

Current Probate Tentative Rulings			
Time	Case Number	Style	Tentative
<b><u>9:00</u></b>	19PR00079	Estate of Bachellerie, John Royal	The accounting is still not in proper form. This matter is continued to December 12, 2023 at 9:00 a.m. with an amended Petition to be filed on or before December 1, 2023.
9:00	20PR00074	Estate of Jones, John Leslie	At the request of counsel this matter is continued to April 23, 2024 at 9:00 a.m.
9:00	21PR00048	Estate of Honan, Robert Ross	The Motion to Compel is granted. Objectors Judy Jennings, Robert Lee Honan, Gary Honan and Robin Smith shall serve verified responses to Special Interrogatories, Form Interrogatories, and Inspection Demands without objection within 10 days' notice of this Order. The Court awards sanctions in the amount of \$7,560 (\$2,140 as to each Objector) which is to be paid within 30 days' notice of this Order. The Court will utilize the amended form of order submitted by counsel.
9:00	21PR00083	Estate of Ward-Williams, Jacqueline	The Court will hear from counsel.
9:00	21PR00285	Estate of Frerichs, Kelly Randall	The Court will hear from Ms. Epperson as to the status of filing the petition for final distribution.
9:00	21PR00401	Estate of Genzlinger, Mary K	At the request of counsel this matter is continued to November 28, 2023 at 9:00 a.m.
9:00	21PR00441	Estate of Leslie, Todd W	The First and Final Report of Administrator is settled and approved and the matter is set for a final discharge hearing on April 23, 2024 at 9:00 a.m. The Court will sign the form of order submitted by counsel.
9:00	21PR00585	Estate of Harness, Katherine M	At the request of counsel this matter is continued to December 19, 2023 at 9:00 a.m.
9:00	21PR00609	Estate of Sheehan, Sherri Ann	The Second Report of Status of Administration is settled and approved, the review hearing on February 6, 2024 is vacated, and the matter is set for a final discharge hearing on April 23, 2024 at 9:00 a.m. The Court will sign the form of order submitted by counsel.

9:00	22PR00045	Estate of Yarbrough, Steven Paul	At the request of counsel this matter is continued to October 22, 2024 at 9:00 a.m.
9:00	22PR00170	Estate of Rupert, Margaret Elizabeth	At the request of counsel this matter is continued to April 23, 2024 at 9:00 a.m.
9:00	22PR00171	Estate of Hays, Douglas Edgar	At the request of counsel this matter is continued to January 23, 2024 at 9:00 a.m.
9:00	22PR00172	Estate of Tarp, Alvin Floyd	At the request of counsel this matter is continued to April 23, 2024 at 9:00 a.m.
9:00	22PR00252	Estate of Battaglia, Barbara Lynne	The Court will hear from counsel regarding the status of filing the petition for final distribution.
9:00	22PR00303	Estate of Yarbrough, Ralph Kerne	At the request of counsel this matter is continued to October 22, 2024 at 9:00 a.m.
9:00	22PR00423	Estate of O'Connor, Patrick Michael	The Court will hear from counsel as to why sanctions should not be imposed for failure to appear in Court on August 29, 2023 and failure to file the petition for final distribution or status report.
9:00	22PR00503	Estate of Nicolas, Charles Larry	The First and Final Report of Status of Administration on Waiver of Account by Administrator and Petition for Settlement Thereof is settled and approved and the matter is set for a final discharge hearing on April 23, 2024 at 9:00 a.m. The Court will sign the form of order submitted by counsel.
9:00	22PR00509	Estate of Vichare, Manisha Prabhakar	At the request of counsel this matter is continued to January 23, 2024 at 9:00 a.m.
9:00	22PR00510	Estate of Group, David	The Report of Administrator on Waiver of Account and Petition for Final Distribution is settled and approved and the matter is set for a final discharge hearing on April 23, 2024 at 9:00 a.m. The Court will sign the form of order submitted by counsel.

