

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, September 12, 2025
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#: 23PR-00433

CASE NAME: Estate of Janice Hatcher

THIS CASE IS SET FOR HEARING ON:

Continued from August 4, 2025 re:

1. *3rd Amended First and Final Account Current and Report of Executor and Petition for Settlement Therof* (sic)
2. Status Hearing

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED *as to the 3rd Amended Petition filed on 9/2/25:*

1. Distributive Receipts signed by G. McGillick have not been filed.
Prob Code §11751
2. Court's discretion concerning any signed documentation by K. Bachtel reflecting his declination to receive any personal items from the decedent's estate. Prob Code §11604(b)
3. Court's discretion concerning the transfer of the remaining estate vehicles that have not been included in any inventory and appraisal. Prob Code §8801

TENTATIVE RULING:

Appearance required.

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CASE#: 25PR-00283

CASE NAME: Matter of Roy Lee Nicholl

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:

None.

TENTATIVE RULING:

No appearance required. The Petition to Determine Succession to Primary Residence is approved.

CASE#: 25PR-00298

CASE NAME: Estate of Consuelo S. Vojta

THIS CASE IS SET FOR HEARING ON:

Continued from August 22, 2025 re: Petition for Probate of Letters Testamentary

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

1. Petition is missing Attachment 3f(2) – copy of the decedent's will.
Prob Code §8002(b)(1) **Corrected*
2. Petitioner is not a named Executor in the decedent's will but is Petitioning to be appointed as Administrator with Will Annexed. The decedent's will does not specifically waive bond for any other parties other than the named Executors. Bond is required unless all beneficiaries waive bond. Prob Code §8481(a)(2), CRC 7.202 **Corrected*
3. Proposed Letters should reflect the Petitioner as the Administrator with Will Annexed (#1b).
**Corrected*
4. Proposed Order for Probate requires the following interlineation: **Corrected*
 - a. Decedent was a resident of the California county named above – item #2b(1)
 - b. Should reflect the Petitioner as the Administrator with Will Annexed in item #3b.
 - c. Issue of bond remains at the Court's discretion.
5. No Notice of the Amended Petition to heirs, beneficiaries & executors.
Prob Code §8110, CRC 7.53

TENTATIVE RULING:

Appearance required.

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CASE#: P20138

CASE NAME: Conservatorship of Maria Elena Ruiz

THIS CASE IS SET FOR HEARING ON:

Continued from August 22, 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:

1. Disbursements made by check to unknown payees for unknown reasons.
2. Multiple overdraft charges
3. Multiple and significant amounts of cash withdrawals by the conservator for gambling purposes.
4. 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.
5. Accounting remains under review and all estate bank statements for the accounting periods are requested to be provided in support of the accounting review.

TENTATIVE RULING:

No appearance required. Due to the Court's impacted calendar, the request is to continue the hearing to October, 2025 at 8:15 a.m. in Courtroom 10 at the request of the Probate Examiner.

8:30 AM CALENDAR

CASE#: 24PR-00150

CASE NAME: Estate of Joseph B. Pacheco

THIS CASE IS SET FOR HEARING ON:

Continued from August 1, 2025 re: Further Proceedings

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

1. *Supplemental Declaration of Linzey Sloan Pacheco in Support of Petition for Appointment as Administrator and Objection to Reinstatement of Heather Pacheco* was filed on August 1, 2025 by Linzey Sloan Pacheco was not served on the current Administrator (Merced County Public Administrator) or their counsel of record (Merced County Counsel) and includes an improper request to be appointed Administrator. CCP §1013a., CRC 1.21

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)