

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: Mark Bacciarini

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DATE: Thursday, January 23, 2025  
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#:** 22PR-00098

**CASE NAME:** Estate of Silvia Ann Smith

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

Continued from October 16, 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 continued to March 24, 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.

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**CASE#:** 23PR-00114

**CASE NAME:** Estate of Melissa Conrad

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

Continued from October 16, 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 *Petition for Settlement of First and Final Account, Final Distribution, Allowance of Compensation for Ordinary Services to Administrator, and Allowance of Compensation for Ordinary Services to Attorney* currently set for March 19, 2025 at 8:15 a.m. in Courtroom 10 is confirmed.

**CASE#:** 24PR-00076

**CASE NAME:** Estate of Dawn Lee Duxbury

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

First and Final Report of Administrator on Waiver of Account and Petition for Allowance of Compensation to Attorney for Ordinary and Extraordinary Services and For Final Distribution

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

None.

**TENTATIVE RULING:**

The *First and Final Report of Administrator on Waiver of Account and Petition for Allowance of Compensation to Attorney for Ordinary and Extraordinary Services and For Final Distribution* is approved. Counsel to submit a proposed Order. A Status Hearing ensuring the Closing of the Estate is hereby set for May 15, 2025 at 8:15 a.m. in Courtroom 10.

**CASE#:** 24PR-00406

**CASE NAME:**

In re the Kole and Carole Upton Living Trust as amended and restated May 23, 2019

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

Petition to Establish Trust Ownership of Real Property

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

None.

**TENTATIVE RULING:**

The Petition to Establish Trust Ownership of Real Property is granted. Counsel to submit a proposed order.

(End of Tentative Rulings)