

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

Friday, January 9, 2026
TIME: 8:15 AM; 8:30 AM and 9:30 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#: 25PR-00414

CASE NAME: Estate of Chadwick Arthur Smalley

THIS CASE IS SET FOR HEARING ON:

Spousal Property Petition

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

1. The proposed Order has been lodged on October 10, 2025 is missing the referenced attachment that describes the real property sought to be transferred to the Petitioner.

TENTATIVE RULING:

No appearance required. The Spousal Property Petition is approved. Counsel to submit a corrected proposed Order.

(continued on next page)

8:30 AM CALENDAR

CASE#: 22PR-00389

CASE NAME: Conservatorship of Lois Watters

THIS CASE IS SET FOR HEARING ON: .

Continued from November 21, 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:

1. The accounting improperly reflects the real property improperly adjusted to reflect the Market Value instead of the "carry value" in the following schedules:
 - a. Schedule E – Non-Cash Assets on Hand at End of Account Period
 - b. Summary of Account - #13b *should reflect "carry value"
 - c. Schedule "null" improperly reflects the depreciated fair market value of real property that has not yet been realized due to any sale during the accounting period.
2. Additional information needed regarding how requested compensation for the Public Defender was calculated.
3. Petition does not include the Court Investigator Fee. Probate Code §1851.5
4. Supplemental Inventory & Appraisal filed on 12/3/25 has not been appraised and signed by the Probate Referee.

TENTATIVE RULING:

Appearance required.

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CASE#: 23PR-00142

CASE NAME: Conservatorship of John Curreri

THIS CASE IS SET FOR HEARING ON:

Continued from December 5, 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:

1. Petition reflects the incorrect name of the conservatee on page 1 in the body of the Petition. *Corrected
2. Petition is missing schedule “*Non-Cash Assets on Hand at Beginning of Account Period- Standard and Simplified Accounts*” GC-405(PH)(2) *Included in the Amended Accounting filed on 11/18/25 but does not include the conservatee’s interest in Santa Nella.
3. The Accounting following death of a conservatee must include a court accounting for the period that ended on the date of death and a separate accounting for the period subsequent to the date of death. Prob Code §2620(b). *Corrected
4. The Petition does not address what was the disposition of the conservatee’s interest in real property that resulted in a significant loss to the estate. *Amended Accounting filed 11/18/25
5. The Petition requests fees for the Public Defender for services provided from May 12, 2024 through May 11, 2025. The Court’s previously relieved the Public Defender as counsel for the conservatee on August 16, 2024. *Addressed in Amended Accounting
6. What is the distribution plan for the conservatee’s remaining estate assets. *Amended Accounting filed 11/18/25
7. A Second Amended Petition was filed on November 21, 2025 that appears identical to the Amended Petition filed on November 18, 2025 but is unsigned by County Counsel with an attached Notice of Hearing that contains an undated and unsigned Proof of Service. *Newly noted for the 12/5/25 hearing.

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 24PR-00259

CASE NAME: Conservatorship of Brenda Faye Merrell

THIS CASE IS SET FOR HEARING ON:

Continued from November 21, 2025 re: Petition for Substituted Judgment to Create and Fund Revocable Trust and Execute a Pour-Over Will

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

None.

TENTATIVE RULING:

Appearance required.

CASE#: 24PR-00350

CASE NAME: Conservatorship of Israel Lopez, III

THIS CASE IS SET FOR HEARING ON:

1. Petition for Orders:
 - a. Removing Conservator of the Person, or Alternatively Instructing Her on the Limitations of Her Role;
 - b. Voiding Unauthorized Fee Agreement;
 - c. Appointing (Proposed) Professional Fiduciary Christopher Glaeser as Conservator of the Estate of Israel Lopez III; and
 - d. Approving Amended Fee Agreement Between Proposed Conservator of the Estate Christopher Glaeser and the X-Law Group, P.C.
2. Petition for Appointment of Temporary Conservator of the Estate

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

1. As to the *Petition for Orders*....:
 - a. Court's discretion whether the removal of the Conservator of the Person meets the required cause as required per Probate Code §2650.
 - b. No Proof of Service on counsel for the Conservator of the Person and the Public Defender who is the conservatee's current counsel. CRC 1.21(a)
2. As to the *Petition for Temporary Conservator of the Estate*:
 - a. No Proof of Service on the Public Defender who is the conservatee's current counsel. CRC 1.21(a)
 - b. The Conservatee has not been personally served with a citation. Prob Code §2550(e)(2)
 - c. Duties of Conservator form (GC-348) has not been signed by the proposed Conservator of the Estate.
 - d. Bond request cannot be calculated as there is no information concerning the character and value of the conservatee's estate. Prob Code §2320(c), CRC 7.207

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CASE#: 24PR-00350

CASE NAME: Conservatorship of Israel Lopez, III (continued from previous page)

- e. Does not contain Attachment GC-310 (A-PF) as required for Professional Fiduciaries. Prob Code §2250
- f. Court's discretion if good cause exists to appoint a Temporary Guardian of the Estate. Prob Code §2250

3. Is there a conflict of interest between the proposed Conservator of the Estate and the Petitioner who is also seeking the Court's approval to both appoint the Petitioner and confirm the Petitioner as the duly authorized litigation counsel of record in the Los Angeles County civil case. CRC 7.1059
4. There is a concern that the Petitioner may be considered a creditor and not an interested party. Prob Code §1820(c)
5. Court's discretion if an additional Capacity Declaration will be required. Prob Code §§811-813, 1880-1891, 2356.5-2357
6. An Objection and Competing Petition for Conservator of the Estate has been filed by Conservator of the Person Pearlita Guzman.
 - a. Proof of Service attached to the Objection is undated and does not reflect when service may have been effectuated on opposing counsel.

TENTATIVE RULING:

Appearance required.

CASE#: 24PR-00500

CASE NAME: Conservatorship of Kenneth J. Anderson

THIS CASE IS SET FOR HEARING ON:

Continued from December 19, 2025 re: Petition for Substituted Judgment to Create and Fund Revocable Trust and Execute a Pour-Over Will

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

1. No notice on the conservatee and Public Defender who represents the conservatee. Prob Code §2581, 1460
2. Court's discretion concerning good cause to dispense with notice as to conservatee's estranged children. Probate Code §2581(d)

TENTATIVE RULING:

Appearance required.

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CASE#: 20PR-00158

CASE NAME: Estate of Robert Alan Hunter

THIS CASE IS SET FOR HEARING ON:

Continued December 5, 2025 re: Status of an Accounting

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.

9:30 AM CALENDAR

CASE#: 24PR-00150

CASE NAME: Estate of Joseph B. Pacheco

THIS CASE IS SET FOR HEARING ON:

Report of Sale and Petition for Order Confirming Sale of Real Property

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

None.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)