9:00	22PR00512	Estate of Kirkpatrick, Kathleen Ann	At the request of counsel this matter is continued to October 22, 2024 at 9:00 a.m.
9:00	22PR00565	Estate of: Bacus, Patsy Lee	The Court will hear from the parties.
9:00	23PR00092	Maguire Trust as Amended dated July 22, 2008	<p>Petitioner's Request for Judicial Notice is granted. Respondent's Objections to Evidence are overruled. Petitioners' Objections to Evidence are overruled. As an initial matter, the Court notes that the Petition specifically seeks a determination by the Court regarding: 1) Construction of Trust Instrument; 2) Determination of Community Property; and 3) Appointment of Co-Trustees. The Court finds that the Motion for Summary Adjudication seeks to completely dispose of two of the above determinations (Construction of Trust Instrument and Appointment of Co-Trustees) and thus, the Court deems these causes of action for purposes of this summary adjudication motion.</p> <p>The Court's appointment of Lindsay Bowman as the sole Trustee of the Trust on April 25, 2023 (with the subsequent Order executed on May 10, 2023), was a temporary appointment during the pendency of this litigation. Thus, the issue of trusteeship is not rendered moot by the Court's prior appointment of Ms. Bowman. The Court finds that notice of the underlying Petition, as well as the instant Motion, has been provided as required by Probate Code §§ 1220, 17201, and 17203. There is no requirement that all interested persons appear, be joined, or participate in this probate proceeding. Notice is proper and the Court turns then to the merits of the Motion. The Court finds that there is a triable issue of material fact as whether the failure to comply with the provision in the Care Agreement relating to equal distribution to children, grandchildren, and great grandchildren [UMF Nos. 10-12; Exhibits A and G] renders the entire Restatement Number Two null and void, which is the relief requested by the Petitioner by way of this Motion. Therefore, the Motion for Summary Adjudication is denied as to the issue of whether "Restatement Number Two is Null and Void Pursuant to the Terms of the Care Agreement." However, the Court finds that the language of Section 3.1 of the Trust did not give settlor Gerald E. Maguire the power to amend or modify the Trust as to Gerald E. Maguire's community property interest, and the purported amendment and modification as to Settlor Gerald E. Maguire's community property interest set forth in the Restatement Number Two, dated February 8, 2022, is of no force or effect. [UMF No.1; Exhibit A]. The Court further finds that while the evidence sufficiently establishes that Petitioner was nominated to serve as successor co-trustee pursuant to Section 7.1 of the Trust and the writing dated September 23, 2018 [UMF Nos. 14-18; Exhibits A, C, F; Declaration of John I. Maguire at ¶1], the Court finds that a triable issue of material fact exists as to whether that nomination /appointment was subsequently revoked [Declaration of Gerald Maguire at ¶¶7.b. and 8, and Exhibits 1 and 4 thereto.] Thus, a triable issue of material fact exists as to the issue of whether "John Maguire is the Sole Trustee of the Maguire Trust" and the Motion for Summary Adjudication is denied in that regard. Finally, the Court finds that there</p>

