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, November 6, 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

(continued on next page)

CASE#: 24PR-00021

CASE NAME: Estate of Charles Gregory Reeves

THIS CASE IS SET FOR HEARING ON:
Continued from September 21, 2026 re: Waiver of Accounting and Report of Executor, Petition for Final Distribution and Discharge; Status Report

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

1. Waivers of accounting have not been filed by all interested parties, so a full accounting remains required. Probate Code § 10954 and California Rule of Court 7.550 permits waiver of an accounting only when the statutory waiver requirements are met; otherwise, the fiduciary must provide the accounting. **Waiver of Accounting remains deficient as to beneficiary J. Scott Reeves*
    a. *See Probate Note #6 as to Waiver executed on behalf of J. Scott Reeves.*
2. Was notice given to all interested parties regarding the sale of the real property under the Independent Administration of Estates Act (IAEA), as required by Probate Code § 10580 et seq., including any notice of proposed action to all persons entitled to receive notice under Probate Code section 10581?
    a. Waivers of Notice have been filed by C. Reeves, J. Reeves and J. Reeves through an agent under a Power of Attorney. **See Probate Note #6 as to the Waiver executed on behalf of J. Scott Reeves.*
3. No explanation has been provided as to why the real property was sold for $205,000 when the appraised value was $290,000. Under Probate §10309, a private sale of estate real property generally must be at least 90% of the appraised value unless an exception applies.
4. The Petition does not clearly identify the assets on hand at the end of administration or the proposed distribution of those assets. Please clarify the remaining assets and corresponding proposed distribution, with reference to Probate Code §10954 and California Rules of Court rule 7.550
5. A proposed order was lodged on May 27, 2026, but does not clearly specify the estate assets remaining on hand at the end of administration or the proposed distribution of those assets. Please provide a proposed order that clarifies the assets remaining for distribution and the corresponding distribution terms.
6. The Waiver of Accounting and Waiver of Notice of Proposed Action executed by Lucas Reeves as agent for Jeremy Scott Reeves appears defective. The Power of Attorney does not show express authority to execute a waiver as required by Prob. Code § 10954(b)(7).**Newly noted for the 11/6/26 hearing.*

TENTATIVE RULING:
Appearance required.

(continued on next page)

CASE#: 25PR-00261

CASE NAME: Estate of Petra Noreiga Aguda

THIS CASE IS SET FOR HEARING ON:
Continued from August 27, 2026 re: Status Hearing ensuring the Closing of the Estate

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

1. An Ex Parte Petition For Final Discharge And Order (DE-295) has not been submitted. Prob Code §12250

TENTATIVE RULING:
Appearance required.

CASE#: 26PR-00116

CASE NAME: Estate of Patricia Sobrevilla

THIS CASE IS SET FOR HEARING ON:
Continued from September 16, 2026 re: Petition to Determine Succession to Primary Residence

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

1. The Petition is missing the following attachments:
    a. The decedent died testate and a copy of the decedent's will has not been included as Attachment 5 or 12a as required in the Petition. *
    b. Missing the required Attachment 11. *
    c. Missing Attachment 14 *
    Prob Code §13152 *Corrected with Amended Petition filed 5/13/26
2. The Amended Petition filed on May 13, 2026 does not reflect any request for the transfer of the decedent's vehicles. Are the Petitioners seeking the transfer of the vehicles listed in the Inventory and Appraisal? *Remains for the 11/6/26 hearing*
3. The attached Inventory and Appraisal is unsigned by the Petitioner and only includes an appraisal for the real property. The attachment reflecting the decedent's vehicles that do not appear to have been appraised by the Probate Referee Michael Wright. *Inventory & Appraisal filed on 5/13/26 is unsigned by the Probate Referee Michael Wright *Remains for the 9/16/26 hearing* *Corrected – Amended I&A was filed on 9/15/26*
4. No notice has been given to all beneficiaries. Prob Code §§13152(b), 1020 *Corrected*
5. A proposed Order has been lodged that is blank at item #9 that should reflect the legal description of the real property. *The proposed Order lodged on 5/13/26 is blank at items #3-#7 and does not include any request to transfer the decedent's vehicles. *Remains for the 11/6/26 hearing*

TENTATIVE RULING:
Appearance required.

