

May 11, 2026
Dept. 9
Probate Tentative Rulings

1.	23PR0092	MATTER OF AESCHLIMAN LIVING TRUST
Petition to Remove Trustee		

Petitioner Randall Aeschliman (“Randy”), is an interested person with respect to the Dale Aeschliman Living Trust established September 30, 2020 (the “Trust”). Petitioner brings this petition under Probate Code §§ 17200 and 15642 for an order removing the current trustee, Amber Peters (former professional fiduciary), and appointing Petitioner as successor trustee.

Petitioner is not named as a beneficiary under the Trust instrument, but his right to distribution arises under a written settlement agreement approved by this Court on March 12, 2024 resolving litigation concerning the validity and disposition of the Trust.

Pursuant to the settlement, the trustee was directed to:

- a. Distribute the cash sum of \$50,000 to the Settlor’s caretaker and named beneficiary under the Trust, Taylor Northern (“Taylor”);
- b. Retain a reserve of \$60,000 solely for payment of final administrative expenses and taxes; and
- c. Distribute the remaining trust estate equally to Settlor’s children, Randy Aeschliman and Mark Aeschliman.

Petitioner states that the initial distributions were made, but not the final distribution of the reserve. Mark Aeschliman is now deceased, and was not survived by his spouse. The trustee has not communicated with Petitioner for over a year and has not responded to his attempts to contact her.

The Trust instrument provides a method for succession of trustees. The instrument names Amber Peters as trustee and further names Kathryn Cain, a licensed professional fiduciary, as successor trustee if Ms. Peters is unable or unwilling to act. Ms. Cain has declined to serve. (Exhibit 4). Petitioner seeks to be appointed, with bond waived.

Petitioner requests that the Court:

1. Find that notice has been given as required;
2. Remove Amber Peters as trustee of the Dale Aeschliman Living Trust dated September 30, 2020;
3. Appoint Randall Aeschliman as successor trustee;
4. Waive bond;

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5. Order Amber Peters to deliver to the successor trustee within 30 days all Trust assets, records, accounts, and information in her possession or control;

6. Authorize the successor trustee to administer the Trust, prepare a final accounting, and make final distributions consistent with the Court-approved settlement agreement; and,

7. Grant such other and further relief as the Court deems proper.

There is no objection nor any response by the trustee.

TENTATIVE RULING #1:

ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED. ANY PERSON WHO HAS AN OBJECTION MAY MAKE IT ANY TIME, EVEN ORALLY AT THE HEARING (PROBATE CODE § 1043).

IF A PARTY OR PARTIES WISH TO APPEAR REMOTELY, INSTRUCTIONS FOR REMOTE APPEARANCES CAN BE FOUND ON THE COURT'S WEBSITE.

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2.	25PR0012	MATTER OF DOVER
Petition for Final Distribution		

Letters of Administration were issued on March 24, 2025, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on May 20, 2025.

Proof of Service of Notice of the hearing on the Petition was filed on May 11, 2026. No one has filed a request for special notice in this proceeding.

The proposed distribution of the estate includes full distribution to Petitioner.

The Petition requests:

1. The administration of the estate be brought to a close without the requirement of an accounting;
2. The Waiver of Account and Report of Administrator be settled, allowed and approved;
3. All acts and proceedings of the Administrator be confirmed and approved;
4. Distribution of the estate in Petitioner's hands and any other property of the estate not now known or later discovered be distributed to the beneficiaries as set forth in the Petition; and,
5. **Upon filing of receipts and the Ex Parte Petition for Discharge, Petition may be discharged and released from all liability that may be incurred thereafter.**

TENTATIVE RULING #2:

ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED. ANY PERSON WHO HAS AN OBJECTION MAY MAKE IT ANY TIME, EVEN ORALLY AT THE HEARING (PROBATE CODE § 1043).