			is a triable issue of material fact as to who is agent under a Power of Attorney for Marie Maguire. [UMF No. 20; Declaration of Gerald Maguire at ¶12]. Therefore, the Motion for Summary Adjudication is denied as to whether "John, as attorney in fact for Marie, is permitted to appoint trustees, and has in fact appointed himself, Christina M. Maguire, and Michael A. Maguire." Counsel for the Petitioner shall submit a revised form of order consistent with this ruling within two weeks.
9:00	23PR00103	Estate of Konsella, Donna M	The Petition for Order Approving Preliminary Distribution is granted and the Court will sign the form of order submitted by counsel.
9:00	23PR00188	Henderson Revocable Inter Vivos trust	At the request of counsel, the matter is continued to January 9, 2024 at 9:00 a.m.
9:00	23PR00198	In the Matter of: Trigueiro, Ethan	The Court will hear from counsel regarding status of filing proof of deposit into blocked account.
9:00	23PR00216	Timothy E Smith Special Needs Trust	The Court will hear from counsel.
9:00	23PR00374	The Georgia S. Shaver Revocable Living Trust of 2012, dated June 8, 2012	The petition to appoint Alison Somerville as Successor Trustee is granted. The Court denies the request to confirm Georgia S. Shaver's beneficial interest in the Estate of Hugh Milton Shaver, III, Tuolumne County Case #PR12246 as an asset of the trust. The request to confirm certain bank accounts as assets of trust is withdrawn. The Court will sign the form of order submitted by counsel.
9:00	23PR00407	Estate of Burns-Hough, Wanda Beth	The petition is granted, the Will dated November 15, 2011 is admitted to probate, letters testamentary with full authority shall issue, bond is waived, Jane Dolan is appointed as probate referee and a final distribution hearing is set for October 22, 2024 at 9:00 a.m. In the event the Executor is unable to file the petition for distribution hearing seven (7) days prior to the final distribution hearing, a status report shall be filed seven (7) days prior the hearing. The Court will sign the form of order submitted by counsel.
9:00	23PR00425	Estate of Boeger, Steven Karl	The Court has not yet received proof of publication, nor any of the required waivers of bond, which Petitioner indicated would be filed. The Court is inclined to grant the Petition upon submission of these documents and will hear form the Petitioner.
9:00	23PR00471	Estate of Moran, William Leo	The petition is granted and the Will dated May 15, 2018 is admitted to probate. Letters testamentary with full authority shall issue, bond is waived, Jane Dolan is appointed as probate referee and a final

			distribution hearing is set for October 22, 2024 at 9:00 a.m. In the event the Executors are unable to file the petition for final distribution seven (7) days prior to the final distribution hearing, a status report is to be filed seven (7) days prior to the hearing. The Court will sign the form of order submitted by counsel.
9:00	23PR00499	Estate of: Messer, Kirk Joseph	The petition is granted and the Court will sign the form of order submitted by counsel.
9:00	PR-36568	Estate of Virginia Periat Irrevocable Trust	The Twentieth Account and Report is settled and approved. The next accounting is to be filed by September 10, 2024 with a hearing on October 22, 2024 at 9:00 a.m. The Court will sign the form of order submitted by counsel.
9:00	PR-38175	Conservatorship of Periat, Virginia J	The Sixteenth Account and Report is settled and approved. The next accounting is to be filed by September 10, 2024 with a hearing on October 22, 2024 at 9:00 a.m. The Court will sign the form of order submitted by counsel.
<b><u>10:00</u></b>	19MH00352	*Confidential*	The Court will hear from counsel.
<b><u>10:15</u></b>	21PR00037	Conservatorship of Mattoon, Randal	The Second and Final Account is settled and approved, the review hearings on March 5, 2024 are vacated, and the matter is set for final discharge hearing on April 23, 2024 at 10:15 a.m. All previously deferred fees, totaling \$1,800, are to be paid within 30 days and Braddon Hatch is relieved as counsel. The Court will sign the form of order submitted by counsel.
10:15	22PR00167	Conservatorship of Holliday, Loreta	The Second and Final Account is settled and approved, the review hearings on April 30, 2024 and April 29, 2025 are vacated, and the matter is set for final discharge hearing on April 23, 2024 at 10:15 a.m. All previously deferred fees are waived and Braddon Hatch is relieved as counsel. The Court will sign the form of order submitted by counsel.
10:15	23PR00433	Conservatorship of: Tarbell, Tatiana	The Court will hear from counsel.
10:15	PR-23001	Limited Conservatorship of Martin, Marty Dewsnup	Based upon the Court Investigator's report dated October 16, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator information sheet is due by September 9, 2025 with a review hearing on October 21, 2025 at 10:15 a.m. The Court will sign the form of order submitted by counsel.

