

5-10-24 Probate Tentative Rulings

1. P00-13109 In the Matter of Tracy Ann Gamache

Conservatorship to continue. The conservatorship still appears to be warranted and the conservator is acting in the best interests of the conservatee regarding the conservatee's placement, quality of care, including physical and mental treatment, and finances. The next biennial review is set for May 8, 2026, at 9:00 a.m. in Dept. 6. The court investigation fee is waived. No appearances are required.

2. P05-14149 In the Matter of Wesley B. James

Appearances required. Concerns have been previously raised with respect to the conservatorship. The court is still awaiting a report from conservatee's counsel.???

3. P10-14991 In the Matter of Kevin M. Hepner

Conservatorship to continue. The conservatorship still appears to be warranted and the conservator is acting in the best interests of the conservatee regarding the conservatee's placement, quality of care, including physical and mental treatment, and finances. The next biennial review is set for May 8, 2026, at 9:00 a.m. in Dept. 6. The court investigation fee is waived. No appearances are required.

4. P15-15706 In the Matter of Jackson Bandimere

Conservatorship to continue. The conservatorship still appears to be warranted and the conservator is acting in the best interests of the conservatee regarding the conservatee's placement, quality of care, including physical and mental treatment, and finances. The next biennial review is set for May 8, 2026, at 9:00 a.m. in Dept. 6. The court investigation fee is waived. No appearances are required.

5. P17-16088 In the Matter of June Olive Fiore Revocable Trust, et al.

The accounting is approved; the acts of successor trustee and trustee compensation are approved as requested. A preliminary distribution of \$100,000 each to Judy Payne, Lola Bender, and Jerry Jerde is approved. Petitioner may collect personal property from Jerry Jerde pursuant to the Small Estate Affidavit for distribution per the trust and seek any additional orders as necessary in connection therewith if the property cannot be collected. No appearances are required.

6. P18-16274 In the Matter of Codi R. Heafey

Conservatorship to continue. The conservatorship still appears to be warranted and the conservator is acting in the best interests of the conservatee regarding the conservatee's placement, quality of care, including physical and mental treatment, and finances. The next biennial review is set for May 8, 2026, at 9:00 a.m. in Dept. 6. The court investigation fee is waived. No appearances are required.

7. PR0000107 In the Matter of Joseph Lidwell

The petition for final distribution is continued to July 12, 2024 at 9:00 a.m. in Dept. 6. The Probate Code requires service on the Franchise Tax Board (FTB) by mail, absent written consent by FTB on an appropriate Judicial Council form, for electronic service. *See* Probate Code section 9202 (c)(1) and 1215. (The court is cognizant of the information on the FTB website suggesting that facsimiles are accepted). Moreover, the petition does not include information as to whether a change of ownership was filed or not required pursuant to Probate Code section 8800(d). No appearances are required.

8. PR0000124 In the Matter of Patricia Ann Short

Counsel for conservatee has filed a report indicating that any objection to neurocognitive powers is withdrawn and consenting to use of the same by the conservator. Conservatorship to continue. The conservatorship still appears to be warranted and the conservator is acting in the best interests of the conservatee regarding the conservatee's placement, quality of care, including physical and mental treatment, and finances. Neurocognitive powers shall continue. The next biennial review is set for April 3, 2026, at 9:00 a.m. in Dept. 6. The court investigation fee is waived. No appearances are required.

9. PR0000181 In the Matter of Mark Kenneth Barbieri

Conservatorship to continue. The conservatorship still appears to be warranted and the conservator is acting in the best interests of the conservatee regarding the conservatee's placement, quality of care, including physical and mental treatment, and finances. The court finds good cause to waive further accountings per Probate Code 2628. The next biennial review is set for May 8, 2026, at 9:00 a.m. in Dept. 6. The court investigation fee is waived. No appearances are required.

10. PR0000188 In the Matter of Todd Alan Goodin

The first accounting is approved. As to the request to dispense with notice in the future to Carmen Goodin, the conservatee's former spouse, no objection having been received, the request is granted. No appearances are required.

11. PR0000217 In the Matter of Poppy Blue McKnight

The accounting is continued to June 14, 2024 at 9:00 a.m. in Dept. 6. The clerk shall send notice to the guardian, through her attorney Christine James, that an accounting must be filed by June 3, 2024. *See* Probate Code section 2620(a)(first annual requirement). No appearances are required.

12. PR0000344 In the Matter of Michael Wayne Roberts

Appearances required for trial setting and confirmation of counsel for petitioner Watson.

