

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, June 10, 2026
TIME: 8:15 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-00264

CASE NAME: Estate of David Mack Morgan

THIS CASE IS SET FOR HEARING ON:

Continued from May 8, 2026 re: Trial Setting Conference/Further Proceedings re: Possible Settlement Agreement

TENTATIVE RULING:

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

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CASE#: 25PR-00415

CASE NAME:

In the Matter of the Robert E & Beatrice Joyce Ellington Family Living Trust,
dated June 5, 2001 Trust

THIS CASE IS SET FOR HEARING ON:

Continued from May 27, 2026 re: Further Proceedings re: Petition for Order Compelling
Accounting, For Surcharge of Trustee, And Suspension and Removal of Trustee

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

1. Petition involves parties and possible causes of action that were subject to or related to litigation in Santa Clara County Superior Court. The Santa Clara Superior Court case has not been received by the Merced Superior Court as per the Change of Venue Motion granted on May 16, 2024 by Santa Clara County Superior Court Judge Takaichi. **Corrected – Received 5/4/26*
2. A copy of the Trust document has not been attached to the Petition.
3. The Trustee Deborah Burkart has not filed an Answer as directed by the Court on March 18, 2026. **Remains as issue for the 7/10/26 hearing*
4. Proof of Service filed on 5/29/26 reflects the 7/10/26 hearing will be heard in the Santa Clara Superior Court. **Newly noted for the 7/10/26 hearing*

TENTATIVE RULING:

Appearance required. The parties to provide the Court with a current case status.

CASE#: 26PR-00177

CASE NAME:

In re: the Robert E. and Beatrice Joyce Ellington Family Living Trust dated June 5, 2001

THIS CASE IS SET FOR HEARING ON:

Receipt of Transferred Case from Santa Clara Superior Court

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

1. A Declaration (Objection) was filed by Tamra Ellington on 6/12/26 that has not been served on the trustee, trust beneficiaries and parties who have requested Special Notice. Prob Code §§1215, 1252, 17203, 17204

TENTATIVE RULING:

Appearance required.

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8:30 AM CALENDAR

CASE#: 22PR-00372

CASE NAME: In the Matter of Doris Schindler

THIS CASE IS SET FOR HEARING ON:

Continued from May 29, 2026 re: Second Accounting 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 DEFECIENCIES IN THE PAPERS WERE PREVIOUSLY NOTED:

1. The Petition is not verified. Prob Code §1021 *Corrected
2. Proof of Service filed on 4/1/25 does not reflect the date in which service was effectuated on interested parties. Prob Code §1460 *Corrected
3. A proposed Order has not been lodged. MSC 100 E.

TENTATIVE RULING:

No appearance required. The *Amended Second Account and Report of Conservator, Petition for Allowance of Fees to Conservator of the Person and Estate and to the Attorney* is approved. Counsel to lodge a proposed Order.

CASE#: 23PR-00361

CASE NAME: Estate of Vivian Ardell Watters

THIS CASE IS SET FOR HEARING ON:

Continued from May 15, 2026 re: Status Hearing

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.

(continued on next page)

CASE#: 24PR-00230

CASE NAME: Conservatorship of Barbara Barreiro

THIS CASE IS SET FOR HEARING ON:

1. Continued from June 26, 2026 re: First Account and Report of Conservator, Petition for Allowance of Fees to Conservator of the Person and Estate, and to the Attorney
2. Second and Final 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 ARE NOTED:

As to the First Accounting:

1. The conservatee's interest in real property located in San Lorenzo, CA has not been included in any filed Inventory and Appraisal.
2. What is the source of the cash assets as identified in the Summary of Account and corresponding Schedule "Cash assets on hand at Beginning of Account Period."
3. Did the estate receive the conservatee's CALPERS retirement benefits for September 2025 and October 2025?

TENTATIVE RULING:

No appearance required. The hearing is continued to August 14, 2026 at 8:30 a.m. in Courtroom 10 for correction of deficiencies.

CASE#: PR000016

CASE NAME: Estate of Bernard Charles Gardner

THIS CASE IS SET FOR HEARING ON:

Continued from continued May 15, 2026 re: Further Proceedings

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

None.

TENTATIVE RULING:

Appearance required. Counsel to appear and provide the Court with a current case

(End of Tentative Rulings)