

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

-----  
DATE: Wednesday, December 22, 2022  
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. **To limit the spread of the COVID-19 virus, the court encourages remote hearings. 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#:** 21PR-00185

**CASE NAME:** Estate of Alvin F. Espinola

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

Petition for Waiver of First and Final Account; Final Distribution and Fee Request

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

None.

**TENTATIVE RULING:**

Petition for Waiver of First and Final Account; Final Distribution and Fee Request is grant.

(continued on next page)

**CASE#:** 22PR-00329

**CASE NAME:** Estate of Deborah L. D'Andrea

**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:**

None.

**TENTATIVE RULING:**

Recommend to grant. Counsel to submit Letters for Probate. A further Status hearing is to be set for June 22, 2023 at 8:15 a.m.

**CASE#:** 22PR-00330

**CASE NAME:** Estate of James Edward Fountain

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

Petition to Determine Succession to Real Property

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

None.

**TENTATIVE RULING:**

Recommend to grant.

(continued on next page)

**CASE#:** 22PR-00337

**CASE NAME:** Estate of Nicolas Sanchez Rodriguez

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

Spousal Property Petition

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

1. No notice to heirs/beneficiaries. Prob Code 13651(a)(5)

**TENTATIVE RULING:**

Hearing to be dropped for lack of service.

(End of Tentative Rulings)