

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

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

DATE: Friday, September 15, 2023
TIME: 8:15 AM & 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.**

CASE#: 23PR-00201

CASE NAME: Estate of Marvin E. Hanneman

THIS CASE IS SET FOR HEARING ON:

Continued August 2, 2023 re: Petition for Administration with Full IAEA Authority

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

1. Clarification needed concerning the estimated value of the decedent's estate.
[*Corrected](#)
2. Service is improper as Proof of Service has been completed by the Petitioner who is a party to the action. CCP§1013a. [*Corrected](#)
3. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124 [*Corrected – filed 7/31/23](#)

TENTATIVE RULING:

Appearance required.

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CASE#: 23PR-00208

CASE NAME: Estate of Cora Martinez

THIS CASE IS SET FOR HEARING ON:

Continued from August 2, 2023 re: Petition for Administration with Full IAEA Authority

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

1. No Notice to all heirs, beneficiaries & executors. Prob Code §8100, §8110
2. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124
3. Bond has not been waived by all beneficiaries. Prob Code §8481
4. Proposed Letters and Order for Probate has not been submitted.
Prob Code §8006, §8400

TENTATIVE RULING:

Appearance required.

CASE#: 23PR-00228

CASE NAME: Estate of Silvia Esparza Vera

THIS CASE IS SET FOR HEARING ON:

Continued from August 10, 2023 re: Petition for Administration with Full IAEA Authority

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

1. No Notice to all heirs, beneficiaries & executors. Prob Code §8100, §8110
[*Corrected](#)
2. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124 [*Corrected](#)
3. Bond has not been waived by all beneficiaries. Prob Code §8481
4. Court's discretion concerning the appointment of a Guardian Ad Litem for the minor Alexis Ortega.

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 23PR-00220

CASE NAME: Estate of William Edward Silva

THIS CASE IS SET FOR HEARING ON:

Continued from August 4, 2023 re: Petition for Letters of Testamentary with Full IAEA Authority

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

1. A Declination to Act has not been signed and filed by named Co-Executor William A. Silva, Jr.
2. What is the date of death for Frances Olga Silva?
3. Proof of Service filed June 20, 2023 is improper as the Petitioner effectuated service by mail to herself and named Co-Executor/beneficiary William Silva, Jr. CCP §1013a.
4. No Notice to all named heirs, beneficiaries & executors. Prob Code §8100, §8110
5. No Proof of Publication with the corresponding signed affidavit.
6. Prob Code §8121, §8124
7. Duties & Liabilities Acknowledgment signed by each personal representative has not been filed. Prob Code §8404(a)
8. Proposed Letters and Order for Probate has not been submitted.
9. Prob Code §8006, §8400
10. Will is not self-proving and requires verified proof of the will (proof of subscribing witness). Prob Code §§6110, 8220, 8221
11. Inventory and Appraisal must be submitted utilizing mandatory Judicial Council form DE-160/GC-040.

TENTATIVE RULING:

Appearance required.

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CASE#: 23PR-00269

CASE NAME: Estate of Theodore Rios

THIS CASE IS SET FOR HEARING ON:

Continued from September 15, 2023 Re: Petition for Letters of Administration with Full IAEA Authority

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

1. What is the relationship of Veronica C. Gutierrez to the decedent? [*Addressed at 9/11/23 hearing](#)
2. No Notice to all heirs, beneficiaries & executors. Prob Code §8100, §8110 [*Corrected](#)
3. Amount of Bond at Court's discretion. Prob Code §8482 [*Addressed at 9/11/23 hearing](#)

TENTATIVE RULING:

Petition for Letters of Administration with Full IAEA Authority is granted. A Status hearing is hereby set for April 8, 2024 at 8:15 a.m. in Courtroom 10 regarding the administration of the estate and filing of an Inventory and Appraisal.

CASE#: 23PR-00271

CASE NAME: Estate of Angel F. Espinosa

THIS CASE IS SET FOR HEARING ON:

Spousal Property Petition

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

None.

TENTATIVE RULING:

Spousal Property Petition is granted.

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8:30 AM CALENDAR

CASE#: 16PR-00204

CASE NAME: Conservatorship of Dennis Callahan

THIS CASE IS SET FOR HEARING ON:

Continued from August 4, 2023 re: Fourth and Final Accounting and Report of Conservator/Trustee; Petition for Fees

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

1. Notice has not been provided to the California Department of Health Services as required upon the death of the conservatee/beneficiary per the previously court approved trust document. *Corrected

TENTATIVE RULING:

Fourth and Final Accounting and Report of Conservator/Trustee; Petition for Fees is approved.

CASE#: 20PR-00158

CASE NAME: Estate of Robert Alan Hunter

THIS CASE IS SET FOR HEARING ON:

Continued from June 30, 2023 re: Readiness Conference

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)