

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, August 28, 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.**

8:15 AM CALENDAR

CASE#: 26PR-00170

CASE NAME: Robert Dean Ashlock, Jr.

THIS CASE IS SET FOR HEARING ON:

Continued from July 29, 2026 re: Petition for Letters of Administration with Full IAEA Authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED **as to the Amended Petition filed on 8/20/26:*

1. The decedent was survived by a minor son who has an interest in the estate. A Guardian Ad Litem will need to be appointed to adequately represent the minor's interest in the estate. Prob Code §§1003(a)(1)(b)
2. Notice has not been effectuated on all heirs of the estate. Prob Code §8100, §8110
3. Bond has not been waived by all heirs to the estate. Prob Code §8481

TENTATIVE RULING:

Appearance required.

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CASE#: 26PR-00260

CASE NAME: Matter of Arnold Betschart

THIS CASE IS SET FOR HEARING ON:

Petition to Determine Succession to Primary Residence

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

None.

TENTATIVE RULING:

The Petition to Determine Succession to Primary Residence is approved.

CASE#: 26PR-00283

CASE NAME: Estate of Estefania D. Vargas

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:

The Petition for Letters of Administration with Full IAEA Authority is granted. No bond required. Probate Referee Michael Wright to be appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for January 28, 2027 at 8:15 a.m. in Courtroom 10.

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8:30 AM CALENDAR

CASE#: 16PR-00346

CASE NAME: In the Matter of the Isabel E. Moreno Minor's Trust

THIS CASE IS SET FOR HEARING ON:

1. Continued from July 24, 2026 re: First Account and Report of Trustee, Petition for Allowance of Fees to Trustee of the (Special Needs Trust) and to Attorney
2. Third and Final Account and Report of Trustee from 01/01/2025 through 10/30/24 and Petition to Approve Fees to Thomas Day in Preparation of Third and Final Accounting

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

Remains under review.

TENTATIVE RULING:

No appearance required. Due to the Court's impacted calendar, additional time is needed to review the accountings. The Court on its own motion hereby continues the hearing to October 9, 2026 at 8:30 a.m. in Courtroom 10.

CASE#: 16PR-00347

CASE NAME: In Re: The Anthony C. Moreno Minor's Trust

THIS CASE IS SET FOR HEARING ON:

1. Continued from July 24, 2026 re: First Account and Report of Trustee, Petition for Allowance of Fees to Trustee of the (Special Needs Trust) and to Attorney
2. Third and Final Account and Report of Trustee from 01/01/2025 through 10/30/24 and Petition to Approve Fees to Thomas Day in Preparation of Third and Final Accounting

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

Remains under review.

TENTATIVE RULING:

No appearance required. Due to the Court's impacted calendar, additional time is needed to review the accountings. The Court on its own motion hereby continues the hearing to October 9, 2026 at 8:30 a.m. in Courtroom 10.

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CASE#: 19PR-00308

CASE NAME: Estate of Kenneth Wheaton

THIS CASE IS SET FOR HEARING ON:

Continued from July 17, 2026 re: Amended First and Final Statement of Public Administrator Regarding Summary Disposition of Estate

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

Remains under review.

TENTATIVE RULING:

No appearance required. Due to the Court's impacted calendar, additional time is needed to review the accountings. The Court on its own motion hereby continues the hearing to October 9, 2026 at 8:30 a.m. in Courtroom 10.

CASE#: 21PR-00146

CASE NAME: Conservatorship of Perry Wheaton

THIS CASE IS SET FOR HEARING ON:

Continued from July 17, 2026 re: Status Review/Trailing 19PR-00308 Estate of Kenneth Wheaton

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

None.

TENTATIVE RULING:

This case is trailing and awaiting the final distribution to be approved from case #19PR-308 Kenneth Wheaton. The hearing is hereby continued to October 9, 2026 at 8:30 a.m. in Courtroom 10.

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CASE#: 23PR-00054

CASE NAME: Conservatorship of Michael Mason

THIS CASE IS SET FOR HEARING ON:

Petition to Instruct and Authorize the Public Conservator to Enter into a Settlement Agreement

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

1. **Notice to Court Investigator:** Notice has not been provided to the Court Investigator who has a role in reporting findings concerning the Conservatee to the Court. Prob Code §1851
2. **Authority/Need for Instructions:** Petitioner seeks authority to enter into a settlement agreement resolving objections in a pending Kern County accounting proceeding. The Petition does not cite authority for the requested relief.
3. **Benefit to conservatee:** Petitioner should provide additional information and explain why the settlement is in the best interest of the estate and why \$30,000 is a fair consideration. Prob. Code §2500
4. **Broad release:** The agreement releases many known and unknown claims, including claims concerning trusts, real property, stock, and trust distributions. The Petitioner should explain why the release, including the Civ. Code §1542 waiver, is fair and reasonable to the conservatee. Prob. Code §16464
5. **Colorado property:** The agreement refers to claims involving the Colorado Avenue property. The Petitioner should identify the conservatee's claimed interest, its value, and how the settlement affects that interest. Prob. Code §2501
6. **\$30,000 payment:** Petitioner must explain the legal basis for holding the \$30,000 in a blocked account, requiring all other assets to be spent first, and giving any remaining funds to Jerome and Brian Sturz when the conservatee dies. The Petitioner should identify the proposed account and explain why these terms benefit the conservatee. Prob. Code §§ 2580–2583
7. **Settlement terms:** The agreement appears vague and does not include deadlines for payment and production of UBS information and vehicle documents. The agreement also does not state when the releases and withdrawal of the accounting objection becomes effective.
8. **Kern County case:** The agreement should clarify what relief the parties seek from each respective court as the Merced Superior Court may only authorize the Public Conservator to settle the case and has no jurisdiction over the accounting pending in the Kern County Superior Court. The parties may request that the Kern County Superior Court retain jurisdiction under Code of Civil Procedure §664.6, subject to that court's approval.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)