

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: Tuesday, June 3, 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#:** 25PR-00127

**CASE NAME:**

Estate of Jimmy Wayne Dueval, aka Jim Dueval

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

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. The Notice of Petition to Administer the Estate as shown on the Proof of Publication filed May 27, 2025 is missing the mandatory language required to be printed in the publication when Petitioner is requesting authority to administer the estate under the Independent Administration of Estates Act. Probate Code §10451(c).
3. The Notice of Petition to Administer Estate was not published in a newspaper of general circulation in the city where the decedent resided at the time of death, or where the decedent's property is located. Prob C §8121(b).

4. All the Executors in the Will have not waived the right to be appointed as the personal representative. Probate Code §8440.
5. Clarification why named Executors in the Will are for any reason unwilling or unable to act as personal representative. Probate Code §8440.
6. Petitioner is performing acts of an appointed personal representative before any Order and Letters issued by the Court, by filing Notice(s) of Proposed Action on April 28, 2025. Probate Code §§8402; 8481(b).
7. Proposed Order for Probate missing bond and IAEA authority designation. Probate Code §§8006; 8400.
8. Proposed Letters submitted to the Court missing IAEA authority designation. Probate Code §§8006; 8400.

**PROBATE EXAMINER RECOMMENDATION:**

Appearance required.

**CASE#:** 25PR-00163

**CASE NAME:**

Estate of Eva Jean Ford

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

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. Original Will not lodged with the Court. Prob Code § 8200.
2. Out of state Petitioner appears to be unrelated to this case. Prob Code § 8571.
3. Clarification whether Petitioner is an interested person of this Estate. Probate Code §§ 48; 8000.
4. Clarification whether Petitioner is a professional fiduciary. Probate Code §§ 60.1; 2340; Business and Professions Code §6500 et seq.
5. Clarification whether Petitioner is acting as an agent of a trust company or as a private individual. Probate Code § 83.

**PROBATE EXAMINER RECOMMENDATION:**

Appearance required.

**PROBATE NOTES 1:30 PM**

**CASE#:** 24PR-00476

**CASE NAME:** Estate of Peggy L. Fairbank

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

Amended Petition For Letters of Administration with Full IAEA Authority Objection.

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

1. Court record unclear whether bond required. Prob C §8481(a)(2).

**PROBATE EXAMINER'S RECOMMENDATION:**

Appearance required. Recommend approving the Amended Petition For Letters of Administration if the issue of bond is resolved.

(End of Probate Notes)