

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: Thursday, April 10, 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-00005

CASE NAME: Estate of Donald E. Green

THIS CASE IS SET FOR HEARING ON:

Continued from September 9, 2024 re: Status Hearing on Closing of the Estate

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:

Appearance required. Counsel to advise the Court on the filing of a Petition for Final Account

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CASE#: 23PR-00433

CASE NAME: Estate of Janice Hatcher

THIS CASE IS SET FOR HEARING ON:

Continued from February 19, 2025 re:

1. Status Hearing of Filing an Inventory and Appraisal
2. *First and Final Account Current and Report of Executor and Petition for Settlement Therof* (sic)

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b) **Corrected -filed 3/21/25*
2. What is the status of the following specific bequests per the decedent's will that are not included in any filed Inventory and Appraisal and are not addressed in the Petition for First and Final Account:
 - Robert Wayne Bachtel:
 - 2876 High Street, Hornitos, CA
 - 2 Toyota Pick-ups or current vehicles
 - Georgia Ann McGillick:
 - Rug collection
 - White pots with red trim
 - Blue Willow dishes from decedent's grandmother Maude Kenton
 - Kenneth Bachtel:
 - Personal items to be requested from Robert Bachtel
3. Petition does not reflect a Probate Code compliant accounting or include Waivers of Accounting signed by each beneficiary in lieu of an accounting. Probate Code §§1061 et seq., 10951, 10954, CRC 7.550
4. Petition does not reflect the inclusion, status and disposition of the real property located at 25th Street, Merced, CA as identified in the Inventory and Appraisal filed on 3/21/25.
5. Petition does not reflect a detailed proposed distribution of the beneficiaries. CRC 7.651
6. Were any actions taken under IAEA and is so, what actions were taken. Prob Code 10585, 10586
7. A proposed Order has not been lodged with the Court. MSC Rule 100 E.

TENTATIVE RULING:

The hearing is continued to June 11, 2025 at 8:15 a.m. in Courtroom 10 for correction of deficiencies. Any corrective pleadings are to be filed and served by the close of business on May 30, 2025.

CASE#: 24PR-00153

CASE NAME: Estate of Ann Marie Huerta

THIS CASE IS SET FOR HEARING ON:

Petition for Settlement of First and Final Account with Waivers, Final Distribution, Allowance of Compensation for Ordinary Services to Administrator, and Allowance of Compensation for Ordinary Services to Attorney

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

None.

TENTATIVE RULING:

The Petition for Settlement of First and Final Account with Waivers, Final Distribution, Allowance of Compensation for Ordinary Services to Administrator, and Allowance of Compensation for Ordinary Services to Attorney is granted. The Status Hearing ensuring the Closing of the Estate currently set for August 20, 2025 at 8:15 a.m. in Courtroom 10 is confirmed.

CASE#: 25PR-00018

CASE NAME: Estate of Marc Alan Fischer

THIS CASE IS SET FOR HEARING ON:

Spousal Property Petition

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

None.

TENTATIVE RULING:

The Spousal Property Petition is granted.

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CASE#: 25PR-00043

CASE NAME: Estate of Gardenia Dream Gause

THIS CASE IS SET FOR HEARING ON:

Continued from March 6, 2025 re: Petition for Administration with Full IAEA Authority

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

1. Petition does not specify the location of the decedent's property which is to include the street address and city of the property referenced in Item 3a(2). [*Corrected – Amended Petition filed 3/3/25](#)
2. Bond has not been waived by all beneficiaries. No Waiver of Bond filed by Terrie Hagins. Prob Code §8481(a)(2) ***Remains deficient for the 4/10/25 hrg**
3. No Notice of the Amended Petition filed on 3/3/25 has not been provided to all heirs. Prob Code §8100, §8110 ***Remains deficient for the 4/10/25 hrg**
4. No Proof of Publication with the corresponding signed affidavit. Prob Code §8121, §8124 ***Remains deficient for the 4/10/25 hrg**

TENTATIVE RULING:

The hearing is continued to May 14, 2025 at 8:15 a.m. in Courtroom 10 for correction of the deficiencies.

CASE#: 25PR-00046

CASE NAME: Estate of Irma Maldonado-Garcia

THIS CASE IS SET FOR HEARING ON:

Spousal Property Petition

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

None.

TENTATIVE RULING:

The Spousal Property Petition is granted.

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CASE#: 25PR-00098

CASE NAME: Estate of Alfonso Marron Amezcua

THIS CASE IS SET FOR HEARING ON:

Petition for Probate of Will and for Letters Testamentary

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

1. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124
2. Although the decedent's will waives bond, Waivers of Bond have not been signed by all beneficiaries and the Petitioner is a non-California resident. Court's discretion if bond is to be required. Prob Code §8571, CRC 7.201(b)
3. Proposed Letters and Order for Probate have not been lodged.
Prob Code §8006, §8400

TENTATIVE RULING:

Appearance required.

CASE#: PR000016

CASE NAME: Estate of Bernard Charles Gardner

THIS CASE IS SET FOR HEARING ON:

Petition for the Personal Representative to Give a Report on the Status of Administration

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

1. An Inventory and Appraisal has not been filed by the Executor. Prob Code §8800(b)
2. A Petition for Final Account or Status Report has not been filed by the Executor.
Prob Code §12200-12201

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)