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, MAY 10, 2027, IN DEPARTMENT NINE. PETITIONER OR COUNSEL ARE ORDERED TO PERSONALLY APPEAR, OR FILE A STATUS UPDATE WITH THE COURT AT LEAST TWO WEEKS BEFORE THAT HEARING.

IF A PARTY OR PARTIES WISH TO APPEAR REMOTELY, INSTRUCTIONS FOR REMOTE APPEARANCES CAN BE FOUND ON THE COURT'S WEBSITE.

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3.	25PR0351	ESTATE OF WOOD
Petition to Determine Succession		

At the hearing held on February 9, 2026, the Court continued the matter at the request of the parties to give them an opportunity to meet and confer. Nothing new has been filed since the previous hearing.

TENTATIVE RULING #3:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MAY 11, 2026, IN DEPARTMENT NINE.

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4.	25PR0059	MATTER OF LINDENAUER
Status		

Petitioner filed a status report, indicating that the estate is not ready to be distributed. Petitioner requested authority to continue the administration and have a further status conference.

TENTATIVE RULING #4:

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, MAY 10, 2027, IN DEPARTMENT NINE. PETITIONER OR COUNSEL ARE ORDERED TO PERSONALLY APPEAR, OR FILE A STATUS UPDATE WITH THE COURT AT LEAST TWO WEEKS BEFORE THAT HEARING.

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5.	22PR0096	MATTER OF LITRELL SPECIAL NEEDS TRUST
Accounting		

The venue of this Trust was transferred to El Dorado County from Solano County by Order of the Solano County Superior Court.

The Fifth Account and Report was approved by the court at a hearing held on March 25, 2024.

The Trust calls for accountings “in the manner and frequency required by Probate Code § 1060 and 2620, or as ordered by the Court.” Probate Code § 2620(a) provides that accountings are required “not less frequently than biennially, unless otherwise ordered by the court to be more frequent, . . .” Although the court initially set a review hearing for the Fifth Accounting one year after the Fourth Accounting, there is no requirement in the Trust or the Probate Code to generate an annual accounting.

On March 5, 2026, the Trustee filed a Petition for approval of the Sixth Account and Report of Trustee. In addition, the Petition requests:

1. Approval of the waiver of trustee fees;

2. Approval of the payment of attorney’s fees in the amount of \$5,075 for services to the Trust and \$497.17 in costs, as documented in Exhibit B to the Petition.

TENTATIVE RULING #5:

ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED. ANY PERSON WHO HAS AN OBJECTION MAY MAKE IT ANY TIME, EVEN ORALLY AT THE HEARING (PROBATE CODE § 1043). A REVIEW HEARING FOR THE SEVENTH ACCOUNT AND REPORT IS SET FOR 8:30 A.M. ON MONDAY, MAY 9, 2028.

IF A PARTY OR PARTIES WISH TO APPEAR REMOTELY, INSTRUCTIONS FOR REMOTE APPEARANCES CAN BE FOUND ON THE COURT’S WEBSITE.

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6.	25PR0332	MATTER OF WINTERS TRUST
Accounting		

On March 5, 2026, Judge Balfour ordered that the Trustee provide an accounting before April 30, 2026. Pursuant to that Order, Petitioner, Jeffrey Murray, Sr., as Trustee of the Winters Family Trust created December 15, 1996, under the terms of the Trust established May 5, 1989, presents his verified Petition for Settlement of First and Final Account and Report of Trustee (Probate Code § 17200(b)(5)).

The Petitioner requests:

1. The Court determine that notice of hearing has been given as required by law;
2. The Court determine that this First and Final Account and Report of Trustee is settled, allowed, and approved, and all acts and transactions of Trustee set forth in it or relating to the matters set forth in it, are ratified, confirmed and approved;
3. The Court make such other relief as it considers proper.

There is no objection.

TENTATIVE RULING #6:

ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED. ANY PERSON WHO HAS AN OBJECTION MAY MAKE IT ANY TIME, EVEN ORALLY AT THE HEARING (PROBATE CODE § 1043).