13. PR0000367 In the Matter of Leilani Asonia Hollingshead

The hearing is continued to June 14, 2024 at 9:00 a.m. in Dept. 6. The Franchise Tax Board filed a request for special notice and they have not been served. The court notes that the terms of the will as written would result in approximately one-half of the estate going to Richard with the remaining one-half being split equally among the remaining siblings. The Petitioner may submit additional information to show why the testator's intent would be an equal split among all the siblings, as the Petition requests.

14. PR0000430 In the Matter of Isaiah Schneider

The petition for limited conservatorship is *temporarily* granted as prayed. Alta Regional Center has requested that the limited conservators *not* have the power to control the conservatee's power to marry or enter into a domestic partnership, or the power to control the conservatee's social and sexual relationships, because Alta Regional has programs to assist its clients in navigating relationships. Conservators oppose the same. Katie Lenore is appointed as counsel for the conservatee. A further hearing regarding the disputed powers is set for June 14, 2024, at 9:00 a.m. in Dept. 6. Conservatee's counsel shall submit conservatee's position at least 5 court days prior thereto. No appearances are required.

15. PR0000442 In the Matter of R. Bramley Palm, Jr.

Appearances required for trial setting. The unopposed motion to compel further responses to respondent's demand for production of documents is granted. Attorney's fees are granted in the amount of \$2,145.00, based on the hours actually spent as of the issuance of this tentative ruling.

16. PR0000455 In the Matter of Wade Amesbury

Appearances required for status regarding proposed conservatorship and potential trial setting.

17. PR0000480 In the Matter of Mary Dentoni

Appearance required by petitioner Diana Dentoni as to the petition to remove executor and the petition for probate. First, petitioner must address the OSC re: sanctions for failure to appear at the March 9, 2024, hearing. Second, there are a number of deficiencies with respect to the petition. It appears that the sole asset of the estate is a trust asset that is not subject to probate; thus it appears that probate is unnecessary. Any petition for removal must be directed at the trustee as opposed to executor. The petition for probate is incomplete, as the bond portions have been left blank and the proof of service has not been filled out correctly. Additionally, there is no proof of publication and the DE-147 form has not been filed. Petitioner must indicate whether she intends to address these deficiencies and when. The court shall deny the petition without prejudice should petitioner fail to appear as directed.

18. PR0000487 In the Matter of Scott Richards

The hearing on the petition is continued to July 5, 2024 at 9:00 a.m. in Dept. 6 to allow for the following deficiencies in the Petition to be corrected: As the will is not self-proving, a Proof of Subscribing Witness (form DE-131) must be signed by at least one of the witnesses to the will. The Notice of Hearing does not indicate that it was served on anyone, but the decedent is survived by two heirs who must be given notice. Bond will be required because the will does not waive bond and not all of the beneficiaries are adults who have the legal capacity to waive bond. An Inventory and Appraisal (form DE-160) will be required in order to determine the amount of bond required. Publication must be completed and proof of publication filed with the court before the order for probate can be granted. No appearances are required.

19. PR0000495 In the Matter of David Randolph Griffis

On the request of the petitioner, the hearing is continued to 6/28/24 at 9:00 a.m. in Dept. 6. No appearances are required.

20. PR0000500 In the Matter of Charles T. Whittlesey

The petition to administer estate is conditionally granted, subject to filing proof of publication at or prior to the hearing.

21. PR0000510 In the Matter of James Thomas Purcell

The petition to administer estate is granted. No appearances are required.

22. PR0000518 In the Matter of Donald Robert Lewis

The hearing regarding petition to administer estate is continued to June 14, 2024 at 9:00 a.m. in Dept. 6. Petitioner shall file a complete copy of the will. The copy attached to the petition is missing pages 3 and 4. The proof of publication has not yet been filed. No appearances are required.

23. PR0000521 In the Matter of Earlene Tankersley

Appearances required. Absent objection by counsel for conservatee, the court intends to grant the petition for conservatorship.

24. PR0000522 In the Matter of Jesse James Gray

Appearance required for hearing on petition to approve compromise of minor's disputed claim as good cause for waiver of appearances has not been demonstrated. The court is favorably inclined to grant the petition.

25. PR0000523 In the Matter of Matthew Quentmeyer

The petition for an order confirming trust assets is granted as prayed. No appearances are required.

26. P21-16807 In the Matter of Joshua Black

The Petition is granted as prayed. No appearances are required.

27. Estate of Waddington

The Petition to Administer Estate is granted as prayed. Bond is set in the amount of \$333,000.