

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: Donald Proietti

DATE: Friday, October 9, 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

CASE#: 26PR-00247

CASE NAME: Estate of Mack Albert McCallum

THIS CASE IS SET FOR HEARING ON:

Continued from July 30, 2026 re: Petition for Letters of Administration with Full IAEA Authority

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

1. An Objection and competing Petition has been filed.
2. The decedent died testate and a will has been lodged with the Court.

TENTATIVE RULING:

Appearance required.

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CASE#: 26PR-00352 (COMPETING PETITION)

CASE NAME: Estate of Mack Albert McCallum

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. Notice of Petition to Administer Estate (DE-121) has not been given to all known or reasonably ascertainable heirs as required. Prob Code §8100, §8110
2. A competing petition has been filed by the decedent's son in case No. 26PR-00247.

TENTATIVE RULING:

Appearance required.

CASE#: 26PR-00300

CASE NAME: Estate of Larry W. Miller

THIS CASE IS SET FOR HEARING ON:

Spousal Property Petition

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

None.

TENTATIVE RULING:

No appearance required. The Spousal Property Petition is granted.

CASE#: 26PR-00303

CASE NAME: Estate of Georgina Jesus Gouveia

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 clarify whether 2384 and 2386 Mitchell Ave. were separate dwellings and establish that both parcels constituted the decedent's primary residence, or identify another statutory basis for including both parcels.
Prob. Code §§ 13150–13151

TENTATIVE RULING:

No appearance required. The hearing is continued to November 19, 2026 at 8:15 a.m. in Courtroom 10.

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CASE#: 26PR-00324

CASE NAME: Estate of Alexandra White

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. A Petition to Administer Estate is pending. Petitioner Diane Funahashi's separate Petition to Administer Estate is set for hearing on the same date. The pending administration proceeding precludes summary succession absent the Court appointed personal representative's written consent. (Prob. Code, § 13150.)

TENTATIVE RULING:

No appearance required. The Petition to Determine Succession to Primary Residence is continued to November 23, 2026 at 8:15 a.m. in Courtroom 10 for correction of the deficiencies.

CASE#: 26PR-00349

CASE NAME: Estate of Alexandra White

THIS CASE IS SET FOR HEARING ON:

Petition for Letters of Administration with Full IAEA Authority

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

None.

TENTATIVE RULING:

No appearance required. The Petition for Letters of Administration with Full IAEA Authority is granted. No bond is required. Probate Referee Michael Wright is appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for March 12, 2027 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 August 28, 2026 re:

1. Amended First Account and Report of Trustee, Petition for Allowance of Fees to Trustee of the (Special Needs Trust) and to Attorney
2. Third and Final Account and Report of Trustee from 01/01/2025 through 10/30/24 and Petition to Approve Fees to Thomas Day in Preparation of Third and Final Accounting

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

1. The accounting reflects a transfer of funds from the Public Administrator to the Public Conservator's Office in April 2025; however, it is deficient in that it does not account for annuity payments received or mortgage payments made from May/June 2025 through the end of the accounting period. Will the Public Conservator's Office be submitting a separate accounting to address and include these transactions?
2. Notice has not been provided to the GAL and minor's father M. Moreno.
Prob Code §17203
3. Notice should also be provided to former trustees V. Moreno and M. Moreno, as they remain subject to the Court's jurisdiction with respect to any potential surcharge. The accountings for the period of their tenure as trustees remain unresolved, and issues have been expressly reserved for further ruling by the court. Prob Code §§1202, 17203
4. The Amended First Account and Report of Trustee and Petition for Allowance of Fees to Trustee and Attorney filed July 27, 2026, omits the referenced schedules. The accounting cannot be reviewed until the missing schedules are provided. Prob. Code, §§ 1060–1062. **Newly noted for the 10/9/26 hearing*
5. The caption and petition incorrectly identify the trust as a Special Needs Trust. The caption and Petition should accurately identify the trust Prob. Code § 17201. **Newly noted for the 10/9/26 hearing*
6. The Third and Final Account and Report of Trustee and Petition to Approve Fees to Thomas Day for Preparation of the Third and Final Accounting filed on July 23, 2026 by former trustee V. Moreno is unsigned and unverified.
Prob. Code §§ 1020, 1021 (a)(1), (b)(1)–(2) . **Newly noted for the 10/9/26 hearing*

TENTATIVE RULING:

No appearance required. The hearing on both accounting Petitions is continued to November 20, 2026 at 8:30 a.m. in Courtroom 10. Any corrective pleadings to be filed and served by the close of business on November 6, 2026.