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CASE#: 26PR-00271

CASE NAME: Estate of Jana Sue Smiley

THIS CASE IS SET FOR HEARING ON:
Continued from September 18, 2026 re: Petition for Probate of Will and for Letters Testamentary with Full IAEA Authority

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

1. Objections were verbally stated on the record at the 8/14/26 hearing by interested parties L. Smiley Sr. and L. Smiley Jr. No written objections have been filed to date.

TENTATIVE RULING:
Appearance required.

CASE#: 26PR-00361

CASE NAME: Estate of James Allen Williams

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:

1. Additional information is needed to identify all heirs and interested persons, confirm proper notice, and determine entitlement to distribution. A verified Declaration or Supplemental Attachment providing a complete lineal family chart of the Decedent. The chart must identify: (1) the Decedent's parents, living or deceased; (2) all siblings, living or deceased; (3) the children of each deceased sibling (Decedent's nieces and nephews); and (4) the children of each deceased niece or nephew (Decedent's great-nieces and great-nephews).
   Prob. Code §§ 50, 240,1202, 6402 CRC 7.53

TENTATIVE RULING:
No appearance required. Recommend to continue hearing to December 7, 2026 at 8:15 a.m. Any corrective pleadings to be filed by the close of business on November 25, 2026.

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CASE#: 26PR-00393

CASE NAME: Estate of Maria F. Linhares

THIS CASE IS SET FOR HEARING ON:
Petition for Probate of Will and for Letters Testamentary

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

1. Does the decedent's son have a conservator or a Guardian Ad Litem? Prob Code §§1003, 1210, CRC 7.51(c)

TENTATIVE RULING:
Appearance required. As the decedent's will identifies her son Frank M. Linhares as having special needs with a request that her estate be held in trust for him. There is a concern if the decedent's special needs son has a conservator who would also be entitled to notice (Prob. Code §1210, CRC 7.51(c)). If the son Frank M. Linhares lacks capacity and has no conservator, the Court may consider appointing a Guardian Ad Litem to ensure his interests are adequately represented.

CASE#: 26PR-00395

CASE NAME: Estate of Nancy Williams

THIS CASE IS SET FOR HEARING ON:
Petition for Probate of Will and for Letters Testamentary with Full IAEA Authority

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

1. The estimated value of the decedent's estate is unclear. The Petition lists $10,000 in personal property and $106,000 in annual gross income from real property but fails to state the estimated value of the real property itself. Petitioner should clarify the estate's estimated value and provide the omitted real property valuation pursuant to Probate Code section 8002(a)(4), which requires the Petition to state the character and estimated value of the property in the estate.
2. The Notice of Petition to Administer Estate and accompanying Proof of Service filed on October 7, 2026, appear deficient: the Proof of Service does not identify any interested parties served and is signed by the Petitioner, and the Notice does not indicate that authority under the Independent Administration of Estates Act (IAEA) is requested. Prob Code §§ 8100, 8120, 8500, 8501, CRC 7.52
3. No Proof of Publication with the corresponding signed affidavit has been filed. Prob Code §§ 8121, 8124
4. *Duties & Liabilities Acknowledgment* form (Judicial Council Form DE-147) signed by the personal representative has not been filed. Prob Code §8404(a)
5. Proposed *Letters* and *Order for Probate* have not been lodged. Prob Code §§ 8006, 8400, MSC Rule 100 E.
6. The Decedent's will has not been lodged with the Court. Prob Code §8200

TENTATIVE RULING:
No appearance required. The hearing is continued to December 21, 2026 at 8:15 a.m. for correction of the deficiencies. Any corrective pleadings to be filed and served by the close of business on December 14, 2026.

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8:30 AM CALENDAR

CASE#: 16PR-00387

CASE NAME: Estate of Robert Allen Jackson

THIS CASE IS SET FOR HEARING ON:
Continued October 2, 2026 re:

1. Further Proceedings
2. Order to Show Cause that Mark Olson, his attorney, and his Bonding Company, Liberty Mutual Insurance Company Appear
3. Accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:
None.

TENTATIVE RULING:
Appearance required. The Public Administrator to provide the Court a current case status.

