

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. Updates to the Probate Examiner's Notes typically will be posted 3 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](mailto: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 notify that documents have been filed, 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 or status of orders 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.

Superior Court of California, County of Merced  
PROBATE CALENDAR  
HONORABLE: Donald Proietti

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DATE: Friday, May 31, 2024  
TIME: 8:15 AM & 8:30 AM  
Courtroom 10  
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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#:** 21PR-00052

**CASE NAME:** Estate of Marcenia Rodgers

**THIS CASE IS SET FOR HEARING ON:**

Continued from May 3, 2024 re:

1. OSC Re: Sanctions for Failure to Appear
2. Status Hearing ensuring Closing of the Estate

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

1. Distributive Receipts and an Ex Parte Petition For Final Discharge And Order (DE-295) have not been submitted. Prob Code §§11753, 12250

**TENTATIVE RULING:**

Appearance required.

(continued on next page)

**CASE#:** 23PR-00247

**CASE NAME:** Estate of Fateh Singh

**THIS CASE IS SET FOR HEARING ON:**

Continued from March 22, 2024 re: Status Hearing

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b) [\\*Corrected-I&A filed 5/8/24](#)

**TENTATIVE RULING:**

An Inventory and Appraisal was filed on May 8, 2024. A further Status Hearing ensuring the closing of the estate is hereby set for October 31, 2024 at 8:15 a.m. in Courtroom 10.

**CASE#:** 24PR-00043

**CASE NAME:** Estate of Robert Andrew Potter

**THIS CASE IS SET FOR HEARING ON:**

Continued from April 19, 2024 re: Spousal Property Petition

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

1. Additional information is needed to establish the community property claim. (date of marriage, manner in which asset was acquired and how asset is community property?) Prob Code 13651(a)(3)-(4)
2. No notice to heirs/beneficiaries. Prob Code 13651(a)(5)

**TENTATIVE RULING:**

Appearance required.

(continued on next page)

**CASE#:** 24PR-00109

**CASE NAME:** Estate of Margaret Younce

**THIS CASE IS SET FOR HEARING ON:**

Petition for Administration with Full IAEA Authority

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

None.

**TENTATIVE RULING:**

Petition for Administration with Full IAEA Authority is granted. A Status Hearing ensuring the closing of the Estate is hereby set for June 27, 2024 at 8:15 a.m. in Courtroom 10.

**CASE#:** 23PR-00226

**CASE NAME:** In Re The Robert and Lois Sparks Revocable Trust dated May 3, 1991

**THIS CASE IS SET FOR HEARING ON:**

Continued from May 3, 2024 re: Status of Settlement

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

1. A Dismissal has not been filed.

**TENTATIVE RULING:**

Appearance required.

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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 April 19, 2024 re: Status Review

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

1. Submitted Accounting does not include a Petition Prob Code §17200 (a)(b)(5), CRC 7.902
2. Notice of the hearing and a Petition to approve the Second Accounting has not been provided to the Co-Trustee, Guardian Ad Litem and the trust beneficiary. Prob Code §17203
3. Request for any and all Pacific Life Insurance monthly and annual annuity payments information for the minor Isabel E. Moreno, including any lists of annuity payment schedules and all annuity payments previously distributed, from inception date to October 31, 2023. [\\*Document regarding Annuity Contact filed on 1/23/24](#)
4. The accounting reflects the trust is paying over \$700 monthly for the beneficiary's 1/3rd interest in the family residence located at 3168 Kirk Drive, Merced, CA. An Amended Petition filed on November 21, 2016 reflected the monthly mortgage payments were \$800.00. Per the Court's order dated December 19, 2016 the trust was allowed to distribute a proportional share of home mortgage and tax obligations of the family residence in which the beneficiary holds a 1/3rd interest. This accounting and the related accounting of Anthony Moreno (Case #16PR-00347) both reflect monthly mortgage payments of more than \$700 being paid by each trust for each beneficiary's proportional share of approximately \$266.66.
5. Clarification needed regarding the Inventory Adjustments reflected in Schedules G and H regarding the funds transferred to Anthony Moreno's trust and multiple erroneously transferred funds by the trustee to himself.
6. Clarification of issuance of Check no. 508 for \$1,000 on April 2, 2018 of Isabel E. Moreno Minor's Trust Chase Bank Checking Account ending 3674.
7. Copy of Order re Minor's Compromise for Isabel Moreno's San Francisco case no. CGC-14-542890. [\\*Filed 1/23/24](#)

**TENTATIVE RULING:**

Appearance required.

