

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, May 21, 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#: 23PR-00099

CASE NAME: Estate of Cynthia A. Gonzales

THIS CASE IS SET FOR HEARING ON:

Continued from March 3, 2025 re: Status of Closing of the Estate

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

1. Satisfaction and Release of Creditor Claims, Distributive Receipts and an Ex Parte Petition for Final Discharge. Prob Code §§11753, 12250

TENTATIVE RULING:

Appearance required Counsel to advise the Court on the status of closing of the estate.

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CASE#: 24PR-00111

CASE NAME:

In the Matter of the Robert E & Beatrice Joyce Ellington Family Living Trust,
dated June 5, 2001 Trust

THIS CASE IS SET FOR HEARING ON:

Continued from January 24, 2025 re:

1. Petition for Instructions and to Determine Construction of Trust and to Whom Trust Property Shall Pass
2. Petition for Preliminary Distribution of Trust Estate and For Order Rejecting the Accounting and for Removal of Trustee and Appointment of Interim Trustee filed by Beneficiary Douglas Edward Ellington

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

1. Santa Clara County Superior Court case has not been received by the Merced Superior Court as per the Change of Venue Motion granted on May 16, 2024 in Santa Clara County Superior Court in case #20PR-189202.
2. No Proof of Service reflecting service on the Trustee, counsel representing the trustee or any other interested party of the *Objection filed on May 31, 2024 by Douglas Edward Ellington*. CCP §1005(c)
3. *Petition for Preliminary Distribution of Trust Estate and For Order Rejecting the Accounting and for Removal of Trustee and Appointment of Interim Trustee filed by trust beneficiary Douglas Edward Ellington on May 31, 2024:*
 - a. Notice of Hearing with Proof of Service was filed on May 31, 2024 reflects service by mail on May 29, 2023.
 - b. No service is reflected on any estate representative, heirs or beneficiaries for deceased beneficiary David Ellington. Prob Code §17203(c)

TENTATIVE RULING:

Appearance required.

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CASE#: 24PR-00194

CASE NAME: Estate of Mark Steven Fernandes

THIS CASE IS SET FOR HEARING ON:

Report on Waiver of Account and Petition for Final Distribution and For Allowance of Compensation to Administrator and Attorneys for Ordinary Services

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

None.

TENTATIVE RULING:

No appearance required. The *Report on Waiver of Account and Petition for Final Distribution and For Allowance of Compensation to Administrator and Attorneys for Ordinary Services* is approved. The Status Hearing to ensure the Closing of the Estate currently set for October 1, 2025 at 8:15 a.m. in Courtroom 10 is confirmed.

CASE#: 24PR-00326

CASE NAME: Estate of Beverley Hayes

THIS CASE IS SET FOR HEARING ON:

Continued from December 2, 2024 RE: Status on Filing of an Inventory and Appraisal

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

None.

TENTATIVE RULING:

No appearance required. An Inventory and Appraisal was filed on January 30, 2025. A Status Hearing ensuring the Closing of the Estate to be set for January 7, 2026 at 8:15 a.m. in Courtroom 10.

(End of Tentative Rulings)