

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: Mark Bacciarini

DATE: Friday, January 31, 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#: 23PR-00324

CASE NAME: In the Matter of the J&E Bettencourt Trust Dated February 22, 2002

THIS CASE IS SET FOR HEARING ON:

Continued from November 14, 2024 re: Status of Closure/Proof of Disbursement

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

1. Proof of Disbursement has not been filed as ordered by the Court at the November 14, 2024 hearing.

TENTATIVE RULING:

Appearance required. Counsel to appear and advise the Court on the current status of the trust disbursements.

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CASE#: 23PR-00368

CASE NAME: Estate of Estevan Hernandez

THIS CASE IS SET FOR HEARING ON:

Continued from October 4, 2024 re: Further Status Hearing

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

1. A Petition for Termination has not been filed as conveyed by counsel at the October 4, 2024. *Corrected

TENTATIVE RULING:

No appearance required. The hearing on the *Petition for Termination* currently set for March 13, 2025 at 8:15 a.m. to be confirmed.

CASE#: 23PR-000381

CASE NAME: The Pangelina Family Trust Agreement Dated November 18, 2004

THIS CASE IS SET FOR HEARING ON:

Continued from November 21, 2024 re: Order to Show Cause Why the Case Should not be Closed

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

None.

TENTATIVE RULING:

Absent any Stipulation or Objection, the Court's intention is to close the case.

CASE#: 23PR-00464

CASE NAME: Estate of Jaclyn L. Sears

THIS CASE IS SET FOR HEARING ON:

Continued from January 17, 2025 re: Further Proceedings/Status of Foreclosure

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) *Improper I&A filed 1/16/25

TENTATIVE RULING:

Appearance required.

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CASE#: 24PR-00425

CASE NAME: Estate of Della Martinez Avina

THIS CASE IS SET FOR HEARING ON:

Spousal Property Petition

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

1. The decedent died testate and the decedent's Will(s) are lodged with the Court.
2. Missing Attachment 9 with the names, relationships, ages of the decedent's children and any named Executor(s) of the decedent's will.
3. Additional information is needed to establish the community property claim concerning the cash as the decedent and the Petitioner were separated for approximately 4 ½ years (since January 1, 2020) and the cash was purportedly found at the residence at the time of death. (date asset acquired, manner in which asset was acquired and how asset is community property, what were the decedent's assets at the time of marriage and separation, who was residing at the real property when the cash was discovered?)
Prob Code 13651(a)(3)-(4)
4. Is the provided copy of the Grant Deed recorded on August 4, 2016 the most recent recorded document concerning the subject real property?

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)