

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: Thursday, May 29, 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-00293

CASE NAME: Estate of James Walter Harmer

THIS CASE IS SET FOR HEARING ON:

1. Continued from April 16, 2025 re: First and Final Report of Executor on Waiver of Account, Waiver of Statutory Compensation for Executor and Waiver of Attorney Fees and For Final Distribution
2. Second and Final Report of Executor on Waiver of Account, Waiver of Statutory Compensation for Executor and Waiver of Attorney Fees and for Final Distribution
3. Status Review Hearing

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

1. The Petition states a preliminary distribution of \$200,000.00 was made to the named beneficiaries with no information or corresponding distributive receipts provided as to the amount each beneficiary received. Prob Code §11751 **Second and Final Report of Executor filed on 4/16/25 reflects the preliminary distribution made to each beneficiary. *Distributive Receipts reflecting the preliminary distribution received by each beneficiary have not been filed.*
2. No Proof of Service reflecting Notice to all interested parties utilizing mandatory Judicial Council form (DE-120). Prob Code §§11000, 1220 **Corrected*
3. A proposed Order has not been lodged. Proposed Order should reflect the specific dollar amount to be distributed to each beneficiary. MSC 100 E. **Corrected*
4. The Second and Final Report of Executor filed on 4/16/25 is unverified. Verification page is unsigned by the Executor. Prob Code §1021(a)(1), CCP §2015.5 **Newly noted for the 5/29/25 hrg*

TENTATIVE RULING:

Appearance required.

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CASE#: 23PR-00390

CASE NAME: Estate of Raul Bermudez Solis

THIS CASE IS SET FOR HEARING ON:

Continued from March 17, 2025 re: Status on Closing of the Estate

THE FOLLOWING ISSUES 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 provide the Court with a current case status.

CASE#: 23PR-00420

CASE NAME: Estate of Richard Salado

THIS CASE IS SET FOR HEARING ON:

Petition for Final Distribution; For Order on First Account; For Approval of Statutory Personal Representative's Fees; For Approval of Statutory Attorney's Fees; For Approval of Costs

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

1. A proposed Order has not been lodged. MSC 100 E.

TENTATIVE RULING:

No appearance required. The Petition for Final Distribution; For Order on First Account; For Approval of Statutory Personal Representative's Fees; For Approval of Statutory Attorney's Fees; For Approval of Costs is approved. Counsel to submit a proposed Order. A Status Hearing ensuring the Closing of the Estate is hereby set for October 1, 2025 at 8:15 a.m. in Courtroom 10.

CASE#: 24PR-00437

CASE NAME: Estate of Raymond Garavito

THIS CASE IS SET FOR HEARING ON:

Continued from December 11, 2024 re: Status of Filing an Inventory and Appraisal

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

None.

TENTATIVE RULING:

No appearance required. An Inventory and Appraisal has been filed. A Status Hearing ensuring the Closing of the Estate is hereby set for January 29, 2026 at 8:15 a.m. in Courtroom 10.

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CASE#: 25PR-00112

CASE NAME: Estate of Ruben Escalante

THIS CASE IS SET FOR HEARING ON:

Continued from April 17, 2025 re: Petition for Letters of Administration with Full IAEA Authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS WERE PREVIOUSLY NOTED: **All deficiencies remain for the 5/29/25 hearing*

1. Bond has not been waived by all heirs/beneficiaries. Prob Code §8481
2. Proof of Service filed on March 14, 2025 reflects service by mail on February 27, 2025. Proof of Service is problematic as the Petition for Administration was filed on March 14, 2025 and the Court had not yet set the April 17, 2025 hearing date.
3. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124
4. Duties & Liabilities Acknowledgment (Judicial Council form DE-147) signed by each personal representative has not been filed. Prob Code §8404(a)
5. Proposed Letters and Order for Probate has not been lodged.
Prob Code §8006, §8400, MSC 100 E.

TENTATIVE RULING:

No appearance required. The hearing to July 9, 2025 at 8:15 a.m. in Courtroom 10 for correction of the deficiencies. Any corrective pleadings are to be filed and served by the close of business on June 27, 2025. The Petitioner to notice all interested parties of the July 9, 2025 hearing.

(End of Tentative Rulings)