

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](mailto: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.

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

*\*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  
Los Banos Division  
HONORABLE: Brian L. McCabe

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DATE: Friday, April 25, 2025  
TIME: 8:30 AM  
Courtroom 12  
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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-00417

**CASE NAME:** Estate of Natividad Cornejo Sr. aka Natividad Cornejo  
aka Natividad Cornejo Sanchez

**THIS CASE IS SET FOR HEARING ON:**

Waiver Of Account And Report Of Administrator, Petition For Allowance Of Statutory Compensation To Attorneys For Ordinary Services, Costs Advanced By Attorneys, Closing Costs, Final Taxes And Accountant Fees From Funds Outside Of The Estate And For Final Distribution

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

1. No proof of service of notice of hearing on the petition. Prob C §11701.
2. Appears estate is not in a condition to be closed. Prob C §§11640; 11401
3. Agreement by administrator to pay attorney's compensation from outside of the estate appears contrary to California probate law. Prob C §10831(d).
4. Whether Court should reduce the compensation of attorney for the personal representative for time taken for administration of the estate. Prob C §12205
5. No proposed Order. Prob C §11603.

**PROBATE EXAMINER RECOMMENDATION:**

Appearance required.

**CASE#:** 25PR-00127

**CASE NAME:**

Estate of Jimmy Wayne Dueval, aka Jim Dueval

**THIS CASE IS SET FOR HEARING ON:**

Petition For Probate of Will and for Letters of Administration / Petition For Letters of Special Administration

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

1. Two different Petitions for Probate erroneously filed on one form. Probate Code §§8002; 8540.
2. The Petition is missing the address of Decedent's residence at the time of death. Probate Code §8002(2); (See Para. 3.c. of Petition.)
3. The Petition is missing an attached copy of the Will. Probate Code §8002(b)(1); (See Para. 3.f.(2) of Petition.)
4. No name of the person for whom appointment as personal representative is petitioned. Probate Code §8002(a)(5); (See Para. 2.b. of Petition.)
5. No circumstances stated that require immediate appointment of a special administrator. Probate Code §8540 (See Para. 3.g.(3) of Petition.)
6. No Proof of Service of Notice of Petition to Administer Estate mailed to each heir, devisee and executor. Probate Code §§8100; 8110.
7. No Proof of Publication of Notice to Administrator Estate. Probate Code §§8120; 8121.
8. No waivers of bond by all beneficiaries. Probate Code §§8480; 8481.
9. No Duties & Liabilities Acknowledgment (Form DE-147) Probate Code §8404(a).
10. No Confidential Statement of Birthdate and Driver's License Number (Form DE-147S) Probate Code §8404(b).
11. No Proposed Order for Probate. Probate Code §§8006; 8400.
12. No proposed Letters submitted to the Court. Probate Code §§8006; 8400.

**PROBATE EXAMINER RECOMMENDATION:**

Appearance required. Recommend the filing of an amended Petition

(End of Probate Notes)