

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

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: Thursday, May 2, 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#: 20PR-00183

CASE NAME: Estate of Edward Cargile Willmon

THIS CASE IS SET FOR HEARING ON:

Continued from February 22, 2024 re: Status of Closing of the Estate

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

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

TENTATIVE RULING:

Appearance required. Counsel to advise the Court on the current status of closing of the estate.

(continued on next page)

CASE#: 22PR-00367

CASE NAME: Estate of Dean Arthur Cook

THIS CASE IS SET FOR HEARING ON:

Continued March 11, 2024 re: Petition for Waiver of First and Final Account and Final Distribution; Fee Request

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

1. No Proof of Service has been filed reflecting Notice to the heirs.
Prob Code §§11000, 1220
2. No receipt filed by heir Debra Cabral for the received preliminary distribution.
Prob Code §11751
3. Detailed description of costs advanced by the administrator (\$28,368.99 and \$711.16) and counsel (\$453.00) for reimbursements sought has not been submitted.

TENTATIVE RULING:

Appearance required.

CASE#: 24PR-00023

CASE NAME: Estate of Dumitru Ciorbea

THIS CASE IS SET FOR HEARING ON:

Continued from April 11, 2024 re: Spousal Property Petition

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

1. Copy of most recent vesting deed to be submitted. *Corrected

TENTATIVE RULING:

Appearance required.

(continued on next page)

CASE#: 24PR-00042

CASE NAME: Estate of Veronica Alma Padilla

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:

None.

TENTATIVE RULING:

Petition for Letters of Administration with Full IAEA Authority is granted. A Status Hearing ensuring the filing of an Inventory and Appraisal is hereby set for November 7, 2024 at 8:15 a.m. in Courtroom10.

CASE#: 24PR-000045

CASE NAME: Residual Trust created under the Leon M. Becker and Doris Mae Becker 1989 Living Trust dated February 17, 1989

THIS CASE IS SET FOR HEARING ON:

Petition for Appointment of Successor Trustee

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

None.

TENTATIVE RULING:

Appearance required.

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CASE#: 24PR-00055

CASE NAME: Estate of Barbara G. Santos

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:

None.

TENTATIVE RULING:

Petition for Letters of Administration with Full IAEA Authority is granted. A Status Hearing ensuring the closing of the Estate is hereby set for June 12, 2025 at 8:15 a.m. in Courtroom 10.

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CASE#: PR001489

CASE NAME: Conservatorship of Ruben Esparza

THIS CASE IS SET FOR HEARING ON:

1. Fourth Account and Report of Conservator, Petition for Allowance of Fees to Conservator of the Estate and Person, Reimbursement of Costs and For Allowance of Attorney Fees
2. Fifth and Final Account and Report of Conservator, Petition for Allowance of Fees to Conservator of the Estate, Reimbursement of Advances Made by Conservator, and Petition for Order Authorizing the Conservator to Liquidate and Distribute Estate

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

Fifth and Final Accounting:

1. Disbursements reflected in Schedule C-2 reflect the Conservator writing a check on December 1, 2022 for \$1,575.06 to Las Casuelas and attributed as a funeral expense. The conservatee died on December 13, 2022 (12 days after payment was provided to Las Casuelas as a funeral related expense).
2. Court's discretion concerning the conservator's requested reimbursement for the following funeral related expenses:
 - a. December 16, 2022 – Dennys - \$51.81
 - b. December 18, 2022 - Las Casuelas - \$27.00
 - c. December 18, 2022 – La Perla Tapatia - \$71.06
 - d. December 20, 2022 – Costco (Food) - \$61.06
 - e. December 21, 2022 – La Perla Tapatia - \$27.09
 - f. 12/21/22 – Decoraciones Pilar (table clothes, linens, chair covers) - \$200.00
*(*accounting reflects similar payment to this vendor on 1/20/23 for \$410.00)*
3. Additional information needed concerning the expenses related to the following cash withdrawals totaling \$705.00 as the conservator is requesting additional reimbursed costs in the amount of \$685.49 for expenses incurred between December 16, 2022 and December 21, 2022:
 - a. December 19, 2022 - \$500.00
 - b. December 27, 2022 - \$205.00
4. Proposed distribution:
 - a. Petition to approve Fifth and Final Accounting does not identify the relationship and distributive cash distribution for each heir listed in paragraph 14.
 - b. The proposed distribution does not specify the disposition of the judgment owed to the estate.
 - c. What method is proposed to transfer the remaining estate assets to the heirs?
Prob Code §13100
5. Cash on Hand as reflected in the proposed Order for the Fifth and Final Accounting differs from the amount of Cash on Hand at the End of Accounting as listed in the Petition.

TENTATIVE RULING:

Appearance required.

(End of Tentative Rulings)