

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 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

DATE: Tuesday, July 22, 2025
TIME: 8:30 AM
Courtroom 12

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#: 25PR-00081

CASE NAME: In re the Matter of: Linda Joann Gutierrez Trust dated Sept. 4, 2012

THIS CASE IS SET FOR HEARING ON:

Continued from June 17, 2025 for First Account And Report Of Trustee And Petition For Its Settlement And For Approval Of Trustee And Attorney Fees

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

1. None.

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:

Second Amended Petition For Probate of Will and for Letters of Administration with Will Annexed

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

1. The box requesting IAEA authority in the caption of the Petition form is not checked. Probate Code §10450; CA Rules of Court, Rule 7.102.
2. Clarification why the Notice of Petition to Administer the Estate as shown on the Proof of Publication filed July 17, 2025 states “The Petition for Probate requests that: Lori Ann Dueval and Leann Marie West be appointed as personal representative[.]” and the Petition for Probate lists only Lori Ann Dueval as administrator with will annexed.
3. No Notice of Hearing served on named executor Marty Craig. Probate Code §10451(b)(4).
4. Court’s discretion whether the Executor in the Will, Marty Craig, has failed to act to be appointed as the personal representative. Probate Code §8440.
5. Petitioner is performing acts of an appointed personal representative before any Order and Letters issued by the Court, by filing Notice of Proposed Action on June 23, 2025. Probate Code §§8402; 8481(b).
6. No updated proposed Order for Probate. Probate Code §§8006; 8400.
7. No updated proposed Letters submitted to the Court. Probate Code §§8006; 8400.

PROBATE EXAMINER RECOMMENDATION:

Appearance required.

(End of Probate Notes)