10:15	PR-35505	Limited Conservatorship of Manteufel, Frederich	Based upon the Court Investigator's report dated October 17, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator information sheet is due by September 9, 2025 with a review hearing on October 21, 2025 at 10:15 a.m. The Court will prepare the form of order.
10:15	PR-35947	Limited Conservatorship of: PUNZO, ELADIO, Jr	Based upon the Court Investigator's report dated October 18, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator information sheet is due by September 9, 2025 with a review hearing on October 21, 2025 at 10:15 a.m. The Conservator is directed to make efforts to locate and enroll the conservatee into a day program. The Court will sign the form of order submitted by counsel.
10:15	PR-36007	Limited Conservatorship of Hodge, Everett Dale	In light of the conservator's death the conservatorship is terminated by operation of law. Braddon Hatch is relieved as counsel for the conservatee, and no appearances are required.
10:15	PR-36942	Limited Conservatorship of Vue, Ger	Based upon the Court Investigator's report dated October 9, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator information sheet is due by September 9, 2025 with a review hearing on October 21, 2025 at 10:15 a.m. The Court will sign the form of order submitted by counsel.
10:15	PR-41107	Limited Conservatorship of Hoistad, Sarah Jane	Based upon the Court Investigator's report dated October 11, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator information sheet is due by September 9, 2025 with a review hearing on October 21, 2025 at 10:15 a.m. A review hearing regarding the efforts to obtain respite care services from Far Northern Regional Center is set for January 23, 2024 at 10:15 a.m. The Court will sign the form of order submitted by counsel.
10:15	PR-41151	Limited Conservatorship of Orozco, Nancy	Based upon the Court Investigator's report dated October 16, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator information sheet is due by September 9, 2025 with a review hearing on October 21, 2025 at 10:15 a.m. The Court will sign the form of order submitted by counsel.
<b><u>10:30</u></b>	21PR00242	Conservatorship of Thompson, Sharon	The Court will hear from counsel.

10:30	21PR00366	Conservatorship of Davidson, Richard	Based upon the Court Investigator's report dated October 17, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator's information sheet is due by September 10, 2024 with a review hearing on October 22, 2024 at 10:30 a.m. The Court will sign the form of order submitted by counsel.
10:30	22PR00122	Conservatorship of: Avila, Osiel Soria	Based upon the Court Investigator's report dated October 9, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator's information sheet is due by September 10, 2024 with a review hearing on October 22, 2024 at 10:30 a.m. The Court will prepare the form of order.
10:30	22PR00436	Conservatorship of: Thomas, Malachi Tate	Based upon the Court Investigator's report dated October 17, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator's information sheet is due by September 10, 2024 with a review hearing on October 22, 2024 at 10:30 a.m. Counsel is to submit a form of order within two weeks.
10:30	22PR00442	Conservatorship of: Fuller, Kelly Marie	Based upon the Court Investigator's report dated October 9, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator's information sheet is due by September 10, 2024 with a review hearing on October 22, 2024 at 10:30 a.m. Counsel is to submit a form of order within two weeks.
10:30	PR-26625	Conservatorship of Tupen, James E, III	Based upon the Court Investigator's report dated October 17, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator's information sheet is due by September 10, 2024 with a review hearing on October 22, 2024 at 10:30 a.m. The Court will sign the form of order submitted by counsel.
10:30	PR-30175	Conservatorship of Robinson, Dennis W	Based upon the Court Investigator's report dated October 17, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator's information sheet is due by September 10, 2024 with a review hearing on October 22, 2024 at 10:30 a.m. The Court will sign the form of order submitted by counsel.
10:30	PR-30176	Conservatorship of Tavis, Kimberly L	Based upon the Court Investigator's report dated October 17, 2023, which the Court has read and considered, the conservatorship remains necessary and appropriate and shall continue. Fees are deferred. The court investigator's information sheet is due by September 10, 2024 with a review hearing on October 22, 2024 at 10:30 a.m. The Court will sign the form of order submitted by counsel.

	PR-39995	Conservatorship of O'Connor, Sharon Hart	At the request of counsel this matter is continued to January 23, 2024 at 10:30 a.m.
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