(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 August 28, 2026 re:

1. Amended First Account and Report of Trustee, Petition for Allowance of Fees to Trustee of the (Special Needs Trust) and to Attorney
2. Third and Final Account and Report of Trustee from 01/01/2025 through 10/30/24 and Petition to Approve Fees to Thomas Day in Preparation of Third and Final Accounting

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

1. The accounting reflects a transfer of funds from the Public Administrator to the Public Conservator's Office in April 2025; however, it is deficient in that it does not account for annuity payments received or mortgage payments made from May/June 2025 through the end of the accounting period. Will the Public Conservator's Office be submitting a separate accounting to address and include these transactions?
2. Trustee fees are ordinarily approved at $\frac{3}{4}$ to a maximum of 1(%) percent of the fair market value of the trust corpus per annum and may change depending on the figures reflected in the Third and Final Accounting to be submitted by the former trustee V. Moreno.
3. Notice has not been provided to the GAL and minor's father M. Moreno.
Prob Code §17203
4. Notice should also be provided to former trustees V. Moreno and M. Moreno, as they remain subject to the Court's jurisdiction with respect to any potential surcharge. The accountings for the period of their tenure as trustees remain unresolved, and issues have been expressly reserved for further ruling by the court. Prob Code §§1202, 17203
7. The Amended First Account and Report of Trustee and Petition for Allowance of Fees to Trustee and Attorney filed July 27, 2026, omits the referenced schedules. The accounting cannot be reviewed until the missing schedules are provided. Prob. Code, §§ 1060–1062. **Newly noted for the 10/9/26 hearing*
8. The caption and petition incorrectly identify the trust as a Special Needs Trust. The caption and Petition should accurately identify the trust.
Prob. Code § 17201. **Newly noted for the 10/9/26 hearing*
9. The Third and Final Account and Report of Trustee and Petition to Approve Fees to Thomas Day for Preparation of the Third and Final Accounting filed by former trustee V. Moreno on July 23, 2026 is unsigned and unverified.
Prob. Code §§ 1020, 1021 (a)(1), (b)(1)–(2) . **Newly noted for the 10/9/26 hearing*

TENTATIVE RULING:

No appearance required. The hearing on both accounting Petitions is continued to November 20, 2026 at 8:30 a.m. in Courtroom 10. Any corrective pleadings to be filed and served by the close of business on November 6, 2026.

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CASE#: 19PR-00308

CASE NAME: Estate of Kenneth Wheaton

THIS CASE IS SET FOR HEARING ON:

Continued from August 28, 2026 re: Amended First and Final Statement of Public Administrator Regarding Summary Disposition of Estate

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

None.

TENTATIVE RULING:

No appearance required. The *Amended First and Final Statement Regarding Summary Disposition of Estate* is approved. A Status Hearing ensuring the Closing of the Estate is hereby set for February 5, 2027 at 8:30 a.m. in Courtroom 10.

CASE#: 21PR-00146

CASE NAME: Conservatorship of Perry Wheaton

THIS CASE IS SET FOR HEARING ON:

Continued from July 17, 2026 re: Status Review/Trailing 19PR-00308 Estate of Kenneth Wheaton

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

None.

TENTATIVE RULING:

This case is trailing case #19PR-308 Kenneth Wheaton. The hearing is continued to February 5, 2027 at 8:30 a.m. in Courtroom 10 for a Status Hearing.

CASE#: 21PR-00336

CASE NAME: Estate of Ydalia Perez Rosales

THIS CASE IS SET FOR HEARING ON:

Continued from August 14, 2026 re: Status Review Hearing

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

None.

TENTATIVE RULING:

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

(End of Tentative Rulings)