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: Monday, November 23, 2026
TIME: 8:15 AM
Courtroom 10

PROBATE CALENDAR

updated 11/20/26 at 8:15 p.m.

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#: 24PR-00339

CASE NAME: Estate of Thomas Sugioka

THIS CASE IS SET FOR HEARING ON:
Continued from October 12, 2026 re:

1. Status Hearing ensuring the Closing of the Estate
2. Order to Show Cause re: Sanctions for Failing to Appear

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b)
   a. *I&A filed on 12/24/25 is blank at items #1 & 2 on the first page. *Newly noted for the 1/26/26 hearing *Corrected – 8/21/26
2. A Petition for Final Account or Status Report has not been filed. Prob Code §12200-12201 *Corrected – filed 11/5/26
3. Counsel to clarify whether a claim has been submitted to the State Controller's Office for recovery of the estate's funds and, if so, provide the submission date, claim number, current status, and any outstanding documentation requirements. *Corrected.

TENTATIVE RULING:
Appearance required.

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CASE#: 24PR-00434 *updated*

CASE NAME: Estate of Melinda Thornton

THIS CASE IS SET FOR HEARING ON:
Final Report of Administrator and Petition for Final Distribution

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

1. Release and Satisfaction of Creditor's Claims for the following creditor's have not been filed:
    a. Phillips & Cohen Associates, Ltd. on behalf of Barclays Bank Delaware filed on January 15, 2025
    b. Bank of America, N.A. filed on March 10, 2025
    Prob Code §§10900(b)(2)-(3), 11640(a)-(c)
2. Additional Information is needed concering the $30,000 payment to The Rising Black Sheep Institute for estate related administrative expenses and management:
    a. The payee's legal identity: individual, corporation, LLC, partnership, or fictitious business name.
    b. Who owns or controls the business.
    c. Any relationship to Brooke Buchanan, Jacob Buchanan, the buyer, or another estate participant.
    d. The engagement date and agreed compensation terms.
    e. Dates, hours, rates, or other basis for the $30,000 charge.
    f. An allocation between administrative services and property-management services.
    g. Specific work performed and results obtained.
    h. Invoices, agreement, payment records, and supporting records.
    i. Whether any charge overlaps with Jacob Buchnan's compensated labor, contractor invoices, escrow charges, or other expenses.
    j. Whether payment was previously authorized or is being presented for approval for the first time.
    Prob Code §§1064(a)(4), 9600
3. The Seller's Statement concering the sale of the decedent's real property to be filed. Prob Code §§ 1061-1062, 10900(a), 11753(a)
4. The Petition does not address the disposition of the decedent's investments with Fidelity Investment. Prob Code §§ 1061-1062, 10900(a)
5. Additional information needed concering the estate related services provided by Jacob Buchanan to support the transfer of the vehicle. CRC 7.550 (2)
6. Distributive receipts have not been filed for the preliminary distributions received by each distributee. Prob Code §11751
7. The Petition is vague as to the remaining assets to be distributed. Prob Code § 1060 et seq.
8. The Petition should clarify Robert Stanley Eads's interest in the estate. Prob Code §§ 11600, 11640, 11753(b)(1)
9. The Petition does not establish compliance with Probate Code § 9202. The Petitioner should state whether the required notices were given to the Department of Health Care Services, California Victim Compensation Board, and Franchise Tax Board, including the dates given, or explain why notice was not required. Probate Code § 9202(a)–(c)

TENTATIVE RULING:
Appearance required.

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CASE#: 25PR-00329

CASE NAME: Estate of Jeffrey Michael Smith

THIS CASE IS SET FOR HEARING ON:
Continued from October 5, 2026 re: Status Hearing ensuring the filing of an Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS WERE NOTED:
1. An Inventory and Appraisal has not been filed. Prob Code §8800(b)

TENTATIVE RULING:
Appearance required. Counsel to advise the Court on the status of the filing of an Inventory and Appraisal.

CASE#: 26PR-00342

CASE NAME: In the Matter of Larrie D. Sweet

THIS CASE IS SET FOR HEARING ON:
Petition for Order Authorizing Particular Transactions

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

TENTATIVE RULING:
No appearance is required. Due to the Respondent's death and at the request of counsel, the Petition for Order Authorizing Particular Transactions will be dismissed.

