

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: Brian McCabe

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DATE: Monday, December 6, 2021  
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. **To limit the spread of the COVID-19 virus, the court will only conduct 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-00207

**CASE NAME:** In Re the John Ward Living Trust dated July 13, 1994.

**THIS CASE IS SET FOR HEARING ON:** Continued from October 4, 2021 re:

1. Breach of Fiduciary Duty
2. Request for Accounting
3. Suspension of Trustee and Appointment of Temporary Successor Trustee
4. Removal of Trustee and Appointment of Permanent Successor Trustee
5. Order Directing Trustee to pay compensation to Petition and his Counsel
6. Order Compelling Trust to perform His Duties and Order for Surcharge

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

1. No service to Trustee and beneficiaries. Prob Code §17203 [\\*Corrected](#)

**TENTATIVE RULING:**

Appearance required.

(continued on next page)

**CASE#:** 21PR-00217

**CASE NAME:** In the Matter of the Hanks Family Trust

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

Continued from September 27, 2021 re: Petition to Enforce Child Support Orders Against Trust and Against Trust Beneficiary

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

None.

**TENTATIVE RULING:**

Appearance required.

**CASE#:** 21PR-00304

**CASE NAME:** Estate of William B. Lampley III

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

Continued from October 22, 2021 re: Petition to Determine Succession to Real Property

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

1. Named Petitioner Ronald Eugene Anderegg has not signed the Petition.
2. Petition signed by Cheryl Lampley who is not named as a Petitioner.
3. Inventory and Appraisal signed by the Probate Referee is not attached.  
Prob Code §13152
4. Petition missing Attachment #11 – Legal Description of Real Property.
5. No facts submitted upon which the petitioner bases the allegation that the described property is property passing to the petitioner. Prob Code §13152
6. Petition missing Attachment #14 reflects the names, relationships to decedent, ages, and residence or mailing addresses of all persons named or checked in items, 1, 9 and 10; and all other heirs of the decedent.

**TENTATIVE RULING:**

Appearance required.

(End of Tentative Rulings)