

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: Jennifer O. Trimble

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DATE: Monday, March 23, 2026  
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#:** 26PR-00062

**CASE NAME:** In the Matter of The Testamentary Trust Created Under The Will Of D.J. Serpilio, Deceased.

**THIS CASE IS SET FOR HEARING ON:**  
Petition For Order Appointing Successor Trustee.

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

1. Clarification why the Order And Decree Of Final Distribution Of Estate ("Order"), filed May 17, 1982 in Merced Superior Court Case No. P16742, Estate of Dominic Serpilio, and attached as Exhibit A to the Petition For Order Appointing Successor Trustee ("Petition"), is not valid.
2. Clarification why Petition requests to validate the testamentary trust, when Decedent's Will (Exhibit B) containing the testamentary trust was admitted into probate and estate property was distributed to Co-Trustees according to the testamentary trust language contained in the Will. Prob §15200(c); See Order.
3. Clarification why Petition requests the same order to distribute the real property named "Parcel 1" to the Co-Trustees, when that distribution was already made in the Order filed May 17, 1982.
4. Clarification why Petitioner is not seeking the same order for Parcel 2.
5. Clarification why the distribution of Parcel 1 to Co-Trustees in the Order dated May 17, 1982 does not render this §850 petition moot.

6. Clarification why Wife's death in 1997 did not terminate the Testamentary Trust. (See Exhibit B, Decedent's Will, Seventh clause, subsection (b).)
7. Clarification of status of any probate case(s) regarding Decedent's Wife.
8. Clarification why no attorney of record on Wife's probate cases, if any, has not been given notice of this Petition.
9. Clarification whether any distribution of any assets have occurred in accordance with Wife's last Will. (See Ex. B, Decedent's Will, Seventh clause, in (b).)
10. Clarification of terms of Wife's latest Will, as contained in a copy.
11. Clarification of current Owner(s) of Parcel 1, as contained in a copy of the Deed.

**PROBATE EXAMINER'S RECOMMENDATION:**

Appearance required.

(End of Probate Notes)