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, November 12, 2026
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.**

(continued on the next page)

CASE#: 16PR-00394

CASE NAME: The Khloe Carlucci Special Needs Trust

THIS CASE IS SET FOR HEARING ON:
Continued from October 7, 2026 re: Fifth Account and Report of Trustee and Petition for Allowance of Trustee Fees and Attorney Fees

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

1. Inadequate description of sale and purchase. The Petition does not adequately describe the sale of the former residence or the purchase of the replacement residence. A seller's closing statement does not disclose the material terms, purposes, and financial effect of the transactions. Prob Code §1064(a)(1)

2. No explanation of unusual transactions. The account does not explain the sale of the beneficiary's residence, the acquisition of replacement real property, or the trustee's decision to complete the transactions without first seeking Court authorization or instructions. Prob Code §1064 (a)(2) *Addressed in Supplement filed on 10/23/26

3. The sale of the Clovis residence and purchase of the Fresno residence were completed without prior Court authorization, approval, or confirmation. Disclosure of the completed transactions in an accounting does not itself constitute Court approval, confirmation, or ratification. The trustee has not identified an express provision of the trust instrument, a prior Court order, or other legal authority authorizing the trustee to sell trust real property and acquire a replacement residence without first obtaining Court approval. Prob Code §§1064(a)(2), 2540, 2570, 2571,2625 *Addressed in Supplement filed on 10/23/26

4. The existing record is insufficient to determine whether the trustee acted within the scope of the trustee's authority, exercised reasonable care and prudence, acted in the beneficiary's best interest, or caused loss, depreciation, or other compensable harm to the trust estate. The trustee must provide sufficient information and supporting documentation to permit the Court to evaluate the transactions, the trustee's conduct, and any potential breach of trust. Prob. Code §§ 16040(a), 16420(a), 16440(a), 17200, 17206. *Remains at the Court's discretion

TENTATIVE RULING:
Appearance required.

(continued on next page)

CASE#: 23PR-00286

CASE NAME: Guardianship of Nubia Armenta

THIS CASE IS SET FOR HEARING ON:
Continued from September 21, 2026 re: Amended First and Final Account and Report of Guardian of the Person and Estate, and Petition for Allowance of Attorney Fees; Declaration of Genicis Aguilar, Esq. Re: Request for Attorney Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED *(*as to the Amended Petition filed on 10/28/26):*

1. Beginning assets and subsequent receipts. The account reports $65,732.21 as beginning blocked-account cash, although the Guardian reportedly held no cash at the beginning of the accounting period and received death-benefit proceeds thereafter. Petitioner shall reconcile the opening balance and separately identify subsequent receipts by date, source, and amount. Prob Code §§1061-1063

2. Inventory and Appraisal of receivable. No Inventory and Appraisal identifies the claim or judgment arising from the mother's alleged use of estate funds. Petitioner shall file an appropriate supplemental Inventory and Appraisal identifying and valuing the asset, or explain why one is not required. Prob Code §§ 2610 and 2613

3. Judgment classification. The account improperly includes the uncollected $10,705.97 in beginning cash and subsequently reports it as an "other credit," without identifying the outstanding judgment as an ending noncash asset. Petitioner shall provide a copy of the April 8, 2025 Small Claims Judgment in case No. 25CV-01458, verify the unpaid balance and reconcile its accounting treatment. Prob Code §§1061-1063

4. Attorney fees for corrective work. Counsel's billing reflects approximately $2,000 for preparation of and communications concerning the amended accounting petition. The repeated accounting deficiencies raise concern that the estate may be charged for corrective work attributable to counsel's preparation of prior filings rather than services reasonably necessary to administer the estate. Counsel should identify and justify those charges and disclose any reduction or credit applied for duplicative work or correction of avoidable errors. CRC 7.751(b), 7.702

TENTATIVE RULING:
No appearance is required. The hearing is continued to January 14, 2027 at 8:15 a.m. in Department 10. Any amended pleadings are to be filed and served by close of business on December 31, 2026. Counsel is urged to obtain assistance from a qualified accounting professional in preparing the accounting.

(continued on next page)

CASE#: 24PR-00097

CASE NAME: Estate of Mary J. Douglas

THIS CASE IS SET FOR HEARING ON:
Continued from July 23, 2026 re: Status Hearing ensuring the Closing of the Estate

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS WERE NOTED:
1. An Ex Parte Petition For Final Discharge And Order (DE-295) have not been submitted. Prob Code §12250

TENTATIVE RULING:
Appearance required.

CASE#: 25PR-00352

CASE NAME: Estate of Rudy Rodriguez

THIS CASE IS SET FOR HEARING ON:
Continued from March 26, 2026 re: Status Hearing ensuring the 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

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

CASE#: 26PR-00343

CASE NAME: Estate of Jose Torres

THIS CASE IS SET FOR HEARING ON:
Continued from September 24, 2026 re: Petition for Letters of Administration with Full IAEA Authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS WERE NOTED:
1. Bond has not been waived by all beneficiaries. Prob Code §8481 *Corrected – filed 10/9/26
2. No Proof of Publication with the corresponding signed affidavit. Prob Code §§ 8121, 124 *Corrected – filed on 9/22/26 and 10/9/26

TENTATIVE RULING:
Appearance required. The Court's intention is to approve the Petition for Letters of Administration with Full IAEA Authority with no bond required to be posted. Probate Referee Michael Wright to be appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal to be set for April 15, 2027 at 8:15 a.m. in Courtroom 10.

(End of Tentative Rulings)