

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: Monday, August 4, 2025
TIME: 8:15 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-00269

CASE NAME: Estate of Theodore Rios

THIS CASE IS SET FOR HEARING ON:

Continued from March 17, 2025 Re: Status Hearing Closing of the Estate

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

1. A Petition for Final Account or Status Report has not been filed.
Prob Code §12200-12201 *Corrected – filed 7/14/25

TENTATIVE RULING:

No appearance required. The hearing on the First and Final Waiver of Account and Report of Administrator, Petition for Final Distribution and Allowance of Statutory Compensation of Attorney's Fees currently set for October 22, 2025 at 8:15 a.m. to be confirmed.

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CASE#: 23PR-00433

CASE NAME: Estate of Janice Hatcher

THIS CASE IS SET FOR HEARING ON:

Continued from June 11, 2025 re: First and Final Account Current and Report of Executor and Petition for Settlement Therof (sic)

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) **Filed 3/21/25*
2. What is the status of the following specific bequests per the decedent's will that are not included in any filed Inventory and Appraisal and not addressed in the Second Amended First and Final Account:
 - Robert Wayne Bachtel:
 - 2876 High Street, Hornitos, CA **The real property located at 2876 High St., Hornitos, CA has not been identified as an estate asset and has not been appraised in any filed Inventory and Appraisal. *Deficiency remains for the 8/4/25 hearing*
 - 2 Toyota Pick-ups or current vehicles **Not addressed in the 1st Amended Petition filed 5/8/25 *The remaining Toyota Truck distributed to Robert Batchel was not included in any filed Inventory and Appraisal. *Deficiency remains for the 8/4/25 hearing*
 - Georgia Ann McGillick: **Remains unaddressed in the 2nd Amended Petition*
 - Rug collection
 - White pots with red trim
 - Blue Willow dishes from decedent's grandmother Maude Kenton
 - Kenneth Bachtel: **Remains unaddressed in the 2nd Amended Petition*
 - Personal items to be requested from Robert Bachtel
3. Petition does not reflect a Probate Code compliant accounting or include Waivers of Accounting signed by each beneficiary in lieu of an accounting. Probate Code §§1061 et seq., 10951, 10954, CRC 7.550 **Corrected – Filed 5/8/25*
4. Petition does not reflect the inclusion, status and disposition of the real property located at 25th Street, Merced, CA as identified in the Inventory and Appraisal filed on 3/21/25. **Corrected*
5. Petition does not reflect a detailed proposed distribution of the beneficiaries. Have named beneficiaries Georgia Ann McGillick and Kenneth Batchel received the specific bequests as per the decedent's will? CRC 7.651 **Deficiency remains for the 8/4/25 hearing*
6. Were any actions taken under IAEA and is so, what actions were taken. Prob Code 10585, 10586 **The 2nd Amended Petition filed on 7/7/25 incorrectly states the Administrator took no IAEA action despite selling property of the estate.*
7. A proposed Order has not been lodged with the Court. MSC Rule 100 E. **Proposed Order reflects the estate has no cash on hand in paragraph #15 and is in contradiction to paragraph #22 which includes cash on hand to be distributed. *Deficiency remains for the 8/4/25 hearing*

TENTATIVE RULING:

No appearance required. The hearing is continued to September 12, 2025 at 8:15 a.m. in Courtroom 10 for correction of the deficiencies.

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CASE#: 25PR-00064

CASE NAME: Estate of Delbert Keith Moss

THIS CASE IS SET FOR HEARING ON:

Continued from July 7, 2025 re: Further Proceedings

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

1. Notice was not provided utilizing the mandatory Judicial Council Form Notice of Petition to Administer Estate (DE-121). Prob Code §8100
2. Notice was not provided to Lisa Trindade as required by the Court on June 30, 2025. Prob Code §1202
3. A proposed Order for the Amended Petition for Probate has not been lodged reflecting the name and location of the bank in which receipts are to be placed in a blocked account. MSC 100 E.

TENTATIVE RULING:

No appearance. The hearing to be continued to August 29, 2025 at 8:15 a.m. in Courtroom 10 for correction of the deficiencies.

CASE#: 23PR-00148

CASE NAME: In the Matter of the Ricarda Aguirre Martinez Living Trust

THIS CASE IS SET FOR HEARING ON:

Continued from July 28, 2025 re: Further Proceedings concerning the Status of Trustee/Successor Trustee

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

None.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)