

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](mailto: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

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DATE: Monday, December 9, 2024  
TIME: 8:15 AM  
Courtroom 10  
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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#:** 21PR-00118 (\*Trailing lead case #21PR-00119)

**CASE NAME:** Estate of Rodolfo Efren Flores

**THIS CASE IS SET FOR HEARING ON:**

Continued from November 13, 2024 re: Accounting/Trailing #21PR-00119

**TENTATIVE RULING:**

Trailing case lead #21PR-00119.

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**CASE#:** 21PR-00119 (**\*lead case**)

**CASE NAME:** Estate of Rodolfo Efren Flores

**THIS CASE IS SET FOR HEARING ON:**

Continued from November 13, 2024 re: Accounting

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

None.

**TENTATIVE RULING:**

Appearance required. Counsel to appear and advise the Court as to the current case status.

**CASE#:** 21PR-00141 (*Trailing lead case #21PR-00119*)

**CASE NAME:** Estate of Rodolfo Efren Flores

**THIS CASE IS SET FOR HEARING ON:**

Continued from November 13, 2024 re: Accounting/Trailing #21PR-00119

**TENTATIVE RULING:**

Trailing case lead #21PR-00119.

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**CASE#:** 22PR-00367

**CASE NAME:** Estate of Dean Arthur Cook

**THIS CASE IS SET FOR HEARING ON:**

Continued from August 19, 2024 re: Status on Closing of the Estate

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

1. Distributive Receipts and an Ex Parte Petition For Final Discharge And Order (DE-295) have not been submitted. Prob Code §§11753, 12250

**TENTATIVE RULING:**

No appearance required. The Status Review Hearing is hereby continued to January 16, 2025 at 8:15 a.m. in Courtroom 10 to allow counsel additional time to file the appropriate Distributive Receipts and Ex Parte Petition for Final Discharge with the Court.

**CASE#:** 23PR-00334

**CASE NAME:** Estate of Jason W. Garside

**THIS CASE IS SET FOR HEARING ON:**

Continued from April 29, 2024 re: Status Hearing on Closing of the Estate

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

None.

**TENTATIVE RULING:**

No appearance required. The hearing for the Petition for Final Accounting currently set for January 13, 2025 at 8:15 a.m. in Courtroom 10 is confirmed.

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**CASE#:** 24PR-00061

**CASE NAME:** Estate of Jeanne Elizabeth Wimbley

**THIS CASE IS SET FOR HEARING ON:**

Continued from May 6, 2024 re: Status on 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-00435

**CASE NAME:** Estate of David Anthony Garcia-Garibay

**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. Court's discretion if GAL is required for the minor heir. Prob Code §1003

**TENTATIVE RULING:**

Appearance required.

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**CASE#:** PR000465

**CASE NAME:** Estate of Larry Dale Souza, Jr.

**THIS CASE IS SET FOR HEARING ON:**

Continued from August 12, 2024 re: Status Hearing ensuring the Closing of the Estate

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

1. An Ex Parte Petition For Final Discharge And Order (DE-295) has not been submitted. Prob Code §§11753, 12250

**TENTATIVE RULING:**

Appearance required. Counsel to provide the Court with a status of filing an Ex Parte Petition for Final Discharge.

**CASE#:** 22PR-00331

**CASE NAME:** Estate of David E. Carlucci

**THIS CASE IS SET FOR HEARING ON:**

1. Continued from September 11, 2024 re: Status Hearing/Further Proceedings
2. Successor Petition for Administration with Will Annexed

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

None.

**TENTATIVE RULING:**

Appearance required. Case is trailing related cases #22PR-00379 and 24PR-00095.

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**CASE#:** 22PR-00379

**CASE NAME:** In Re The David Carlucci 2000 Trust

**THIS CASE IS SET FOR HEARING ON:**

Continued from September 11, 2024 re: Further Proceedings

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

None.

**TENTATIVE RULING:**

Appearance required.

**CASE#:** 24PR-00095

**CASE NAME:** Estate of David Eugene Carlucci

**THIS CASE IS SET FOR HEARING ON:**

Continued from September 11, 2024 re: Spousal Property Petition and Further Proceedings

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

1. Requested real properties are currently the subject of litigation in related cases #22PR-00331 and #22PR-00379.

**TENTATIVE RULING:**

Appearance required.

(End of Tentative Rulings)