

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. Updates to the Probate Examiner's Notes typically will be posted 3 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 notify that documents have been filed, 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 or status of orders 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.

Superior Court of California, County of Merced  
PROBATE CALENDAR  
HONORABLE: Donald Proietti

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DATE: Thursday, August 1, 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#:** 20PR-00003

**CASE NAME:** Estate of Fred Mishler, Junior

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

Continued from November 30, 2020 re: Petition for Administration with Full IAEA Authority

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

1. What was the final disposition of the household items and Green Bay Packers stock? Were they sold and/or donated? Were any of these items sold at a gain or loss?
2. Additional clarification needed why/how the administrator determined specified receipts/disbursements as community property versus separate property.
3. The accounting does not reflect any receipts from the sale of the real property and the boat.
4. Were the decedent and his spouse formally separated or initiated dissolution proceedings?
5. The Petition only identifies the real property as the decedent's separate property. What is the character of the other estate assets? CRC 7.652

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**CASE#:** 20PR-00003

**CASE NAME:** Estate of Fred Mishler, Junior (continued from previous page)

6. Requested Statutory Compensation does not account for any losses to the estate. CRC 7.705
7. Distribution of assets does not comply with the manner provided for in the Probate Code for intestate succession. Prob Code §§240, 6400 et seq.
8. Proof of Service is undated by T. Simon who effectuated service by mail on July 10, 2024.

**TENTATIVE RULING:**

Hearing is hereby continued to September 19, 2024 at 8:15 a.m. in Courtroom 10 for correction of deficiencies.

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

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

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

Continued from May 15, 2024 re: First and Second Accounting and Report of Administrator of the Estate

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

1. No Notice of Hearing of the Second Accounting reflecting service on all heirs and persons who have requested special notice of the estate proceedings. Prob Code §1220 \*Corrected
2. Accounting contains discrepancies with the ending balances of the Special Administrator's First Accounting and as compared to the beginning balances of the Second Accounting.
3. Second Accounting contains disbursements for vehicle related expenses (fuel, insurance, registration) for possible vehicle(s) assets that are not included in any inventory and appraisal.
4. The First Accounting remains unaddressed and unapproved by the Court.

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

**CASE NAME:** Estate of Rodolfo Efren Flores (continued from previous page)

5. What is the status of the following assets referenced in the related Spousal Property Petition but are not included in any Inventory and Appraisal:
  - a. Vacation Village at Parkway Timeshare
  - b. Vehicles:
    - i. 1999 Chevrolet Van, License Plate 6CZP988
    - ii. 2000 Chevrolet Truck, License Plate 7F98081
    - iii. 2013 Chrysler Van, License Plate 7GCN784
    - iv. 2006 Montana Trailer, License Plate 1LH4685

**TENTATIVE RULING:**

Appearance required.

**CASE#:** 21PR-00141

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

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

Continued from May 15, 2024 re: Trailing case #21PR-00119

**TENTATIVE RULING:**

Trailing case lead #21PR-00119.

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**CASE#:** 21PR-00118

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

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

Continued from May 15, 2024 re: Accounting/Trailing #21PR-00119

**TENTATIVE RULING:**

Trailing case lead #21PR-00119.

**CASE#:** 24PR-00156

**CASE NAME:**

In re the Vernon D. Wickstrom and P. Mary A. Wickstrom 2010 Revocable Trust

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

Petition for Order Confirming Successor Trustees and Trust Assets  
(Probate Codes §§ 850 and 17200(a))

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

1. Notice has not been provided utilizing mandatory Judicial Council form *Notice of Hearing on Petition to Determine Claim to Property* (DE-115). Prob Code §851

**TENTATIVE RULING:**

Hearing is hereby continued to September 9, 2024 at 8:15 a.m. in Courtroom 10 for correction of the deficiency.

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**CASE#:** 24PR-00166

**CASE NAME:** Estate of Lupe Contreras

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

Petition for Letters of Administration with Will Annexed

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

None.

**TENTATIVE RULING:**

Petition for Letters of Administration with Will Annexed is granted. Will to be admitted into probate. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for January 15, 2025 at 8:15 a.m. in Courtroom 10.

**CASE#:** 24PR-00175

**CASE NAME:**

In re: The Marcela Merlo Thompson Living Trust Dated December 27, 2021

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

Petition for Court Order to Confirm Trust Asset

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

1. No notice to interested parties. Prob Code §851

**TENTATIVE RULING:**

Hearing is hereby dropped from calendar for lack of service.

(End of Tentative Rulings)