CASE#: 22PR-00389

CASE NAME: Conservatorship of Lois Watters

THIS CASE IS SET FOR HEARING ON: .
Continued from September 18, 2026 re: Fourth Amended 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 ARE *(*as to the Fourth Amended Second Account filed on 9/18/26):*

1. **Real-property valuation:** The conservatee's one-half interest in the real property at 906 E. Alexander is inconsistently valued across the inventory/appraisal documents and accountings. The correct historical carry value should be established through a Corrected Inventory and Appraisal, and any affected accountings—including previously approved accountings—should be amended as necessary.

2. **Omitted vehicle and sale:** The accounting omits the 1974 AMC Matador, which was received at an appraised value of $600 and sold in July 2024 for $750, resulting in a $150 gain. The vehicle should be reported on Additional Property Received During Period of Account (GC-400(AP)); the $750 sale proceeds should be included in the cash reconciliation, as Schedule B reflects the $150 gain.

TENTATIVE RULING:
No appearance required. The hearing be continued to December 18, 2026 at 8:30 a.m. in Courtroom 10 for correction of the deficiencies.

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CASE#: 23PR-00282

CASE NAME: Conservatorship of Valton Andrew Kuykendall

THIS CASE IS SET FOR HEARING ON:
Continued from October 2, 2026 re: Review of Case Status

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

1. An Ex Parte Petition for Final Discharge has not been filed. Prob Code §§2100, 2627, 2631, 11753, 12250, CRC 7.576

TENTATIVE RULING:
No appearance required. The Court on its own motion hereby continues the Status Hearing ensuring the Closing to January 15, 2027 at 8:30 a.m. in Courtroom 10 to allow counsel additional time to file the appropriate Ex Parte Petition for Final Discharge.

CASE#: 25PR-00187

CASE NAME: Conservatorship of Juanita Johnson

THIS CASE IS SET FOR HEARING ON:
First Account and Report of Conservator, Petition for Allowance of Fees to Conservator of the Estate and to the Attorney

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

1. Please advise whether the life-insurance policies have a cash surrender value and/or whether proceeds are payable to the estate. Prob. Code §§ 2610-2616

TENTATIVE RULING:
Appearance required.

CASE#: 26PR-00047

CASE NAME: Estate of Debra J. Montigney

THIS CASE IS SET FOR HEARING ON:
Continued from August 21, 2026 re:

1. Petition for Letters of Administration with Full IAEA Authority
2. Further Proceedings

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

1. The Public Administrator has not filed a formal Order and Letters for Probate formalizing their May 22, 2026 appointment. Does the PA intend to proceed via a Summary Disposition under Probate Code § 7660?

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

(continued on next page)

CASE#: 26PR-00064

CASE NAME: Conservatorship of William Murphy

THIS CASE IS SET FOR HEARING ON:
Continued from October 2, 2026 re: Review of Case Status/Inventory and Appraisal

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

1. Failure to File Inventory and Appraisal. An I&A was due on or about July 30, 2026 following the May 1, 2026 permanent appointment. The absence prevents the Court from confirming the identity, value, and status of the conservatorship estate assets. Prob. Code §§ 2610, 2615
2. Failure to Seek Increased Bond. The conservator posted a $250,000 bond, but the estate now appears to include $65,000 in personal property, $210,000 in real property, and up to $449,000 in sale proceeds. Despite the Court's express concern at the October 2, 2026 hearing, neither the conservator nor counsel has filed an Ex Parte Application to increase the bond. CRC 7.204(a)–(b)
3. The May 1, 2026 permanent conservatorship orders contain an ambiguity concerning the required bond. The May 1, 2026 Minute Order refers to a permanent conservatorship of the person only, while the signed formal Order for Permanent Conservatorship of the Person and Estate indicates that both conservatorships were granted. However, item No. 20 of the formal order is silent as to any bond requirement, notwithstanding that the Letters issued the same day reflect powers for both the conservatorship of the Person and Estate. Accordingly, the formal order for Conservatorship does not appropriately reflect or set forth the required $250,000 bond for the conservatorship of the estate. Prob. Code §§ 2350–2356

TENTATIVE RULING:
Appearance required.

(End of Tentative Rulings)