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7.	25PR0199	MATTER OF OLSEN REVOCABLE TRUST
Contempt		

On November 17, 2025, in this Court, Stephenie Shirkey, Judge Pro Tem presiding, made an order directing Scott M. Olsen to execute a Grant Deed conveying the real property from the Dave and Jan Olsen Family 2011 Revocable Trust dated June 28, 2011, to Michael E. Olsen, individually as a married man. To date, and despite efforts by Petitioner's counsel, Respondent has failed to comply.

TENTATIVE RULING #7:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MAY 11, 2026, IN DEPARTMENT NINE.

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8.	25PR0239	MATTER OF PETROCCHI TRUST
Petition		

The parties stipulated to continue the March 30, 2026, hearing, which the Court granted. Nothing new has been filed.

TENTATIVE RULING #8:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MAY 11, 2026, IN DEPARTMENT NINE.

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9.	26PR0085	MATTER OF JACKSON CHARLES ALLEN
Petition to Establish		
10.	26PR0086	MATTER OF PRESLIE MARIE ALLEN
Petition to Establish		

Petitioner seeks to confirm the birth of her two children, Jackson Charles Allen and Preslie Marie Allen, who were delivered via home births. The Petitions indicate their birth dates and times along with location. Each Petition has a witness declaration from the children's father, which is notarized.

TENTATIVE RULINGS #9 & #10:

ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED. ANY PERSON WHO HAS AN OBJECTION MAY MAKE IT ANY TIME, EVEN ORALLY AT THE HEARING (PROBATE CODE § 1043).

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11.	PP20200225	ESTATE OF THARRAT
Letters		

Matter came before the Court on March 16, 2026. The Court noted that there is no proof of publication, Duties/Liabilities statement (DE 147/DE 147s) or proof of service of notice of the hearing on the Petition on file with the Court. Those documents have still not been filed. The Court intends to deny the Petition.

TENTATIVE RULING #11:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MAY 11, 2026, IN DEPARTMENT NINE.

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12.	24PR0313	MATTER OF SCOBEL
Petition for Final Distribution		

Letters of Administration were issued on December 23, 2024, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on April 1, 2025.

Proof of Service of Notice of the hearing on the Petition was filed on March 18, 2026. No one has filed a request for special notice in this proceeding.

The proposed distribution of the estate includes equal distribution between decedent's two adult daughters. Decedent's wife assigned her interest in the estate to the daughters.

The Petition requests:

1. The administration of the estate be brought to a close;
2. The First and Final Account be settled, allowed and approved;
3. All acts and proceedings of the Administrator be confirmed and approved;
4. The Administrator be authorized to pay herself \$15,474.09 in statutory compensation;
5. The Administrator be authorized to pay herself \$7,779.75 in reimbursement for costs paid by her on behalf of the estate;
6. The Administrator be authorized to pay statutory attorney fees in the amount of \$15,474.09;
7. The Administrator be authorized to retain \$5,000 in closing expenses and to pay liabilities, and to deliver the unused part to the beneficiaries of the estate without further court order after closing expenses have been paid;
8. Distribution of the estate in Petitioner's hands and any other property of the estate not now known or later discovered be distributed to the beneficiaries as set forth in the Petition; and,
9. **Upon filing of receipts and the Ex Parte Petition for Discharge, Petition may be discharged and released from all liability that may be incurred thereafter.**

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TENTATIVE RULING #12:

ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED. ANY PERSON WHO HAS AN OBJECTION MAY MAKE IT ANY TIME, EVEN ORALLY AT THE HEARING (PROBATE CODE § 1043).

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13.	23PR0052	ESTATE OF REES
Status		

TENTATIVE RULING #13:

AN ORDER FOR FINAL DISCHARGE HAVING BEEN ENTERED BY THE COURT May 12, 2025, THE MATTER IS DROPPED FROM CALENDAR.