

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, April 7, 2025
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#: 22PR-00206

CASE NAME: Estate of Cecilia Amador Cordova

THIS CASE IS SET FOR HEARING ON:

Continued from March 3, 2025 re: Closing of the Estate

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

1. Distributive Receipts and an Ex Parte Petition For Final Discharge And Order (DE-295) have not been submitted. Prob Code §§11753, 12250
 - a. Missing Distributive Receipts or Proof of Deposit remain outstanding for the following heirs:
 - i. Eloy Cordova Jr.
 - ii. Jimmy-Che Mendoza
 - iii. Benjamin Mendoza
 - iv. Robert Mendoza

TENTATIVE RULING:

Appearance required. Executor to appear and provide the Court with a status on the closing of the estate.

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CASE#: 23PR-00228

CASE NAME: Estate of Silvia Esparza Vera

THIS CASE IS SET FOR HEARING ON:

Continued from February 24, 2025 re: Status Hearing re: Closing of the Estate

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

1. A Petition for Final Account or Status Report has not been filed.
Prob Code §12200-12201

TENTATIVE RULING:

Appearance required. The Administrator to provide the Court with a current status on closing of the estate.

CASE#: 23PR-00468

CASE NAME: Estate of Elsa Garcia

THIS CASE IS SET FOR HEARING ON:

Continued from September 30, 2024 re: Status on Closing of the Estate

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

None.

TENTATIVE RULING:

No appearance required. The *Petition for Final Distribution of Estate, for Approval of Accounting, for Determination of Heirship, for Statutory Fees to Administrator and Her Attorney, and for Reimbursement of Costs to Administrator's Attorney* currently set for hearing on April 30, 2025 at 8:15 a.m. in Courtroom 10 is confirmed.

CASE#: 24PR-00075

CASE NAME: Estate of Kathleen Monso-Benfield

THIS CASE IS SET FOR HEARING ON:

Administrator's Final Report Upon Waiver of Account and Petition for Order Approving Administrator's Actions, Allowing Statutory Compensation to Attorney, Directing Distribution of Estate then Remaining, Exonerating and Discharging Administrator and Settling the Estate

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

None.

TENTATIVE RULING:

No appearance required. The *Administrator's Final Report Upon Waiver of Account and Petition for Order Approving Administrator's Actions, Allowing Statutory Compensation to Attorney, Directing Distribution of Estate then Remaining, Exonerating and Discharging Administrator and Settling the Estate* is approved. A Status Hearing ensuring the Closing of the Estate currently set for June 26, 2025 at 8:15 a.m. in Courtroom 10 is confirmed.

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CASE#: 24PR-00144

CASE NAME: Estate of Melissa St. Antoine

THIS CASE IS SET FOR HEARING ON:

Status Hearing on the Filing of an Inventory and Appraisal

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b)

TENTATIVE RULING:

Appearance required. Counsel to advise the Court on the status of filing an Inventory and Appraisal.

CASE#: 24PR-00257

CASE NAME: Estate of Helen Tomlinson

THIS CASE IS SET FOR HEARING ON:

Continued from October 7, 2024 re: Status of filing an Inventory and Appraisal

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b)

TENTATIVE RULING:

Appearance required. Counsel to advise the Court on the status of filing an Inventory and Appraisal.

CASE#: 24PR-00258

CASE NAME: Estate of Maria Cisneros

THIS CASE IS SET FOR HEARING ON:

Continued from October 7, 2024 re: Status of filing an Inventory and Appraisal

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b)

TENTATIVE RULING:

Appearance required. Counsel to advise the Court on the status of filing an Inventory and Appraisal.

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CASE#: 25PR-00091

CASE NAME: Estate of Rafael Raymundo Diaz

THIS CASE IS SET FOR HEARING ON:

Petition for Letters of Administration with Full IEA Authority

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

1. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124
2. Proposed Letters and Order for Probate has not been lodged.
Prob Code §8006, §8400

TENTATIVE RULING:

Appearance required.

CASE#: P20138

CASE NAME: Conservatorship of Maria Elena Ruiz

THIS CASE IS SET FOR HEARING ON:

Third and Final Account and Report of Conservator; Petition for Allowance of Fee to Conservator of the Person and Estate, Attorney's Fees and Discharge of Conservator and Delivery of Assets

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

1. Disbursements made by check to unknown payees for unknown reasons
2. Multiple overdraft charges
3. Multiple and significant amounts of cash withdrawals by the conservator for gambling purposes.
4. No receipts reflected for the Wells Fargo Court Blocked Savings Account for April 30, 2009 through April 30, 2020. Accounting reflects "Statement not Provided" with no incurred bank interest for this period-of-time.
5. Accounting remains under review and all estate bank statements for the accounting periods to be provided in support of the accounting review.

TENTATIVE RULING:

The Probate Examiner is requesting additional time to review the accounting. The Court grant's the Probate Examiner's request to continue the hearing to July 3, 2025 at 8:15 a.m. in Courtroom 10. The Court further orders all conservatorship estate bank statements for the accounting periods are to be lodged with the Court by the close of business on June 6, 2025.

(End of Tentative Rulings)