

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: Wednesday, December 1, 2021
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 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#: 20PR-00186

CASE NAME: Estate of Thomas Rivas

THIS CASE IS SET FOR HEARING ON:

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

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

1. Notice has not been provided to any beneficiaries. Prob Code §11000, 1220
2. No explanation provided why the Ford Ranger was sold at a significant loss to the estate.
3. No proposed Order submitted.

TENTATIVE RULING:

Hearing is continued to January 6, 2022 at 8:15 a.m. for corrections of deficiencies.

(continued on next page)

CASE#: 21PR-00326

CASE NAME: Estate of Dawn Carry

THIS CASE IS SET FOR HEARING ON:

Petition for an Order to Release Funds held in Trust and for Appointment of Successor Trustee

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

1. Petition is not verified. CCP2015.5
2. The Petition is vague as to the lineage, remaining beneficiaries and possible estates concerning the named deceased beneficiaries Patrick B. Carry and William H. Carry.
3. What are the amounts in the financial institution to be distributed to each beneficiary?
4. Court's discretion concerning a possible bond requirement. Prob Code §15602

TENATIVE RULING:

Hearing is continued to January 6, 2022 at 8:15 a.m. for correction of the deficiencies.

CASE#: 21PR-00321

CASE NAME: Estate of Dearl James Harmon

THIS CASE IS SET FOR HEARING ON:

Continued from November 1, 2021 re: Petition for Letters of Testamentary with Full IAEA Authority

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

1. No Proof of Subscribing Witness submitted. Prob Code §8220

TENATIVE RULING:

Hearing is continued to January 5, 2022 at 8:15 a.m. for correction of the previously noted deficiency.

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CASE#: 21PR-00336

CASE NAME: Estate of Ydalia Perez Rosales

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:

Petition for Administration with full IAEA Authority is granted. Letters to issue upon posting of the \$667,748.00 bond.

CASE#: 21PR-00338

CASE NAME: Estate of Anthony L. Padeiro

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.

TENTATIVE RULING:

Petition for Letters of Testamentary with Full IAEA Authority is granted. Decedent's will to be admitted into Probate.

(End of Tentative Rulings)