

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 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, status of orders, Zoom links or remote appearances 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
- Petition for Special Immigrant Juvenile Findings

**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
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: Stephanie Jamieson

DATE: Thursday, September 3, 2026
TIME: 8:15 AM
Courtroom 8

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.**

SPECIAL SET

CASE#: 26PR-00250

CASE NAME:

In re: Bernard L. McDaniel III Trust of 2007

THIS CASE IS SET FOR HEARING ON:

Continued from August 24, 2026 re: Petition for Order Confirming Title to Trust Assets

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

1. The decedent's Will's tangible-personal-property clause appears to contain an inconsistency by referring to "my daughter" while naming Keith Montanari and Ernest Montanari as beneficiaries. The Will otherwise pours the residue of Decedent's estate into the Trust. As the present Petition seeks a determination concerning the Decedent's interest in real property and its administration by the Trust, the apparent inconsistency is not material to the relief requested.

TENTATIVE RULING:

Appearance required. The recommendation from the Probate Examiner is to grant the Petition for Order Confirming Title to Trust Assets. The recommendation further includes that the Court find that the apparent inconsistency in the Will's tangible-personal-property provision is not material to the requested relief. The Will otherwise devises the residue of Decedent's estate to the Trust, and the present Petition concerns only the administration and disposition of Decedent's interest in the subject real property.

(End of Tentative Rulings)