
 - ii. Annual Review
 - iii. Order to Show Cause as to the former Conservator Carol McCauley and her bonding company to appear and Show Cause why the Conservator of the Estate should not be surcharged \$19,000 for unaccounted for expenditures during the period Carol McCauley served as Temporary and General Conservator of the Estate

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

NOTED: **No changes/updates have been made since the 11/15/24 hearing and the previously noted issues below are posted for informational purposes only as the accountings remain before the Court for approval.*

1. Missing bank and investment statements from time immediately preceding appointment of probate conservator and statements up to the closing period of accounting. Prob. C. 2620(c). **Some Financial Statements were submitted on 5/13/2023 **Denotes items addressed in 7/11/24 Declaration of C. McCaulley*
 - a. The following bank and financial statements to be provided:
 - i. Wells Fargo Account #565:
 1. June 2023 through November 2023
 2. January 2024
 - ii. Wells Fargo Account #598: **Addressed in 10/1/24*
 1. May 2023 through July 2023
 2. September 2023 through December 2023
 - iii. LPL Financial: ****
 1. June 2023 through January 2024
 - iv. Edward Jones Account 08-1-5: ****
 1. May 2023 through January 2024
 - v. Edward Jones Account 455-1-4: ****
 1. April 2023 through July 2023
 2. October 2023
 3. January 2024
2. Court's discretion regarding Check no. 2819, in the amount of \$2,000.00, from Wells Fargo Checking account xxxx-7565 by Lori Chea written immediately preceding appointment of Conservatorship. ***Addressed in 7/11/24 Declaration of C. McCaulley*
3. Summary of Account for 5/5/23 through 12/15/23:
 - a. Property on Hand at Beginning of Account Period starting on 5/5/23:
 - i. *Carry Value* of Non-Cash Assets in the amount of \$335,875.64 differs from the amount of Non-Cash Assets in the amount of \$335,463.39 at the end of the previous Accounting period ending on 5/5/23.
4. The accounting reflects excess expenditures for Amazon and Walmart purchases that require additional clarification for:
 - a. Six (6) separate Walmart purchases on the same day of June 20, 2023, totaling \$602.00
 - b. Walmart purchases on 11/22/2023 for \$2,272.04, re who made the purchase, reason for the expenditure, including receipts.
 - c. Receipts to be provided for all Amazon and Walmart purchases.
5. Accounting does not reflect any payments to the following utilities:
 - a. PG&E: **Addressed in 7/11/24 Declaration of C. McCaulley*

- i. May 2023 through September 2023
 - ii. November 2023 and December 2023
- b. Waste Management: [*Addressed in 7/11/24 Declaration of C. McCaulley](#)
 - i. May 2023
 - ii. June 2023
 - iii. August 2023 through October 2023
 - iv. December 2023
- 6. Additional location clarification and receipts needed for the following travel Expenses incurred by the Conservator of the Estate:
 - a. 11/13/24 – KOA - \$52.88 [*Corrected](#)
 - b. 11/14/24 – Seven Feathers - \$305.93 [*Corrected](#)
 - c. 11/15/24 – KOA - \$52.88 [*Corrected](#)
- 7. The following vehicle expenses require clarification as to the benefit to the conservatee: [*Addressed in](#)
 - a. Fastrack Violation on 12/3/23 - \$7.00
 - b. Fuel expenses totaling \$1,333.72 as it appears the conservatee's vehicle was fueled weekly at an average expense of \$74.09.
 - c. The accounting reflects two fueling charges for the same day:
 - i. 8/1/24 – Chevron - \$81.00
 - ii. 8/1/24 – Shell - \$57.27
- 8. Receipts to be provided for Eagle OneSolution for garage door repairs on:
 - a. 10/18/23 - \$1,138.50
 - b. 10/23/23 - \$1,242.00
- 9. Additional information needed concerning disbursement to Chosen Property for \$301.44 on 6/23/23.
- 10. Additional information needed as to what expenses are shared by the conservatee, Marian Mason and any trust owned asset. [*Addressed in 7/11/24 Declaration of C. McCaulley](#)
- 11. Additional information and receipts needed concerning the following "Unknown Charge" attributed to Lori Chea:
 - a. 5/30/23 - Target - \$11.46
 - b. 5/31/23 – SEI - \$67.82
 - c. 6/6/23 – Lori Chea - \$2,500.00
 - d. 6/12/23 – Target - \$87.36 [*Addressed in 7/11/24 Declaration of C. McCaulley](#)
 - e. 6/13/23 – Target - \$17.31
 - f. 6/26/23 – SEI - \$45.28
 - g. 7/24/23 – Target - \$51.83
 - h. 7/24/24 – SEI – 64.04
 - i. 8/1/23 – Stagnaro Bro Santa Cruz - \$46.38 [*Addressed in 7/11/24 Declaration of C. McCaulley](#)
 - j. 9/22/23 – Target - \$37.30
 - k. 10/18/23 – A-1-A (repair at house) - \$115.00
 - l. 11/27/23 – Lori Chea (reimbursement for winter clothing) - \$455.27
- 12. Clarification of whether conservatee Michael Mason is named in any capacity in any other trust, including a separate property trust, other than the Mason Community Property Trust and as a beneficiary in the Sturtz Trust. [*Addressed in 7/11/24 Declaration of C. McCaulley](#)
- 13. Conservatee's beneficial interest in the Sturtz Trust has not been included in any Inventory and Appraisal.
- 14. What the is the current status of the Mason Community Property Trust? Was there a Resignation by the Trustor Michael Mason? [*Addressed in 7/11/24 Declaration of C. McCaulley](#)
- 15. Two computers and printer purchased with estate funds have not been inventoried. [*Addressed in 7/11/24 Declaration of C. McCaulley](#)
- 16. Does the conservatee have any life insurance policies? [*Addressed in 7/11/24 Declaration of C. McCaulley](#)

17. No notice to any interested parties of the Second Supplement to First Account and Report of Former Conservator Carol McCaulley filed on July 11, 2024.
CRC 7.53(b)

TENTATIVE RULING:

Appearance required.

CASE#: 23PR-00306

CASE NAME: Conservatorship of David L. Harvey

THIS CASE IS SET FOR HEARING ON:

1. Continued from April 4, 2025 re: First and Final Account and Report of Conservator and Petition for Termination of Conservatorship
2. Second and Final Account and Report of Conservator and Petition for Termination of Conservatorship

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

- **First and Final Account and Report of Conservator and Petition for Termination of Conservatorship:**
 1. The accounting period reflects 1/5/24 through 12/19/24. The Conservator was granted Conservatorship of the Person and Estate on October 6, 2023 through the conservatee's date of death.
 2. Additional information needed concerning car payments made to Chase Bank for a vehicle that has not been included in any Inventory and Appraisal.
 3. A separate Final Accounting will need to be submitted. Prob Code §2620(b)
 4. No Notice to the Public Defender who represents the conservatee. Prob Code §1460(b)
- **Second and Final Account and Report of Conservator and Petition for Termination of Conservatorship filed on 4/10/25:**

Remains under review.

TENTATIVE RULING:

Due to the Court's impacted calendar, the Probate Examiner's request to continue the review of the First Accounting and Second Accounting is granted. The hearing is continued to June 20, 2025 at 8:30 a.m. in Courtroom 10.

(End of Tentative Rulings)