

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, October 17, 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#:** 23PR-00424

**CASE NAME:** Estate of Sylvia Ann Martin

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

Petition for Final Distribution on Waiver of Account, First and Final Report of Administrators, and Petition for Compensation of Statutory Fees and Costs to Attorney

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

None.

**PROBATE EXAMINER'S RECOMMENDATION:**

Recommend to approve. A Status Hearing to be set for January 23, 2025 at 8:15 a.m. in Courtroom 10 ensuring the closing of the estate. The Status Hearing currently set for March 17, 2025 at 8:15 a.m. in Courtroom 10 to be vacated.

(continued on next page)

**CASE#:** 24PR-00278

**CASE NAME:**

In the Matter of the Dulcia Erlene Elam Family Trust dated December 11,1992

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

Petition for Order to Confirm Validity of Trust; Confirm Trustee; and Confirm Real Property as Trust Asset

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

1. Petition does not identify the names and addresses of each person entitled to notice. Prob Code §17201
2. Notice has not been provided on mandatory Judicial Council form *Notice of Hearing on Petition to Determine Claim to Property* (DE-115) to all interested parties. Prob Code §851

**PROBATE EXAMINER'S RECOMMENDATION:**

Continue hearing to December 2, 2024 at 8:15 a.m. in Courtroom 10 for correction of deficiencies.

**CASE#:** 24PR-00279

**CASE NAME:** Estate of John Albert Fox

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

Petition for Letters of Testamentary with Full IAEA Authority

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

None.

**PROBATE EXAMINER'S RECOMMENDATION:**

No appearance required. Recommend to approve the Petition for Letters of Testamentary with Full IAEA Authority with no bond required. Decedent's Will to be admitted into Probate. Probate Referee Michael Wright to be appointed. A Status Hearing ensuring the filing of an Inventory and Appraisal to be set for April 17, 2025 at 8:15 a.m. in Courtroom 10.

(continued on next page)

**CASE#:** 24PR-00280

**CASE NAME:** Estate of Maria Elena Ruiz

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

Petition for Letters of Testamentary with Full IAEA Authority

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

1. Notice to the Mexican Consulate is required if beneficiary Ruben Rodriguez is a citizen of Mexico. Prob Code §8113

**PROBATE EXAMINER'S RECOMMENDATION:**

Continue hearing to December 2, 2024 at 8:15 a.m. in Courtroom 10 for notice to be provided to the Mexican Consulate.

**CASE#:** 24PR-00371

**CASE NAME:** Estate of Jean Yook Fong

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

Petition for Administration with Full IAEA Authority

**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. Proposed Letters and Order for Probate has not been submitted.  
Prob Code §8006, §8400

**PROBATE EXAMINER'S RECOMMENDATION:**

Remains under review/case will be updated as necessary.

(End of Tentative Rulings)

\*updated 10/2/24 – 4 pm