

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, November 22, 2024
TIME: 8:15 AM and 8:30 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.**

8:15 AM CALENDAR

CASE#: 20PR-00196

CASE NAME: Estate of Francisco Arellano

THIS CASE IS SET FOR HEARING ON:

Continued from October 10, 2024 re: Waiver of Accounting and Report of Administrator with Will Annexed; Petition for Final Distribution and Discharge

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

1. Clarification is needed concerning the character of the decedent's real property as identified in the Petition as the "decedent's separate property and his surviving spouse property" that may affect the final distribution. CRC 7.652(a) [*Corrected – Amended Petition filed 11/1/24](#)
2. Proposed Order does not identify the real property and the corresponding distributive share to each beneficiary. [*Corrected – new Proposed Order lodged 11/1/24](#)

TENTATIVE RULING:

Recommend to approve the Waiver of Accounting and Report of Administrator with Will Annexed; Petition for Final Distribution and Discharge . A Status Hearing ensuring the Closing of the Estate to be set for February 24, 2025 at 8:15 a.m. in Courtroom 10.

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CASE#: 23PR-00041

CASE NAME: Estate of Soraya Parga

THIS CASE IS SET FOR HEARING ON:

Continued from September 12, 2024 re: First and Final Account/Waiver of Account and Report of Administrator; Petition for Final Distribution

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

1. Notice has not been provided to all heirs. Prob Code §§11000, 1220
 - a. *Notice of Hearing reflecting "Amended" in the caption filed on 10/24/24 does not reflect if the *Second Amended Petition* was served on interested parties.
2. Waivers of Account have not been filed by any heirs. Prob Code §10954, CRC7.550
*Corrected 9/30/24
3. A Release of Creditor's Claim has not been filed by Capital One, N.A. Walmart Rewards Card. *Satisfaction and Release of Claim filed 9/30/24
4. The Petition does not address the final disposition of the estate cash assets located at Merco Credit Union bank accounts. *If the Petitioner is the beneficiary of these accounts why are these included as part of the estate assets?
5. The Petition does not reflect the assets on hand at the end of administration. CRC 7.550(b)(4) *Corrected
6. A proposed Order has not been lodged reflecting the specific assets (interests) to be distributed to each heir. LR 100(E) *Proposed Order lodged on 10/28/24 does not identify each heir's specific distributive share.

TENTATIVE RULING:

Appearance required.

CASE#: 24PR-00097

CASE NAME: Estate of Mary J. Douglas

THIS CASE IS SET FOR HEARING ON:

Continued from May 17, 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. The Administrator to provide the Court with the status of filing an Inventory and Appraisal.

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CASE#: 24PR-00102

CASE NAME: Estate of Maria Teresa Reyes De Medina

THIS CASE IS SET FOR HEARING ON:

Continued from May 23, 2024 re: Case Status ensuring the 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 September 6, 2024. The hearing currently set for February 6, 2025 at 8:15 a.m. in Courtroom 10 on the Petition for Final Distribution is hereby confirmed.

CASE#: 24PR-00281

CASE NAME: Estate of Kathy Lynette Roy

THIS CASE IS SET FOR HEARING ON:

Continued from October 11, 2024 re: Petition for Letters of Administration

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

1. Missing Attachment 3e(3) Waiver of Bond. ***No Waiver of Bond submitted on behalf of Marva Hopkins Williams as of 11/18/24**
2. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124 ***Corrected**
3. Proposed Letters have not been submitted. Prob Code §8006, §8400 ***Corrected**

TENTATIVE RULING:

Appearance required.

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CASE#: 24PR-00325

CASE NAME: Estate of Joan Marie Catelli

THIS CASE IS SET FOR HEARING ON:

Petitoin for Letters of Testamentary with Full IAEA Authority

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

None.

TENTATIVE RULING:

The Petition for Letters Testamentary with no bond required is granted. The Decedent's will is hereby admitted into Probate. Probate Referee Michael Wright is appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for April 23, 2025 at 8:15 a.m. in Courtroom 10.

CASE#: 24PR-00382

CASE NAME: Estate of Melissa Marie Fries

THIS CASE IS SET FOR HEARING ON:

Continued from October 21, 2024 re: Petition for Letters of Administration with Will Annexed with Limited IAEA Authority

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

1. No Notice to all heirs. Prob Code §8100, §8110 *Corrected
2. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124 *Corrected
3. The Petition is missing Attachment 3e(3) that includes the referenced Waiver of Bond.
Prob Code §§8480-8482 , CRC 7.201(b) *Corrected
4. Duties & Liabilities Acknowledgment signed by each personal representative has not been filed. Prob Code §8404(a) *Corrected
5. Proof of Holographic Instrument form (DE-135) has not been submitted.
Prob Code §§8222, CCP 2015.5 *Corrected
6. Proposed Letters and Order for Probate has not been submitted.
Prob Code §8006, §8400 *Corrected

TENTATIVE RULING:

Appearance required. Absent any Objection at the hearing, the Court's intention is to grant the Petition for Letters of Administration with Will Annexed with **Limited** IAEA Authority with no bond required. The decedent's will to be admitted into Probate. Probate Referee Michael Wright to be appointed. A Status hearing ensuring the filing of an Inventory and Appraisal to be set for April 23, 2025 at 8:15 a.m.

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8:30 AM CALENDAR

CASE#: 17PR-00056

CASE NAME: Estate of Jose Ledesma

THIS CASE IS SET FOR HEARING ON:

Continued from September 20, 2024 re: Status Review Hearing

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

None.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)