

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. Updates to the Probate Examiner's Notes typically will be posted 3 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 notify that documents have been filed, 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 or status of orders 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.

Superior Court of California, County of Merced
PROBATE CALENDAR
HONORABLE: Donald Proietti

DATE: Wednesday, April 17, 2024
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#: 21PR-00093

CASE NAME: Estate of Mozell Virginia Farrell

THIS CASE IS SET FOR HEARING ON:

First and Final Report and Account of Administrator and Petition for Its Settlement, For Allowance of Compensation to Administrator and Attorney for Ordinary Services and For Extraordinary Services, Reimbursement for Costs Advanced by Attorney, and For Final Distribution

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

None.

TENTATIVE RULING:

First and Final Report and Account of Administrator and Petition for Its Settlement, For Allowance of Compensation to Administrator and Attorney for Ordinary Services and For Extraordinary Services, Reimbursement for Costs Advanced by Attorney, and For Final Distribution is approved. A Status Hearing ensuring the Closing of the Estate to be set for June 14, 2024 at 8:15 a.m. in Courtroom 10.

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CASE#: 22PR-00313

CASE NAME: Estate of Steven Forest Garner

THIS CASE IS SET FOR HEARING ON:

Continued from February 8, 2024 re: Review of Case Status

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

None.

TENTATIVE RULING:

Appearance required. Counsel to update the Court as to the current case status.

CASE#: 23PR-00007

CASE NAME: Estate of Mark R. Banks

THIS CASE IS SET FOR HEARING ON:

1. Continued from March 4, 2024 re: First and Final Report and Account and Request for Final Distribution; Request for Payment of Statutory Fees.
2. Continued from September 7, 2023 Re: Status Hearing

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

1. A miscalculation is reflected in the body of the Petition (page 6) and is different from the amount of cash on hand as reflected in Schedule 5 (**incorrectly referenced in the Petition as Schedule 4*). This miscalculation affects the proposed distributive amounts to each beneficiary.
2. Request for extraordinary compensation includes time for "SF" at \$120/hour that is missing paralegal declaration showing experience/oversight/continuing education. CRC 7.703(e)
3. Additional information needed concerning the identification of the following persons who have not previously been identified or provided notice: Jeffrey Johnston, Alexis Johnston.

TENTATIVE RULING:

Appearance required.

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CASE#: 22PR-00032

CASE NAME: Estate of Donna Ruth Clark

THIS CASE IS SET FOR HEARING ON:

Continued from September 13, 2023 re: Status of 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.

CASE#: 23PR-00269

CASE NAME: Estate of Theodore Rios

THIS CASE IS SET FOR HEARING ON:

Continued from October 27, 2023 Re: Status Hearing

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

None.

TENTATIVE RULING:

No appearance required. An Inventory and Appraisal was filed on December 19, 2023. A further Status Hearing ensuring the Closing of the Estate to be set for November 20, 2024 at 8:15 a.m.

(End of Tentative Rulings)