

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

**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

DATE: Thursday, November 14, 2024
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#: 22PR-00301

CASE NAME: Estate of Salvador Abarca

THIS CASE IS SET FOR HEARING ON:

Continued from August 14, 2024 re: Review of Case Status/Filing of Final Accounting

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

1. A Petition for Final Account or Status Report has not been filed.
Prob Code §12200-12201

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 23PR-00127

CASE NAME: Estate of Waneta Cheri Gilbert

THIS CASE IS SET FOR HEARING ON:

Continued from July 18, 2024 re: Status Hearing on Filing of an Inventory and Appraisal

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

1. An Inventory and Appraisal has not been filed. Prob Code §8800(b) *Remains unfiled as of 11/5/24
2. Court's discretion concerning possible measures to be imposed for failing to file an Inventory and Appraisal within the required statutory time. Prob Code §§8804, 10953, 11050-11051, 12205

TENTATIVE RULING:

Appearance required. Counsel and Administrator to appear and advise the Court on the current status of filing an Inventory and Appraisal.

CASE#: 23PR-00291

CASE NAME: Estate of Ruben Galindo

THIS CASE IS SET FOR HEARING ON:

Continued from October 2, 2024 re: First and Final Account and Report of Personal Representative and Petition for Its Settlement, For Allowance of Compensation for Ordinary Services, and for Final Distribution

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

1. No notice to all heirs and persons who requested special notice. Prob Code §§11000, 1220 *Corrected
2. Court's discretion concerning the distribution to the minor as requested via CUTMA to the named custodian or another manner the Court determines to be in the best interest of the minor. Prob Code §3413
3. Receipts for vehicle and insurance purchases made on behalf beneficiary Ruben Junior Galindo and a signed Preliminary Distributive Receipt signed by heir Ruben Junior Galindo II. *Corrected

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 23PR-00324

CASE NAME: In the Matter of the J&E Bettencourt Trust Dated February 22, 2002

THIS CASE IS SET FOR HEARING ON:

Continued from July 18, 2024 re: Status Review Hearing

**THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED
(*as reviewed in the Supplement filed on 4/24/24):**

1. Attached Home Depot receipt reflects a purchase of \$268.88 and Petitioner is seeking a reimbursement of \$281.52.
2. Appraisals:
 - a. Attached Invoice dated 3/24/24 for \$200.00 is not reflected as a reimbursement sought.
 - b. No appraisal invoice has been submitted for the November 2022 appraisal in the amount of \$200.00
 - c. No appraisal invoice has been submitted for the January 2024 appraisal in the amount of \$400.00
3. Petitioner is seeking reimbursement for \$944.02 for undated Property Assessment Taxes that is less than the attachment consisting of an undated printed email confirmation document with a handwritten title "Property Tax Supplement 350 E. Main St., Merced" reflecting two payments for APN: XXX-XXX-982-000 for \$519.21 and \$549.21 totaling \$1,072.37.
4. The Seller's Statement reflects a debit entry identified as "Paymnet Deferreed [sic] Total Balance" for \$2,307.76. This amount is included as part of the mortgage payoff in the amount of \$59,656.92. Additional clarification as to nature of this entry (i.e. deferred mortgage payments?).

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 24PR-00057

CASE NAME: Estate of Gregoria M. Cosio

THIS CASE IS SET FOR HEARING ON:

Continued from May 3, 2024 re: Status on Filing on an Inventory and Appraisal

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

None.

TENTATIVE RULING:

No appearance required. Inventory and Appraisals have been filed on October 29, 2024. A Status Hearing ensuring the Closing of the Estate is hereby set for June 2, 2025 at 8:15 a.m. in Courtroom 10.

CASE#: 24PR-00058

CASE NAME: Estate of Isabel Herrera

THIS CASE IS SET FOR HEARING ON:

Continued from May 3, 2024 re: Status on Filing on an Inventory and Appraisal

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

None.

TENTATIVE RULING:

No appearance required. An Inventory and Appraisal was filed on June 10, 2024. A Status Hearing ensuring the Closing of the Estate is hereby set for June 4, 2025 at 8:15 a.m. in Courtroom 10.

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CASE#: 24PR-00411

CASE NAME: Estate of Jose J. Andrade Calderon, Jr.

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. The decedent is a citizen of a foreign country and no notice has been provided to the recognized diplomatic or consular official of the foreign country maintaining an office in the United States. Prob Code 8113
2. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124

TENTATIVE RULING:

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

(End of Tentative Rulings)