

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](mailto: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

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DATE: Wednesday, April 1, 2026  
TIME: 8:15 AM  
Courtroom 10  
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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 next page**

**CASE#:** 16PR-00387

**CASE NAME:** Estate of Robert Allen Jackson

**THIS CASE IS SET FOR HEARING ON:**

Continued from March 2, 2026 re:

1. Order to Show Cause that Mark Olson, his attorney, and his Bonding Company, Liberty Mutual Insurance Company Appear
2. Further Proceedings
3. Accounting

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

1. Court's discretion if an unreasonable delay occurred in filing the Final Inventory and Appraisal on March 12, 2026 with purportedly an additional \$115,326.79 in assets that appears to have resulted in an insufficient bond. Prob Code §§8801, 8804, CRC 7.501(b), CRC 7.204
2. Schedule A-2 reflects life insurance proceeds paid to the estate that have not been included in any Inventory and Appraisal. Prob Code §§8801, 8850
3. The Accounting reflects the Property on Hand at the Beginning of the Account Period comprised of the same assets as reflected in the filed Inventory and Appraisals but with significant discrepancies in the assigned valuations for the decedent's vehicles and jet skis.
4. The Administrator paid out what essentially appears to be a "family allowance" to the heir without the mandatory authority required by Probate Code §6540.
5. Many of the disbursements paid during the accounting period due not appear to be for the benefit of the estate. Prob Code §9820
6. The accounting does not account for any sale proceeds the estate received from the sale of the real property or the vehicles.
7. The accounting reflects expenses for a Corolla that is not included in any Inventory and Appraisal.
8. The Petition does not appear to have been served on the estate heirs. Prob Code §§11000, 1220
9. Creditor's Claims have not been timely addressed/paid which may have led to possible/pending incurred interest at a detriment to the estate despite the Administrator having full IAEA Authority and sufficient funds to pay the decedent's debts. Prob Code §§11421, 11423, 11424
10. The time taken for administration of the estate exceeds the time prescribed by the Probate Code. Prob Code §12205
11. Court's discretion if the Administrator has violated the duties and obligations as the personal representative of the estate. Prob Code §9600

**TENTATIVE RULING:**

Appearance required.

(continued on next page)

**CASE#:** 25PR-00096

**CASE NAME:** Estate of Randi L. Hershall

**THIS CASE IS SET FOR HEARING ON:**

First and Final Account and Report of Administrator and Petition for Its Settlement; For Allowance of Statutory Compensation to Administrator and Attorney for Ordinary Compensation to Attorney; For Reimbursement of Costs Advanced; and For Final Distribution

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

1. Satisfaction/Release of Creditor's Claims have not been filed by Wells Fargo Bank, N.A. and Capital One, N.A. Quicksilver. The accounting does not reflect any payment of these Creditor's Claims. Have these claims been paid?
2. A proposed Order has not been lodged. MSC 100 E.

**TENTATIVE RULING:**

No appearance. The hearing is continued to May 18, 2026 at 8:15 a.m. in Courtroom 10 for correction of deficiencies.

**CASE#:** 25PR-00373

**CASE NAME:**

In re: The Richard G. Elliott 2024 Revocable Trust, dated February 22, 2024

**THIS CASE IS SET FOR HEARING ON:**

Continued from February 18, 2026 re: Further Proceedings

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

None.

**TENTATIVE RULING:**

No appearance required. The hearing is continued to May 18, 2026 at 8:15 a.m. to allow parties additional time to conduct settlement discussions. A Case Status Report to be filed five court days prior to the next hearing.

(continued on next page)

**CASE#:** 25PR-00499

**CASE NAME:** Estate of Mary Iracema Pires

**THIS CASE IS SET FOR HEARING ON:**

Continued from January 21, 2026 re: Petition for Letters of Administration with Full IAEA Authority

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

1. No Proof of Publication with the corresponding signed affidavit.  
Prob Code §8121, §8124 \*Corrected

**TENTATIVE RULING:**

No appearance required. The Petition for Administration with Full IAEA Authority with no bond required to be posted is granted. Probate Referee Michael Wright is appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for August 19, 2026 at 8:15 a.m. in Courtroom 10.

**CASE#:** 26PR-00013

**CASE NAME:**

In the Matter of the Survivor's Trust of the Ramon M. Rivas and Aurora D. Rivas Trust u/d/t dated May 9, 1997

**THIS CASE IS SET FOR HEARING ON:**

Petition for Order Compelling Trustee to Account; For Attorneys Fees and Costs

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

1. Venue appears to be improper as the Trustee resides in Placer County.  
Prob Code §17002
2. The Petition is seeking an accounting for a period of time prior to death of the Ramon M. Rivas (the first settlor to die) which would have triggered the inception of the Survivor's Trust and differs from the requested accounting period sought in the attached Exhibit E.

**TENTATIVE RULING:**

Appearance required.

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**CASE#:** 26PR-00047

**CASE NAME:** Estate of Debra J. Montigney

**THIS CASE IS SET FOR HEARING ON:**

Petition for Letters of Administration with Full IAEA Authority

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

1. No Notice to all heirs, beneficiaries & executors. Prob Code §8100, §8110
2. No Declaration of Diligent Search re: decedent's siblings. CRC 7.52
3. The handwritten lineal chart attached to the Petition is unclear and confusing. A typed lineal chart is to be resubmitted.
4. No Proof of Publication with the corresponding signed affidavit.  
Prob Code §8121, §8124
5. Proposed Letters and Order for Probate has not been lodged.  
Prob Code §8006, §8400, MSC 100 E.
6. Bond has not been waived by all beneficiaries. Prob Code §8481

**TENTATIVE RULING:**

No appearance required. The hearing is continued to May 20, 2026 at 8:15 a.m. in Courtroom 10 for correction of deficiencies. Any corrective pleadings to be filed by the close of business on May 8, 2026.

(continued on next page)

Superior Court of California, County of Merced  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: Mason Brawley

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DATE: Wednesday, April 1, 2026  
TIME: 8:15 AM  
Courtroom 10

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PROBATE CALENDAR  
**\*Special Set\***

**CASE#:** 25PR-00435

**CASE NAME:** In re the Robert J. and Bette C. Gaestel Family Revocable Trust

**THIS CASE IS SET FOR HEARING ON:**

Continued from February 11, 2026 re:

1. Petition for Order: (1) Confirming that Richard J. Gaestel Breached the Trust; (2) Removing Richard J. Gaestel as Co-Trustee; (3) Ordering the Return of Assets to the Trust; and (4) Precluding Richard J. Gaestel's Use of Trust Funds to Defend the Action
2. Review of Case Status

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

None.

**TENTATIVE RULING:**

Appearance required.

(End of Tentative Rulings)