

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: Mark Bacciarini

DATE: Monday, October 19, 2026
TIME: 8:15 AM
Courtroom 10

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#: 24PR-00280

CASE NAME: Estate of Maria Elena Ruiz

THIS CASE IS SET FOR HEARING ON:

Continued from July 2, 2026 re: Status Hearing ensuring the Closing of the Estate

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

1. Distributive Receipts and an Ex Parte Petition For Final Discharge And Order (DE-295) have not been submitted. Prob Code §§11753, 12250

TENTATIVE RULING:

No appearance required. The Status Hearing ensuring the Closing of the Estate is continued to February 8, 2027 at 8:15 a.m. in Courtroom 10 to allow counsel additional time to file the appropriate Distributive Receipts and Ex Parte Petition for Final Discharge with the Court.

(continued on next page)

CASE#: 24PR-00382

CASE NAME: Estate of Melissa Marie Fries

THIS CASE IS SET FOR HEARING ON:

1. Continued from August 20, 2026 re: Complaint for Quiet Title Action and Probate 850 Petition
2. Continued from May 5, 2026 re: Status Hearing ensuring the Closing of the Estate

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

None.

TENTATIVE RULING:

Appearance required. Counsel to advise the Court of the current status of the settlement and whether a dismissal will be filed. If the matter remains unresolved, counsel to advise the Court regarding the requested relief and further proceedings.

CASE#: 24PR-00495

CASE NAME: In the Matter of the Jannette Valdez-Witten Trust

THIS CASE IS SET FOR HEARING ON:

First Account Current and Report of Trustee and for Allowance of Attorney's Fees

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

1. The itemized personal, household, vehicle, and supplemental-needs disbursements total \$77,321.51, but the accounting reflects a subtotal of \$77,013.13, an unexplained discrepancy of \$308.38. Trustee to reconcile the disbursement schedule and correct any error. Prob. Code § 1064
2. Trustee to provide documentation supporting the \$16,723.03 vehicle-loan payoff and \$40,728.98 cash purchase of the replacement 2020 Ford F-150, including accident information, disposition of the prior vehicle, bill of sale, title, registration, VIN, insurance, and an explanation of how the vehicle benefits the beneficiary and complies with the trust's sole-benefit requirement. Prob. Code §§ 1064, 16000–16003; 42 U.S.C. § 1396p(d)(4)(A)
3. Trustee to explain the \$12,500.00 receipt notated "Returned – Insufficient Funds" and provide supporting bank records establishing that the trust was not charged twice for the same dental-implant treatment. Prob. Code, § 1064(a)(2)
4. Trustee to provide invoices, receipts, and a mileage log supporting the reimbursements to the beneficiary and to the trustee. Prob. Code §§ 1064(a)(1), 16004.
5. Trustee to provide documentation supporting the larger discretionary expenditures, including clothing, the iPhone, spa treatment, massage therapy, the retreat, vacation, gardening supplies, and household purchases, establishing that each expenditure was reasonable, discretionary, and solely for the beneficiary's benefit. Prob. Code § 1064, 42 U.S.C. § 1396p(d)(4)(A); 22 Cal. Code Regs., § 50489.9
6. Trustee to explain the requested bond reduction to \$380,245.00, which exceeds the reported carry value of assets on hand, \$335,609.02, by \$44,635.98.
 - a. Prob. Code §2320, CRC 7.903 (c)(5)

TENTATIVE RULING:

No appearance required. Recommend to continue the hearing to December 10, 2026 at 8:15 a.m. in Courtroom 10 for correction of the deficiencies. Any corrective pleadings to be filed and served by the close of business on November 30, 2026.

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CASE#: 26PR-00103

CASE NAME:

In re the 2012 Richard D. Baxter and Geraldine Baxter Revocable Trust, dated October 23, 2012

THIS CASE IS SET FOR HEARING ON:

Continued from August 31, 2026 re: First Amended Petition for Instructions; Petition to Compel Trustee to Account

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

1. Notice of the Amended Petition filed on 6/26/26 is deficient as the Amended Petition was not been served on all interested parties 30 days before the hearing. Prob Code §17203, CRC 7.53 [*Corrected](#)

TENTATIVE RULING:

Appearance required. Counsel to advise the Court on the current case status.

CASE#: 26PR-00366

CASE NAME: Estate of Eiko Pelton

THIS CASE IS SET FOR HEARING ON:

Petition for Letters of Administration with Full IAEA Authority

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

None.

TENTATIVE RULING:

No appearance required. The Petition for Letters of Administration with Full IAEA Authority is granted. No bond is required. Probate Referee Michael Wright is appointed. A Status Hearing ensuring the Closing of the Estate is hereby set for November 1, 2027 at 8:15 a.m. in Courtroom 10.

CASE#: PR000050

CASE NAME: Adrian Plantillas 2009 Special Needs Trust

THIS CASE IS SET FOR HEARING ON:

Continued from August 24, 2026 re:

1. Status of Accounting
2. Petition to Terminate Trust (Probate Code §17201)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS WERE PREVIOUSLY NOTED:

1. A 7th and Final Accounting has not been filed.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)