

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, November 19, 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-00269

CASE NAME: Estate of Jean Gibson Willis

THIS CASE IS SET FOR HEARING ON:

1. First and Final Report of Executor Upon Waiver of Accounting, Petition for Settlement of Report, Petition for Final Distribution Upon Waiver of Statutory Fees, and for Retention of Funds for Taxes and Final Administration Expenses
2. Continued from April 9, 2025 re: Status on Closing of the Estate

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

None.

TENTATIVE RULING:

No appearance required. The *First and Final Report of Executor Upon Waiver of Accounting, Petition for Settlement of Report, Petition for Final Distribution Upon Waiver of Statutory Fees, and for Retention of Funds for Taxes and Final Administration Expenses* is approved. Counsel to lodge an order reflecting the specific monetary distributive amount for each distributee. A Status Hearing ensuring the Closing of the Estate is hereby set for March 16, 2026 at 8:15 a.m. in Courtroom 10.

(continued on next page)

CASE#: 22PR-00091

CASE NAME: In the Matter of the 1998 Smith Revocable Trust (dated March 10, 1998)

THIS CASE IS SET FOR HEARING ON:

Continued from November 5, 2025 re: Further Proceedings re:

1. Verified Petition for Instructions for the Distribution of the Exemption Trust Bank Account Following Death of Harry A. Smith
2. (1) Petition for Approval of First Account and Report of Successor Co-Trustee (Exemption Trust, Post-Death Period); and (2) Instructions Regarding Distribution of Exemption Trust Assets Based on Prior Administration Accounting, Allocation of Expenses and Effect of Prior Orders and (3) Opposition to Petition for Instructions filed by Denise Freitas
3. Order to Show Cause re: Sanctions to Counsel Leighton Burrey for Failing to Appear at the November 5, 2025 Hearing

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

1. Objections have been filed to each Petition filed by each opposing Co-Trustee.
2. *As to the Petition for (1) Approval of First Account and Report of Successor Co-Trustee (Exemption Trust, Post-Death Period); and (2) Instructions Regarding Distribution of Exemption Trust Assets Based on Prior Administration Accounting, Allocation of Expenses and Effect of Prior Orders and (3) Opposition to Petition for Instructions filed by Denise Freitas filed by Ben Smith:*
 - a. The Petition is seeking the Court's approval of the First Accounting for the Exemption Trust for the period **January 15, 2025 to April 30, 2025**. The First Accounting attached as Exhibit E which reflects an accounting period between October 27, 2022 through March 31, 2025.
 - b. No Proof of Service reflecting notice of the Petition and hearing on all interested parties. Prob Code §17203

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 25PR-00193

CASE NAME: Estate of Maria Angela Greco

THIS CASE IS SET FOR HEARING ON:

Continued from June 18, 2025 re: 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 October 22, 2025. A Status Hearing ensuring the Closing of the Estate is hereby set for July 29, 2026 at 8:15 a.m. in Courtroom 10.

CASE#: 25PR-00201

CASE NAME: Estate of William F. Conte

THIS CASE IS SET FOR HEARING ON:

Continued from June 18, 2025 re: Filing of an Inventory and Appraisal

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

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

TENTATIVE RULING:

Appearance required.

CASE#: 25PR-00355

CASE NAME: Estate of Jesus Arevalo Pimentel

THIS CASE IS SET FOR HEARING ON:

Continued from October 8, 2025 re: Petition for Probate of Will and for Letters of Administration with Full IAEA Authority

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

1. The decedent's Will has not been lodged with the Court. Prob Code §8200
2. A Declination to Serve as Executor has not been signed by the named Successor Executor Audelia Hilda Pimentel.
3. The Petitioner is not a named Executor, Bond must be posted or Waivers of Bond must be signed by all named beneficiaries. Prob Code §8481
4. No Notice to Emanuel Pimentel and Dahlia Pimentel. Prob Code §§8100, 8110
5. No Proof of Publication with the corresponding signed affidavit.
Prob Code §§8121, 8124 **Corrected – Filed 10/7/25*

TENTATIVE RULING:

Appearance required.

(continued on next page)

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:

Petition to Compel Accounting

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

None.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)