

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 14, 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#: 24PR-00224

CASE NAME: Estate of Joy Stone

THIS CASE IS SET FOR HEARING ON:

First and Final Report of Executor on Waiver of Account and Petition for Allowance of Statutory Compensation to Attorney and for Final Distribution

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

None.

TENTATIVE RULING:

No appearance required. The *First and Final Report of Executor on Waiver of Account and Petition for Allowance of Statutory Compensation to Attorney and for Final Distribution* is approved. A Status Hearing ensuring the Closing of the Estate is hereby set for July 28, 2025 at 8:15 a.m. in Courtroom 10.

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CASE NAME: Estate of Lisa McLean Aris

THIS CASE IS SET FOR HEARING ON:

Successor Petition for Letters of Administration with Full IAEA Authority

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

1. Petition is missing Attachment 3e(2) Waivers of Bond signed by all heirs.
Prob Code §8481
2. Did Donald Aris die intestate/testate? Was he survived by any beneficiaries or heirs?

TENTATIVE RULING:

Appearance required.

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 WERE PREVIOUSLY 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 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) *[Addressed in Declaration filed 3/12/25](#)
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.

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CASE#: 24PR-00499

CASE NAME: Estate of Della Martinez

THIS CASE IS SET FOR HEARING ON:

Continued from January 16, 2025 re: Petition for Probate of Will and Letters Testamentary

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

1. Two purported wills have been lodged with the Court. The only will attached to the Petition is the will lodged in case #24LW-00134.
2. The will attached to the Petition contains both holographic and printed statutory portions:
 - a. Proof of Holographic Will (DE-135) has not been filed. Prob Code §8222
 - b. A typed copy of the holographic portion of the will is not attached to the Petition. Prob Code §8002
 - c. No Declaration is attached to the Petition explaining why the attached will contains both holographic and printed statutory portions. Evid Code §1402
3. No Notice to all heirs, beneficiaries & executors. Prob Code §8100, §8110
4. No Proof of Publication with the corresponding signed affidavit. Prob Code §8121, §8124
5. Objection filed on 1/7/25 by Henry Avina is not verified. Prob Code §1021(a)(2)
6. No Proof of Service has been filed reflecting service of the Objection on the Petitioner and other interested parties. Prob Code §1215 *POS filed 1/9/25 on all interested parties except the Petitioner Jaunita Ana Ornelas-Cavazos.

TENTATIVE RULING:

Appearance required.

CASE#: 24PR-00470

CASE NAME: Estate of Steven Griffin

THIS CASE IS SET FOR HEARING ON:

Continued from February 28, 2025 re: Trial Readiness Conference

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

None.

TENTATIVE RULING:

Appearance required.

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CASE#: 25PR-00030

CASE NAME: Estate of Steven Lewis Griffin (**competing Petition*)

THIS CASE IS SET FOR HEARING ON:

Continued from February 28, 2025 re: Trial Readiness Conference

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

1. Bond has not been waived by all beneficiaries. Prob Code §8481
2. No Notice to Duane Brenner Davidson. Prob Code §8100, §8110
3. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124 **Proof of Publication filed on 3/11/25 is improper as it does not comply with Probate Code 8121(a) requiring the 1st publication date be at least 15 days before the hearing date. *Newly noted for the 4/14/25 hearing*

TENTATIVE RULING:

Appearance required.

CASE#: 25PR-00074

CASE NAME: Estate of Richard Cron

THIS CASE IS SET FOR HEARING ON:

Continued from March 12, 2025 re: Petition for Letters of Administration with Full IAEA Authority

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

1. No Notice to all heirs, beneficiaries & executors. Prob Code §8100, §8110 **Corrected*
2. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124 **Corrected*
3. Proposed Order for Probate has not been lodged.
Prob Code §8006, §8400 **Corrected*

TENTATIVE RULING:

Appearance required. The Court's intention is to grant the Petition for Letters of Administration with full IAEA Authority with no bond required. Probate Referee Michael Wright to be appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal to be set for September 15, 2025 at 8:15 a.m. in Courtroom 10.

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CASE#: 24PR-00442

CASE NAME: Estate of Sandy E. Cron aka Fannie E. Cron

THIS CASE IS SET FOR HEARING ON:

Continued from March 12, 2025 re: Petition to Determine Succession to Real Property

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

1. Additional information needed concerning any pending Petition for the Estate of Richard Cron. Did Richard Cron die testate? Intestate? Who is the estate representative for Richard Cron as each Petitioner must join by signature and verification in the use of the Petition to Determine Succession to Real Property. Prob Code 13152 *[Addressed at the 2/5/25 hearing](#)

TENTATIVE RULING:

Appearance required. The Court's intention is to grant the Petition to Determine Succession to Real Property.

CASE#: 25PR-0048

CASE NAME: In the Matter of the John Saunders Trust dated September 28, 2001

THIS CASE IS SET FOR HEARING ON:

Petition for Order Confirming Mineral Rights as Trust Asset

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

None.

TENTATIVE RULING:

The Petition for Order Confirming Mineral Rights as Trust Asset is approved.

(End of Tentative Rulings)