

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, July 9, 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#: 24PR-00141

CASE NAME: Estate of Bonnie Bauer

THIS CASE IS SET FOR HEARING ON:

Petition for Final Distribution on Waiver of Account, First and Final Report of Executor, and Petition for Compensation of Statutory Fees and Costs to Attorney

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

1. Counsel to provide the Court with authority supporting the request that the Court order the estate beneficiary to personally pay the requested statutory compensation and costs.
Prob Code §10831(d)

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 24PR-00263

CASE NAME: Estate of John Louie Villanueva

THIS CASE IS SET FOR HEARING ON:

Continued from April 9, 2025 re: Status of Filing an Inventory and Appraisal

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b)

TENTATIVE RULING:

Appearance required. The Administrator to inform the Court on the filing of an Inventory and Appraisal.

CASE#: 25PR-00112

CASE NAME: Estate of Ruben Escalante

THIS CASE IS SET FOR HEARING ON:

Continued from May 29, 2025 re: Further Proceedings/Petition for Letters of Administration with Full IAEA Authority

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

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.

**All deficiencies remain for the 7/9/25 hearing*

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 25PR-00173

CASE NAME: Estate of Frank Theodore McNiel

THIS CASE IS SET FOR HEARING ON:

Spousal Property Petition

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

1. Additional information is needed to establish the community property claim. (date asset acquired, date of marriage, manner in which asset was acquired and how asset is community property, what were the decedent's assets at the time of marriage, what was the decedent's occupation, how was the down payment made for the real property? Was it made with separate property or community property? Was the real property a gift? How were the mortgage payments made?) Prob Code 13651(a)(3)-(4)
2. Copy of most recent vesting deed to be submitted.
3. No notice to heirs/beneficiaries. Prob Code 13655(a)(2)

TENTATIVE RULING:

No appearance required. The hearing is continued to August 28, 2025 at 8:15 a.m. in Courtroom 10 for correction of the deficiencies.

CASE#: 25PR-00179

CASE NAME: Estate of William H. Branson

THIS CASE IS SET FOR HEARING ON:

Continued from June 4, 2025 re: Petition for Letters of Administration with Full IAEA Authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED RE: *the Competing Petition filed on June 20, 2025 by Alex William Amongol:*

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

TENTATIVE RULING:

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

(End of Tentative Rulings)