

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: Wednesday, March 5, 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#: 20PR-00183

CASE NAME: Estate of Edward Cargile Willmon

THIS CASE IS SET FOR HEARING ON:

Continued from November 15, 2024 re: Status of Closing of the Estate

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

1. An Ex Parte Petition For Final Discharge And Order (DE-295) has not been submitted.
Prob Code §12250

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 22PR-00122

CASE NAME:

In re the Aldo Igino Assali and Pauline Marion Assali 1997 Trust u/i/d November 3, 1997

THIS CASE IS SET FOR HEARING ON:

Continued from November 15, 2024 re: Status Review of Settlement/Closure

TENTATIVE RULING:

The Court is in receipt of the recently filed Status Reports by the parties reflecting continued compliance with the terms of the settlement agreement. Absent any Objection, the Status Hearing is dropped from calendar and an Order to Show Cause re: Dismissal to be set for August 7, 2025 at 8:15 a.m. in Courtroom 10.

CASE#: 22PR-00300

CASE NAME: Conservatorship of Herminia Malardino

THIS CASE IS SET FOR HEARING ON:

Continued from November 15, 2024: Status Ensuring All Assets were transferred to the Trust

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

1. Distributive Receipt and an Ex Parte Petition for Final Discharge have not been filed. Prob Code §2100
2. A Status Report has not been filed as directed by the Court as the November 15, 2024 hearing.

TENTATIVE RULING:

Appearance required. Counsel to advise the Court as to the current case status.

CASE #: 23PR-00078

CASE NAME: Estate of George D. Hathaway, Jr.

THIS CASE IS SET FOR HEARING ON:

Continued from November 15, 2024 re:

1. Order to Show Cause re: Sanctions for Failure to Appear
2. Order to Show Cause re: Why the Executor Should not be Removed

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

Appearance required.

CASE#: 24PR-00138

CASE NAME: Estate of Edgar Nandkishore

THIS CASE IS SET FOR HEARING ON:

First and Final Report of Executor and Petition for: 1) Approval Thereof; 2) Waiver of Accounting; 3) Waiver of Statutory Executor's Fees; 4) Payment of Statutory Attorney's Fees and Costs; 5) Final Distribution

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

None.

TENTATIVE RULING:

Recommend to approve the *First and Final Report of Executor and Petition for: 1) Approval Thereof; 2) Waiver of Accounting; 3) Waiver of Statutory Executor's Fees; 4) Payment of Statutory Attorney's Fees and Costs; 5) Final Distribution*. Counsel to submit a proposed Order. A Status Hearing ensuring the Closing of the Estate to be set for July 2, 2025 at 8:15 a.m. in Courtroom 10.

CASE#: 25PR-00039

CASE NAME: Estate of Eugenie Mary Kucirek

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. No Proof of Publication with the corresponding signed affidavit.
Prob Code §8121, §8124

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)