

1. CONSERVATORSHIP OF C.R., SMH20210001

Petition for Reappointment

Before the court is the petition for reappointment of the LPS conservator of the person and estate. The conservatee opposes reappointment.

On April 4 and May 30, 2025, counsel for the conservatee requested a continuance of the matter, both of which the court granted.

TENTATIVE RULING # 1: APPEARANCES ARE REQUIRED AT 8:30 A.M., FRIDAY, JULY 11, 2025, IN DEPARTMENT FOUR.

2. ESTATE OF RUNNELS, 23PR0004**Status of Administration**

On June 18, 2025, the administrator of the estate submitted a report of status administration, requesting a further continuance of this matter until July 2026, on the grounds that the administrator is still involved in ongoing litigation on behalf of the estate. The administrator is the only child and sole heir of the decedent. Good cause appearing, the administrator's request for a further continuance is granted.

TENTATIVE RULING # 2: UPON THE ADMINISTRATOR'S REQUEST, MATTER IS CONTINUED TO 8:30 A.M., FRIDAY, JULY 10, 2026, IN DEPARTMENT FOUR.

3. ESTATE OF RAMIREZ, 22PR0258**Status of Administration**

On July 12, 2024, the parties stipulated to stay this probate action pending the disposition of the related civil action in El Dorado Superior Court Case Number 24CV0833. The next scheduled court hearing in the related matter is a settlement conference on March 18, 2026; a trial is set for April 20, 2026.

TENTATIVE RULING # 3: UPON THE COURT’S OWN MOTION AND IN THE INTEREST OF JUDICIAL ECONOMY, MATTER IS CONTINUED TO 8:30 A.M., FRIDAY, MAY 1, 2026, IN DEPARTMENT FOUR.

4. GUARDIANSHIP OF HUNTER F., SP20170010**Annual Review Hearing**

Letters of Guardianship of the person were issued on June 28, 2017. The annual guardianship status report (Judicial Council Form GC-251) concerning the minor was submitted by the guardians. Having read and considered the report, the court finds that the guardianship remains necessary and shall continue.

TENTATIVE RULING # 4: THE COURT FINDS THAT THE GUARDIANSHIP REMAINS NECESSARY AND SHALL CONTINUE. THE COURT SETS THE NEXT ANNUAL REVIEW HEARING AT 8:30 A.M., FRIDAY, JULY 10, 2026, IN DEPARTMENT FOUR.

5. GUARDIANSHIP OF QUETZALI L., 22PR0117**Annual Review Hearing**

Letters of Guardianship of the person were issued on June 15, 2022. The annual guardianship status report (Judicial Council Form GC-251) concerning the minor was submitted by the guardian. Having read and considered the report, the court finds that the guardianship remains necessary and shall continue.

TENTATIVE RULING # 5: THE COURT FINDS THAT THE GUARDIANSHIP REMAINS NECESSARY AND SHALL CONTINUE. THE COURT SETS THE NEXT ANNUAL REVIEW HEARING AT 8:30 A.M., FRIDAY, JULY 10, 2026, IN DEPARTMENT FOUR.

6. CONSERVATORSHIP OF R.G., 24PR0078

Annual Review Hearing

Letters of limited conservatorship of the person were issued on July 12, 2024. To date, the court investigator's report is not in the court's file.

TENTATIVE RULING # 6: APPEARANCES ARE REQUIRED AT 8:30 A.M., FRIDAY, JULY 11, 2025, IN DEPARTMENT FOUR.

7. THE MESA TRUST DATED MARCH 26, 1984, 23PR0157**Petition to Appoint Successor Trustee**

On March 11, 2025, petitioner Jamie Beard filed a petition to appoint herself as successor trustee. On May 9, 2025, Edward Jones filed an objection and response to the petition.

At the hearing on May 9, 2025, the court continued the matter and set a briefing schedule regarding Jones's objection and response, specifically, the issues of (1) whether Jones has standing to object and respond to the petition; and (2) whether Beard has standing to bring the petition.

On June 6, 2025, Jones filed a timely opposition; and on June 20, 2025, Beard filed a timely reply (on June 24, 2025, Beard filed a notice of errata to include Exhibit A [death certificate of Carlos Francisco Mesa, Jr.], which was inadvertently omitted from Beard's reply).

1. Background

In 1984, Carlos Mesa, Sr. and Adelaida Mesa executed the Trust. Adelaida had two children: Carlos Mesa, Jr. and Cecilia Mesa (formerly known as, and referred to in the Trust as, "Cecilia C. Sheldon").

Carlos Sr.¹ died in 1986. In 2010, Adelaida amended the Trust. At the time, Adelaida was the sole trustee. The amended Trust states that, should Adelaida be unable or unwilling to act as trustee, Carlos Jr. shall be the successor trustee. The property in the amended Trust consists of four pieces of real property and various personal property. Upon Adelaida's death, all Trust property was to be distributed to Carlos Jr.

Adelaida died in 2021. Upon Adelaida's death, and in accordance with the terms of the amended Trust, Carlos Jr. was appointed the sole successor trustee of the Trust.

Carlos Jr. died intestate on July 11, 2022, before distributing the Trust assets to himself.

¹ For clarity, the court will refer to the Mesa parties by first name only. The court intends no disrespect.

On July 14, 2023, under the above-captioned case number, Cecilia filed a petition to appoint herself as successor trustee. The court granted the petition.²

Cecilia died in December 2024. She is survived by her spouse, Edward Jones.

