

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, July 11, 2025
TIME: 8:15 AM and 8:30 AM
Courtroom 10

PROBATE CALENDAR

(*updated 7/10/25 at 2:55 pm)

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#: 23PR-00083

CASE NAME: Estate of Juan U. Garcia

THIS CASE IS SET FOR HEARING ON:

Continued from April 28, 2025 re:

Petition and Report on Waiver of Account for Final Settlement, For Waiver of Statutory Commission, for allowance of Statutory Attorney Fees, and Final Distribution

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

1. Distribution of Assets does not comply with the Probate Code intestate succession to include the decedent's father Leo Estrada Garcia.
Prob Code §§240, 6400 et seq.
2. Proof of Service reflecting notice to all heirs has not been filed.
Prob Code §§11000, 1220

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 24PR-00359

CASE NAME: Estate of Guadalupe Ayala

THIS CASE IS SET FOR HEARING ON:

Continued from May 30, 2025 re: Status of Filing an Inventory and Appraisal

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b) [*Corrected](#)

TENTATIVE RULING:

No appearance required. An Inventory and Appraisal was filed on June 11, 2025. A Status Hearing ensuring the Closing of the Estate is hereby set for January 22, 2026 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:

Continued from May 2, 2025 re: Amended Second Account and Report of Trustee and Petition to Approve Fees to Thomas Day in Preparation of Amended Second Account

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

1. The Amended Second Account and Report of Trustee and Petition to Approve Fees to Thomas Day in Preparation of Amended Second Account reflect the following concerns:
 1. Former Trustees did not comply with their fiduciary duty to ensure the Trust was timely receiving the annuity payments due to the minor, possibly causing harm to the trust by the loss of gained interest and income.
 2. Former Trustee V. Moreno co-mingled trust funds with the related trust and appears to have self-dealt funds for which he was entrusted to properly administer.
 3. What was former Trustee Maria Moreno's role in respect to the accounting and the corresponding financial transactions?
Prob Code §§16000, 16400, 16440

TENTATIVE RULING:

Appearance required.

CASE#: 16PR-00347

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

THIS CASE IS SET FOR HEARING ON:

Continued from May 2, 2025 re: Amended Second Account and Report of Trustee and Petition to Approve Fees to Thomas Day in Preparation of Amended Second Account

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

1. The Amended Second Account and Report of Trustee and Petition to Approve Fees to Thomas Day in Preparation of Amended Second Account is unsigned and not verified. Prob Code §1021(a)(1), CCP §§128.7, 2015.5
2. The Amended Second Account and Report of Trustee and Petition to Approve Fees to Thomas Day in Preparation of Amended Second Account reflect the following concerns:
 1. Former Trustees did not comply with their fiduciary duty to ensure the Trust was timely receiving the annuity payments due to the minor, possibly causing harm to the trust by the loss of gained interest and income.
 2. Former Trustee V. Moreno co-mingled trust funds with the related trust and appears to have self-dealt funds for which he was entrusted to properly administer.
 3. What was former Trustee Maria Moreno's role in respect to the accounting and the corresponding financial transactions?
Prob Code §§16000, 16400, 16440
3. Notice has not been provided to all beneficiaries and interested parties. Prob Code §17203

TENTATIVE RULING:

Appearance required.

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CASE#: 24PR-00093

CASE NAME: Estate of Angelo Espinola Picanco

THIS CASE IS SET FOR HEARING ON:

Continued from February 28, 2025 re: Status on Filing of Inventory and Appraisal

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b) **Corrected*

TENTATIVE RULING:

No appearance required. An Inventory and Appraisal was filed on March 4, 2025. A Status Hearing ensuring the Closing of the Estate to be set for December 19, 2025 at 8:30 a.m.

CASE#: P25249

CASE NAME: Conservatorship of Joseph Char-Lee Brewster

THIS CASE IS SET FOR HEARING ON:

Continued from May 9, 2025 re: First Account and Report of Conservator, Petition for Allowance of Fees to Conservator of the Person and Estate, and to Attorney

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

1. Summary of Account contains the following inconsistencies:
 - a. #2 - Additional Property Received during the accounting period reflects \$16,411.78 and differs from the corresponding supporting attached schedule reflecting *Additional Property Received during the Accounting Period* that reflects \$16,451.78. **Amended Accounting filed 6/6/25*
 - b. #9 – Losses on Sales During Period of Account reflects \$968.00 which differs from the supporting Schedule D reflecting \$933.00. **Amended Accounting filed 6/6/25*
2. Additional information needed concerning the entry in Schedule D – reflecting a \$500 loss in the available funds in the client's account. What happened to these funds? This amount differs from the "available funds in client account" as reflected in in Item Num 16 in the schedule *Additional Property Received during the Accounting Period* and in the Inventory and Appraisal filed on 1/8/25 **Amended Accounting filed 6/6/25*
3. *Amended Accounting filed on 6/6/25 – Verification page is signed but undated.*
4. *Amended Accounting filed on 6/6/25 does not reflect ABLE funds included in the previous accounting. Who has access/control of the Able account? *Newly noted for the 7/11/25 hearing*
5. *No Notice to conservatee and other interested parties. Prob Code §1460(b) *Newly noted for the 7/11/25 hearing*

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)