

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, October 20, 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-00452

CASE NAME: Estate of Valrie Lynn Brown

THIS CASE IS SET FOR HEARING ON:

Continued from April 21, 2025 re: Status Hearing Closure 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

TENTATIVE RULING:

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

(continued on next page)

CASE#: 24PR-00363

CASE NAME: Estate of Andrew Lopez

THIS CASE IS SET FOR HEARING ON:

Report of Administrator on Waiver of Account and Petition for Allowance of Statutory Compensation to Attorney for Ordinary Services, For Costs of Administration and for Final Distribution Pursuant to Assignment of Entire Interest in Estate

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

None.

TENTATIVE RULING:

No appearance required. The *Report of Administrator on Waiver of Account and Petition for Allowance of Statutory Compensation to Attorney for Ordinary Services, For Costs of Administration and for Final Distribution Pursuant to Assignment of Entire Interest in Estate* is approved. The Status Hearing ensuring the Closing of the Estate currently set for February 9, 2026 at 8:15 a.m. in Courtroom 10 is hereby confirmed.

CASE#: 25PR-00115

CASE NAME: Estate of Dennis Clark Moomjean

THIS CASE IS SET FOR HEARING ON:

Continued from May 19, 2025 re: Status on Filing of an Inventory and Appraisal

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

None.

TENTATIVE RULING:

No appearance required. Inventory and Appraisals have been filed on June 17, 2025. A Status Hearing ensuring the Closing of the Estate is hereby set for June 29, 2026 at 8:15 a.m. in Courtroom 10.

CASE#: 25PR-00133

CASE NAME: Estate of Sandra Yvette Anaya

THIS CASE IS SET FOR HEARING ON:

Continued from September 22, 2025 re: Trial Readiness Conference

TENTATIVE RULING:

Appearance required.

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CASE#: 25PR-00289

CASE NAME: Estate of Sandra Yvette Anaya

THIS CASE IS SET FOR HEARING ON:

Continued from September 22, 2025 re: Trial Setting Conference

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

1. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124 **Remains deficient for the 10/20/25 hrg*
2. Proposed Letters and Order for Probate has not been lodged.
Prob Code §8006, §8400 **Remains deficient for the 10/20/25 hrg*
3. Competing Petition filed in case #25PR-00289. An Objection filed on 9/11/25 by Robert Pimentel Cervantes has not been served on opposing counsel as required by Probate Code §1214 and California Rule of Court 7.51(b). **Remains deficient for the 10/20/25 hrg*

TENTATIVE RULING:

Appearance required.

CASE#: 25PR-00282

CASE NAME: Estate of Matthew Fell

THIS CASE IS SET FOR HEARING ON:

Continued from August 18, 2025 re: Petition for Administration with Full IAEA Authority

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

4. No Notice has been provided to the following:
 - a. The guardians of the minor M. Fell **Corrected*
Prob Code §§8100, 8110, CRC 7.51(c)
5. No Proof of Publication with the corresponding signed affidavit.
Prob Code §§8121, 8124 **Date (month is cut off) *Corrected*
6. Duties & Liabilities Acknowledgment form (Judicial Council Form DE-147) signed by the petitioner has not been filed. Prob Code §8404(a) **Corrected*
7. Bond has not been waived by all heirs. Prob Code §8481
8. Proposed Letters and Order for Probate has not been lodged.
Prob Code §8006, §8400 **Lodged on 8/14/25*

RECOMMENDATION:

Appearance required.

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CASE#: P20138

CASE NAME: Conservatorship of Maria Elena Ruiz

THIS CASE IS SET FOR HEARING ON:

Continued from September 12, 2025 re: Third and Final Account and Report of Conservator;
Petition for Allowance of Fee to Conservator of the Person and Estate, Attorney's Fees and
Discharge of Conservator and Delivery of Assets

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

Third Accounting:

1. The Third Accounting does not contain a corresponding Schedules reflecting the Cash Assets on Hand at the Beginning of the Account Period and Non-Cash Assets on Hand at the Beginning of Account Period. **Newly noted for the 10/17/25 hearing*
2. The Assets at the end of the Accounting period reflect a \$45,000.00 increase due to an improper gain attributed to the value of the decedent's real property. The accounting should reflect the "carry-value" of the real property and should not have been adjusted to reflect the current market value as the real property was not sold during the accounting period. **Newly noted for the 10/17/25 hearing*
3. Did the conservatorship received the \$75,000 annuity payment that was to be paid on March 12, 2011? **Newly noted for the 10/17/25 hearing*
4. The accounting reflects: **Items below addressed in the Declaration filed on 5/20/25 that is subject to the Court's decision.*
 - a. Numerous disbursements made by check to unknown payees for unknown reasons.
 - b. Numerous overdraft charges
 - c. Numerous and significant amounts of cash withdrawals by the conservator for gambling purposes.
 - d. No receipts reflected for the Wells Fargo Court Blocked Savings Account for April 30, 2009 through April 30, 2020. Accounting reflects "Statement not Provided" with no incurred bank interest for this period-of-time.

Final Accounting:

1. The Final Accounting does not contain a corresponding Schedule reflecting the Cash Assets on Hand at the Beginning of the Account Period and Non-Cash Assets on Hand at the Beginning of Account Period.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)