On March 11, 2025, Beard brought the instant petition to appoint herself as successor trustee.

2. Jones's Standing to Challenge the Petition

Beard's petition is brought under Probate Code section 17200. An "interested person," as defined under Probate Code section 48, has standing to respond or object to such petitions. (*Colvis v. Binswanger* (2023) 96 Cal.App.5th 393, 398.)

Probate Code section 48, subdivision (a) provides, "Subject to subdivision (b), 'interest person' includes any of the following: [¶] (1) An heir, devisee, child, spouse, creditor, beneficiary, and any other person having a property right in or claim against a trust estate or the estate of a decedent which may be affected by the proceeding. [¶] (2) Any person having priority for appointment as personal representative. [¶] (3) A fiduciary representing an interested person." (*Ibid.*)

Jones claims he has standing under Probate Code section 48 because his financial and legal interests may be directly impacted by the outcome of the petition, "particularly if an unqualified or unauthorized person is appointed Trustee." (Opp., filed June 6, 2025, at 9:6–9.) Additionally, Jones claims he is an "interested person" because he is the surviving spouse of Cecilia, the most recent trustee. Jones argues that "his spousal status confers a direct and potentially impacted interest, particularly given the nature of Cece's actions as Trustee and how Trust assets were handled." (Opp., filed June 6, 2025, at 10:14–19.)

² Beard claims Cecilia made false representations in her 2023 petition and that the court granted the petition based on Cecilia's false representations. Additionally, Beard claims that, while she was acting as trustee, Cecilia sold the Trust assets and wrongfully kept the proceeds of sale for herself without probating Carlos Jr.'s estate. However, none of these allegations are relevant to the current issue of standing.

The court disagrees. Jones has not shown any property right in or claim against the Trust estate. Jones's argument is that, as the spouse of Cecilia – who could potentially be held liable in the future for her past conduct in the role as trustee – Jones's property rights could be affected by the instant petition. But, Jones does not adequately show what property rights may be affected or how, and his argument is conclusory and speculative. The sole named beneficiary of the Trust is Carlos Jr.

Based on the above, the court finds that Jones lacks standing to object or respond to the instant petition.

3. Beard's Standing to Petition for Appointment of Successor Trustee

Probate Code section 17200, subdivision (a) confers statutory standing on the beneficiary of a trust to petition the trial court "concerning the internal affairs of the trust." (*Ibid.*) This includes a petition to appoint a trustee. (*Id.* at subd. (b)(10).)

Probate Code section 24 defines "beneficiary," for trust purposes, as "a person to whom a donative transfer of property is made *or that person's successor in interest*, and: [¶] ... [¶] (c) As it relates to a trust, means a person who has any present or future interest, vested or contingent." (*Id.* at subd. (c) [emphasis added].)

Here, the sole beneficiary of the Trust was Carlos Jr., who died intestate. His successor in interest has statutory standing to bring the instant petition. (Prob. Code, § 24.) Under Code of Civil Procedure section 377.11, a " 'decendent's successor in interest' means the beneficiary of the decedent's estate or other successor in interest who successor in interest who succeeds to a cause of action or to a particular item of the property that is the subject of a cause of action." (*Ibid.*)

Under intestate succession law, Carlos Jr.'s entire intestate estate passes to Beard, the sole issue of Carlos Jr. (Prob. Code, § 6402, subd. (a).)³ In other words, Beard is Carlos Jr.'s

³ The court finds Beard has established Carlos Jr. is her "natural parent" based on the declarations showing Carlos Jr. received Beard into his home and openly held out Beard

successor in interest and has standing to bring the instant petition under Probate Code section 17200.

TENTATIVE RULING # 7: THE COURT FINDS EDWARD JONES LACKS STANDING TO OBJECT OR RESPOND TO THE INSTANT PETITION BECAUSE HE DOES NOT QUALIFY AS AN “INTERESTED PERSON” UNDER PENAL CODE SECTION 48. FURTHER, THE COURT FINDS THAT PETITION JAMIE BEARD HAS STANDING TO BRING THE INSTANT PETITION AND GRANTS HER PETITION TO BE APPOINTED AS SUCCESSOR TRUSTEE. NO HEARING ON THIS MATTER WILL BE HELD (*LEWIS v. SUPERIOR COURT* (1999) 19 CAL.4TH 1232, 1247), UNLESS A NOTICE OF INTENT TO APPEAR AND REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT’S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 573-3042 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. NOTICE TO ALL PARTIES OF AN INTENT TO APPEAR MUST BE MADE BY TELEPHONE OR IN PERSON. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

to be his natural child, as well as Beard’s birth certificate, which indicates Carlos Jr. is the father. (See Prob. Code, § 6453; Fam. Code, § 7611, subd. (d).)

8. GUARDIANSHIP OF GUNIT K., 25PR0141**(A) Petition to Appoint Guardian****(B) Special Immigrant Juvenile Findings**

The court received notice from Quest Investigations that because the petitioner is not a relative of the proposed ward, the investigation must be referred to the county agency designated to investigate potential dependency. Accordingly, the clerk is directed to refer the case to Child Protective Services to conduct the court investigation. The matter is continued to August 22, 2025, at 10:00 a.m.

TENTATIVE RULING # 8: MATTER IS CONTINUED TO 10:00 A.M., FRIDAY, AUGUST 22, 2025, IN DEPARTMENT FOUR. NO APPEARANCE IS REQUIRED.