(continued on next page)

**CASE#:** 16PR-00347

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

**THIS CASE IS SET FOR HEARING ON:**

Continued from April 19, 2024 re: Status Review

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

1. Submitted Accounting does not include a Petition Prob Code §17200 (a)(b)(5), CRC 7.902
2. Notice of the hearing and a Petition to approve the Second Accounting has not been provided to the Co-Trustee, Guardian Ad Litem and the trust beneficiary. Prob Code §17203
3. Request for Any and all Pacific Life Insurance monthly and annual annuity payments information for the minor Isabel E. Moreno, including any lists of annuity payment schedules and all annuity payments previously distributed, from inception date to October 31, 2023. [\\*Document regarding Annuity Contact filed on 1/23/24](#)
4. The accounting reflects the trust is paying over \$700 monthly for the beneficiary's 1/3rd interest in the family residence located at 3168 Kirk Drive, Merced, CA. An Amended Petition filed on November 21, 2016 reflected the monthly mortgage payments were \$800.00. Per the Court's order dated December 19, 2016 the trust was allowed to distribute a proportional share of home mortgage and tax obligations of the family residence in which the beneficiary holds a 1/3rd interest. This accounting and the related accounting of Isabel Moreno (Case #16PR-0034) both reflect monthly mortgage payments of more than \$700 being paid by each trust for each beneficiary's proportional share of approximately \$266.66.
5. Clarification needed regarding the Inventory Adjustments reflected in Schedules G regarding the funds transferred to Isabel Moreno's trust and multiple erroneously transferred funds by the trustee to himself.
6. Clarification of issuance of Check no. 507 for \$1,000 on May 2, 2018 of Anthony C. Moreno Minor's Trust Chase Bank Checking Account ending 3682.
7. Copy of Order re Minor's Compromise for Anthony Moreno's San Francisco Case No. CGC-14-542890. [\\*Filed 1/23/24](#)

**TENTATIVE RULING:**

Appearance required.

(continued on next page)

**CASE#:** 20PR-00309

**CASE NAME:** Estate of Anne Pyke

**THIS CASE IS SET FOR HEARING ON:**

Continued from March 1, 2024 re: Status Hearing re: Closing of the Estate

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

1. A Distributive Receipt for Bradley Pyke has not been filed.

**TENTATIVE RULING:**

Hearing is continued to June 28, 2024 at 8:30 a.m. for a further Status on the Closing of the estate.

**CASE#:** 21PR-00183

**CASE NAME:** Conservatorship of Donald Bonillas

**THIS CASE IS SET FOR HEARING ON:**

1. Second Accounting
2. Third and Final Accounting

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

Second Accounting:

1. The Petition and Summary of Account do not reflect the receipts received in Schedule A and are incorrectly identified as Gains in the Summary of Schedules.
2. Accounting continues to reflect the trust owned Mi Wuk Village cabin expenses paid by the conservatee.
3. A proposed Order has not been lodged with the Court.

Third Accounting:

1. Accounting continues to reflect the trust owned Mi Wuk Village cabin expenses paid by the conservatee.
2. A proposed Order has not been lodged with the Court.

**TENTATIVE RULING:**

Appearance required.

(continued on next page)

Superior Court of California, County of Merced  
PROBATE CALENDAR  
HONORABLE: Mark Bacciarini

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DATE: Friday, March 22, 2024  
TIME: 8:30 AM  
Courtroom 10  
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PROBATE CALENDAR

**\*Special Set\***

(\*updated 5/29/24 at 6:10 pm)

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**CASE#:** 23PR-00054

**CASE NAME:** Conservatorship of Michael Mason

**THIS CASE IS SET FOR HEARING ON:**

1. Continued from March 22, 2024 re: Status Hearing
2. Annual Review
3. First Account and Report of Former Conservator and Petition for Its Settlement; For Allowance of Fees and Reimbursement of Costs to Former Conservators and for Attorneys' Fees

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

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](#) *\*Newly noted as of 5/29/24*
  - a. **The following bank and financial statements to be provided:**
    - i. **Wells Fargo Account #565**
      1. **June 2023 through November 2023**
      2. **January 2024**

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**CASE#:** 23PR-00054 (continued from previous page)

**CASE NAME:** Conservatorship of Michael Mason

- ii. Wells Fargo Account #598
    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.
  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:
      - i. May 2023 through September 2023
      - ii. November 2023 and December 2023
    - b. Waste Management:
      - 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
    - b. 11/14/24 – Seven Feathers - \$305.93
    - c. 11/15/24 – KOA - \$52.88

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**CASE#:** 23PR-00054 (continued from previous page)

**CASE NAME:** Conservatorship of Michael Mason

7. The following vehicle expenses require clarification as to the benefit to the conservatee:
  - 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.
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
  - 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
  - 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.
13. Conservatee's beneficial interest in the Sturtz Trust has not been included in any Inventory and Appraisal.
14. What is the current status of the Mason Community Property Trust? Was there a Resignation by the Trustor Michael Mason?
15. Two computers and printer purchased with estate funds have not been inventoried.
16. Does the conservatee have any life insurance policies?

**TENTATIVE RULING:**

Appearance required.

(End of Tentative Rulings)