

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: Wednesday, June 3, 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.**

CASE#: 24PR-00223

CASE NAME: Estate of Ricardo Lopez Nunez

THIS CASE IS SET FOR HEARING ON:

Continued from March 4, 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 [*Corrected](#)

TENTATIVE RULING:

No appearance required. The *First and Final Account of Administrator and Petition for Allowance of Compensation to Administrator for Ordinary Services and Extraordinary Services and for Final Distribution* currently set for June 25, 2026 at 8:15 a.m. in Courtroom 10 is hereby confirmed.

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CASE#: 24PR-00326

CASE NAME: Estate of Beverley Hayes

THIS CASE IS SET FOR HEARING ON:

Continued from April 21, 2026 re: Status ensuring the Closing of the Estate

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

1. Distributive Receipts and an Ex Parte Petition For Final Discharge And Order (DE-295) have not been submitted. Prob Code §§11753, 12250

TENTATIVE RULING:

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

CASE#: 24PR-00359

CASE NAME: Estate of Guadalupe Ayala

THIS CASE IS SET FOR HEARING ON:

Report of Administration and Petition for Settlement of First and Final Account; and Petition for Allowance of Statutory Compensation for Services Rendered and For Final Distribution

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 *Report of Administration and Petition for Settlement of First and Final Account; and Petition for Allowance of Statutory Compensation for Services Rendered and For Final Distribution* is approved. Counsel to submit a proposed Order reflective of each heir's specific distributive amount. A Status Hearing ensuring the Closing of the Estate is hereby set for October 28, 2026 at 8:15 a.m. in Courtroom 10.

CASE#: 25PR-00397

CASE NAME:

In re: The Kay Koehn Trust Dated October 18, 2017

THIS CASE IS SET FOR HEARING ON:

Continued from April 6, 2026 re:

1. Further Proceedings/Status of the Accounting
2. Order to Show Cause for Sherry Olea Why She should not be Removed as Trustee

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

None.

TENTATIVE RULING:

Appearance required.

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CASE#: 26PR-00100

CASE NAME:

Estate of Sharon Englehart-Wade, formerly O'donnel, Kilgore, Dalton, Todd

THIS CASE IS SET FOR HEARING ON:

Continued from April 23, 2026 re: Third Amended Petition for Probate of Will and for Letters Testamentary with Full IAEA Authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED (*as to the Third Amended Petition filed on 5/12/26):

1. The Petition is missing Attachment 3f(2) – copy of the decedent's will and handwritten note/codicil which is purportedly written by the decedent but is not lodged and attached to the Petition as Attachment 3f(2). Prob Code §8200
2. Please clarify the authority under which the Notice of Proposed Action filed on May 12, 2026, authorized the decedent's real property to be transferred into the petitioner's name, if such transfer has in fact occurred. The Court has not appointed the Petitioner as the estate representative with the appropriate authority to act on behalf of the estate. The Court is concerned that the real property transfer may have occurred without proper authority.
3. A handwritten note purporting to amend the decedent's Last Will and Testament, described as a codicil, has been referenced in the Petition and accompanying supporting documents. This handwritten document has not been lodged or formally filed with the Court as part of the record in this matter. Prob Code §8200
4. The two Proof of Holographic Instrument: Clarification for the Admission of Holographic Instrument filed on 5/12/26 are unverified Declarations by the Petitioner that have not been served on any parties entitled to notice. CCP§§2015.5, Prob Code §1220, CRC 7.103(b)
5. Proof of Service was filed on May 12, 2026 is deficient as it does not:
 - a. Does not reflect the date that service was effectuated.
 - b. Identify if a copy of the Third Amended Petition was served on the parties
 - c. Does not reflect that the Petitioner is also requesting IAEA powers as required per Probate Code §§8100, 10451(c)
6. Proof of Publication does not reflect the Petitioner's request for IAEA powers. Prob Code §§8100, 8120, 10451(c)

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)