

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

**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: Donald Proietti

DATE: Friday, December 20, 2024
TIME: 8:15 AM, 8:30 AM and 9:30 AM
Courtroom 10

Updated on 12/18/24

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.**

8:15 AM CALENDAR

CASE#: 21PR-00336

CASE NAME: Estate of Ydalia Perez Rosales

THIS CASE IS SET FOR HEARING ON:

Continued from September 19, 2024 re: Order to Show Cause for Failure to Appear and provide a Status Report

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

1. A Petition for Final Account or Status Report has not been filed.
Prob Code §12200-12201
2. Court's discretion concerning possible measures to be imposed for failing to file a Status Report or Petition for Final Account and Order for Distribution within the required statutory time. Prob Code §§ 11050, et seq., 12205

TENTATIVE RULING:

Appearance required.

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CASE#: 22PR-00329

CASE NAME: Estate of Deborah L. D'Andrea

THIS CASE IS SET FOR HEARING ON:

Continued from June 26, 2024 re: Status Hearing

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

None.

TENTATIVE RULING:

No appearance required. The hearing on the Petition for Second and Final Report of Administrator on Waiver of Account currently set for hearing on March 24, 2025 at 8:15 a.m. in Courtroom 10 is confirmed.

CASE#: 22PR-00348

CASE NAME: Estate of Jose Luis Ochoa

THIS CASE IS SET FOR HEARING ON:

Continued from August 16, 2024 re: Status on Closing of the Estate

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

1. Ex Parte Petition For Final Discharge And Order (DE-295) has not been submitted. Prob Code §12250

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 24PR-00086

CASE NAME: Estate of Benjamin Soza

THIS CASE IS SET FOR HEARING ON:

Continued from May 16, 2024 re: Status Hearing on Filing of an Inventory and Appraisal

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

None.

TENTATIVE RULING:

No appearance required. An Inventory and Appraisal was filed on July 2, 2024. The Status Hearing is continued to Friday, July 25, 2025 at 8:15 a.m. in Courtroom 10 to ensure the Closing of the Estate.

CASE#: 24PR-00359 (*updated on 12/18/24)

CASE NAME: Estate of Guadalupe Ayala

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:

1. Proposed Letters and Order for Probate have not been lodged.
Prob Code §8006, §8400

TENTATIVE RULING:

The Petition for Letters of Administration with **Limited** IAEA Authority is granted. A \$314,100.00 bond is to be posted. Letters to issue upon the posting of the **\$314,100.00 bond**. Probate Referee Michael Wright is appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for Friday, May 30, 2025 at 8:15 a.m. in Courtroom 10.

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CASE#: 24PR-00398

CASE NAME: Estate of Samuel Reyes Parra

THIS CASE IS SET FOR HEARING ON:

Continued from November 4, 2024 re: Petition for Probate of Letters Testamentary with Full IAEA Authority

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

1. Proof of Holographic Instrument (Judicial Council Form DE-135) has not been filed. Prob Code §8222; CCP §2015.5. **Corrected – filed 10/30/24*
2. Notice has been effectuated by mail on October 2, 2024 to all interested parties but does not reflect the Petitioner's request for IAEA Authority. Prob Code §§8100, 10451 **POS filed 10/30/24 – signed by Alejandra Lozano reflecting service by mail on 10/30/24 but typed on the side is notation that says "Petition for Probate was previously served on 10/2/24" *Corrected – filed 11/14/24*
3. No Proof of Publication with the corresponding signed affidavit. Prob Code §8121, §8124
 - a. **Proof of Publication filed on 10/29/24 doesn't reflect request for IAEA Authority*
 - b. **Proof of Publication filed on 11/18/24 reflects 11/21/24 hrg date*

TENTATIVE RULING:

Appearance required. .

8:30 AM CALENDAR

CASE#: 22PR-00252

CASE NAME: Estate of Preston Sullivan

THIS CASE IS SET FOR HEARING ON:

Continued from September 20, 2024 re: Status Review

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

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

TENTATIVE RULING:

The Status Hearing is continued to February 28, 2025 at 8:30 am for a status on Closing of the Estate.

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CASE#: 23PR-00024

CASE NAME: Estate of Joe L. Manzanedo, aka Joe Louie Manzanedo

THIS CASE IS SET FOR HEARING ON:

Continued from December 10, 2024 re: Status of Possible Successor Administrators or Referral to the Merced County Public Administrator's Office

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

None.

TENTATIVE RULING:

Appearance required.

CASE#: 23PR-000239

CASE NAME: Conservatorship of Natena Hernandez

THIS CASE IS SET FOR HEARING ON:

First and Final and Supplemental Account and Report of Conservator and Petition for Its Approval and Settlement

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

1. Accounting includes assets that have not been included in any Inventory and Appraisal filed with the Court (bank accounts, ROTH IRAs, cash found).
Prob Code §2613

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 23PR-00425

CASE NAME: Estate of Albert Eric Groth

THIS CASE IS SET FOR HEARING ON:

Continued from December 5, 2024 re:

1. Order to Show Cause re: Sanctions/Possible Removal of Administrator
2. Status on Filing of an Inventory and Appraisal

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

1. Proposed Letters and Order for Probate have not been submitted since the Administrator was appointed on March 6, 2024. Prob Code §8006, §8400
2. An Inventory and Appraisal has not been filed. Prob Code §8800(b)

TENTATIVE RULING:

Appearance required.

CASE#: 23PR-00464

CASE NAME: Estate of Jaclyn L. Sears

THIS CASE IS SET FOR HEARING ON:

Continued from December 5, 2024 re: Status Hearing re: Possible Removal of the Executor for Failing to Perform his Duties

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

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

TENTATIVE RULING:

Appearance required.

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9:30 AM CALENDAR

CASE#: 23PR-00361

CASE NAME: Estate of Vivian Ardell Watters

THIS CASE IS SET FOR HEARING ON:

Continued from November 15, 2024 re: Report of Sale and Petition for Order
Confirming Sale of Real Property

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

None.

TENTATIVE RULING:

Appearance required.

CASE#: 22PR-00389

CASE NAME: Conservatorship of Lois Watters

THIS CASE IS SET FOR HEARING ON:

Continued from November 15, 2024 re: Report of Sale and Petition for Order
Confirming Sale of Real Property

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

1. Notice of Sale of Real Property at Public Action filed on 10/22/24 and the Proofs of Publication filed on 10/30/24 appears to contain a typographical error reflecting the subject real property as located in the City of Delhi. *Corrected
2. Notice with the attached Proof of Service filed on 10/22/24 is missing the "continued on an attachment" page. *Corrected

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)

