

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, September 6, 2023
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#: 16PR-00391

CASE NAME: In the Matter of Yeimi Palomares Anguiano Special Needs Trust

THIS CASE IS SET FOR HEARING ON:

Petition for Fourth Trust Account and Report of Trustee; Request for Fees

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

1. No Notice on beneficiary and interested parties. Prob Code §17203
2. Trust incurred overdraft fees on 9/21/21 and 9/29/21.

TENTATIVE RULING:

Appearance required.

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CASE#: 20PR-00181

CASE NAME: Estate of Tony Rodrigues

THIS CASE IS SET FOR HEARING ON:

Continued from August 2, 2023 re: Petition for Waiver of First and Final Account and Final Distribution; Fee Request

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

1. Inventory and Appraisals filed on March 8, 2023 does not reflect the decedent as owning a partial interest in the real property. [*Corrected](#)
2. Letters for Probate were issued on March 20, 2023. Notice to Creditors as required by Probate Code 9051 as not yet elapsed. [*Corrected](#)
3. The disposition of the Creditor's Claim filed on 4/17/23 has not been addressed. CRC7.550(b)(1) [*Addressed in Petition](#)
4. Referenced Exhibits D and E are missing from the Petition. [*Corrected](#)
5. The Petition does not reflect assets on hand for distribution and the amount to be distributed to each beneficiary. CRC 7.550 and CRC 7.651 [*Unsigned and unverified Document filed on 7/20/23 provides proposed distributive amounts](#)
6. Proposed order does not reflect specific (dollar) distributive amounts to each beneficiary. [*Corrected](#)

TENTATIVE RULING:

Petition for Waiver of First and Final Account and Final Distribution; Fee Request is approved. A Status Review to be set for December 7, 2023 at 8:15 a.m. in Courtroom 10 ensuring the appropriate distributions have been made. No appearance necessary if the appropriate distributions and estate has been closed.

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CASE#: 22PR-00385

CASE NAME: Estate of Dee Frank Akers III

THIS CASE IS SET FOR HEARING ON:

Continued from March 2, 2023 re: Status Review

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

None.

TENTATIVE RULING:

Inventory and Appraisal filed on May 5, 2023. No appearance necessary. A Status Review ensuring the closing of the estate is hereby set for April 18, 2024 at 8:15 a.m. in Courtroom 10.

CASE#: 22PR-00386

CASE NAME: Estate of Marion Jannet Akers

THIS CASE IS SET FOR HEARING ON:

Continued from August 9, 2023 re: Status Hearing

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

None.

TENTATIVE RULING:

Appearance required.

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CASE#: 23PR-00127

CASE NAME: Estate of Waneta Cheri Gilbert

THIS CASE IS SET FOR HEARING ON:

Continued from June 23, 2023, 2023 re: Readiness Conference

TENTATIVE RULING:

Appearance required.

CASE#: 23PR-00254

CASE NAME: In re: The Dunker Family Trust UTA dated July 23, 1995

THIS CASE IS SET FOR HEARING ON:

Petition for Order Confirming Co-Successor Trustees and Confirming Real Property as a Trust Asset

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

1. Notice has not been provided utilizing mandatory Judicial Council form Notice of Hearing on Petition to Determine Claim to Property (DE-115).

TENTATIVE RULING:

Hearing is continued to October 9, 2023 at 8:15 a.m. in Courtroom 10 for correction of deficiency.

(End of Tentative Rulings)