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CASE#: 26PR-00348

CASE NAME: Estate of Manuel Laurian Bettencourt

THIS CASE IS SET FOR HEARING ON:
Continued from October 5, 2026 re: Petition for Probate of Lost Will and for Letters Testamentary with Full IAEA Authority

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

1. Petitioner has not filed proof that notice of the hearing was published or served on the surviving spouse, heirs, and other persons entitled to notice.
   Prob. Code §§ 8003, 8100–8125, 8005.
2. Additional documentation is needed concerning the lost will. A copy of the will is attached, but petitioner must provide evidence that the will was properly signed, that the copy is true and complete, and that the original was lost and not revoked. The Petitioner should provide declarations from the surviving spouse and petitioner about the original will and efforts to find it. Prob. Code §§ 6124, 8220–8223.
3. Objector's standing is unclear**.** The Objection by Danielle Bettencourt does not show that Objector has a direct financial interest in the estate as the purported will leaves the estate to the decedent's surviving spouse. The Court may require Objector to show she is an interested person before considering her objection. Prob. Code §§ 48, 1043.
4. No proof of service of the Objection. Objector has not filed proof that the Objection was served on petitioner or other interested persons.
   Prob. Code § 1215; Cal. Rules of Court, Rule 7.5.

TENTATIVE RULING:
Appearance required.

CASE#: 26PR-00353

CASE NAME:
In the Matter of the Mark Elvin Coelho Living Trust, dated September 23, 2002

THIS CASE IS SET FOR HEARING ON:
Petition to Establish Trust Ownership of Real Property

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

1. The Prayer in the Petition refers to a "Fresno County APN," and appears to be a typographical error, as the Petition, Trust documents, and proposed order otherwise identify the Property as located in Merced County.

TENTATIVE RULING:
No appearance required. The Petition to Establish Trust Ownership of Real Property is approved.

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CASE#: 26PR-00410

CASE NAME: Estate of Bill Edward Bargas

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:

1. Cindy Garretson as a proposed non-attorney administrator is a third party with no apparent personal interest in the estate and generally cannot appear in court for the estate without a lawyer. As such, the State Bar Act bars anyone who is not an active licensee from practicing law in California, and a non-licensee cannot appear in court for another person. *Hansen v. Hansen (2003) 114 Cal.App.4th 618, 621–622; City of Downey v. Johnson (1968) 263 Cal.App.2d 775, 779–780*
2. No Waiver of Bond has been submitted and signed by heir Janet Miller.
   Prob Code §8480
3. Notice is deficient. The Proof of Service filed on November 18, 2026, reflects that notice of the November 23, 2026 hearing and a copy of the Petition were mailed to all interested parties on November 17, 2026, only six days before the hearing. Probate Code section 8110 requires notice of a hearing on a petition for administration of a decedent's estate to be given at least 15 days before the hearing.

TENTATIVE RULING:
Appearance required.

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CASE#: 26PR-00382

CASE NAME: Estate of Maria G. Higareda

THIS CASE IS SET FOR HEARING ON:
Continued from October 29, 2026 re: Petition for Probate of Letters of Administration with Full IAEA Authority

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

1. Petition is silent and blank as to the following items:
    a. #3c - the decedent's residence at the time of death. *Corrected
    b. #3d – the character and estimated value of the property of the estate. *Corrected
    c. #8 – the list of persons/names, relationships to the decedent, ages, and addresses of all heirs of the decedent's intestate estate, so far as known to or reasonably ascertainable by the petitioner. *Partially corrected*
2. No Proof of Publication with the corresponding signed affidavit. Prob Code §8121, §8124 *Corrected – filed 10/27/26
3. Duties & Liabilities Acknowledgment signed by each personal representative has not been filed. Prob Code §8404(a) *Corrected – filed 10/27/26
4. Proposed Letters and Order for Probate has not been lodged. Prob Code §8006, §8400 *Corrected – lodged 10/27/26
5. Sandra Valle filed an Objection on 11/17/26. No proof of service is attached or separately filed, and service on interested parties is not established. Objector to clarify service and file an appropriate proof of service. Prob. Code §§ 1000, 1043, 1215; CCP § 1010 *Newly noted for the 11/23/26 hearing*
6. Maura Sanchez filed an Objection on 11/20/26. No proof of service is attached or separately filed, and service on interested parties is not established. Objector to clarify service and file an appropriate proof of service. Prob. Code §§ 1000, 1043, 1215; CCP § 1010 *Newly noted for the 11/23/26 hearing*

TENTATIVE RULING:
Appearance required.

(End of Tentative Rulings)