November 9, 2026
Dept. 9
Probate Tentative Rulings

1.	**26PR0275**	**ESTATE OF CANDACE RAE ANDERSON**
DETERMINE SUCCESSION TO REAL PROPERTY		

Decedent died on March 12, 2026, as a resident of El Dorado County. He died intestate.

The gross value of decedent's interest in real and personal property in California, excluding the property described in Probate Code §13050 did not exceed $750,000.00.

Probate Code § 13152(e) requires that Form DE300 also be attached to the Petition, *see* Petition paragraph 8(b). That form is included with the Petition.

Decedent is survived by one sibling.

Attachment 11 contains the legal description and APN of the real property.

It also contains a description of the property in California passing to each petitioner, decedent's interest in the property and if the petitioner's claim to the property is based on succession under Probate Code §6401 and 6402, facts that show the character of the property as community, separate, or quasi-community property.

The interest claimed by petitioner in each specific piece of real property and personal property is: 100% ownership of Decedent's interest in the real property.

Attachment 14 contains the names, relationships to decedent, ages, and residence/mailing addresses, as far as known to or reasonably ascertainable by petitioner, of all persons named or checked in items 1, 9, and 10, all other persons who may be entitled to inherit decedent's property in the absence of a will, and all persons designated in the will to receive any property.

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).

GENERAL REMOTE APPEARANCE INFORMATION DISCLAIMER:

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2.	**25PR0262**	**IN THE MATTER OF JOAN RAE SANFORD**
STATUS OF ADMINISTRATION		

Letters of Special Administration were issued on November 10, 2025.

There is no Inventory and Appraisal on file with the court. Probate Code §8800 requires that the personal representative file an Inventory and Appraisal with the Court within 4 months from the issuance of letters.

There is no Petition for Final Distribution on file with the court.

TENTATIVE RULING #2:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 9, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, NOVEMBER 8, 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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3.	**22PR0066**	**ESTATE OF RICHARD BEAUPRE**
OSC		

At the hearing on September 28, 2026, the Court found that neither the personal representative nor their counsel have appeared or filed a status report for the hearing. An OSC hearing was set for removal or suspension of and/or sanctions against the personal representative on November 9, 2026.

To date, nothing further has been filed.

TENTATIVE RULING #3:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 9, 2026, IN DEPARTMENT NINE.

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4.	**26PR0271**	**ESTATE OF PAUL R. DOMENICHINI**
SPOUSAL PROPERTY PETITION		

Petitioner is the surviving spouse of decedent, who died intestate June 18, 2026, survived by Petitioner and one adult child. No petition to administer the estate has been filed.

Probate Code § 100(a) provides that "[u]pon the death of a person who is married or in a registered domestic partnership, one-half of the community property belongs to the surviving spouse and the other one-half belongs to the decedent."

Probate Code § 6401(a) states: "As to community property, the intestate share of the surviving spouse is the one-half of the community property that belongs to the decedent under Section 100."

Probate Code § 13500 provides that "when a spouse dies intestate leaving property that passes to the surviving spouse under Section 6401, . . . the property passes to the survivor . . . , and no administration is necessary."

Probate Code 13650 authorizes a surviving spouse to file a petition requesting an order that administration of all or part of an estate is not necessary because all or part of the estate is property passing to the surviving spouse.

The Petition in this case identifies residential real property that is the subject of the Petition, titled in the name of Decedent, an unmarried man, indicating a potential separate property interest in the home.

Notice of the hearing on the Petition was not filed indicating service of the Petition on decedent's child.

The Spousal Property Petition is continued to December 14, 2026, to allow for proper service.

TENTATIVE RULING #4:

MATTER CONTINUED TO DECEMBER 14, 2026, AT 8:30 A.M. IN DEPARTMENT NINE TO ALLOW FOR PROPER SERVICE.

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5.	**25PR0216**	**THE ESTATE OF EDWARD LAWRENCE FREED**
STATUS OF ADMINISTRATION		

At the hearing on September 28, 2026, the Court continued the matter to November 9, 2026. Since this time, the Final Inventory and Appraisal was filed.

Letters Testamentary were issued on October 10, 2025.

An Inventory and Appraisal was filed on October 28, 2026. Decedent owed no real property at the time of death and thereby no change of ownership statement was filed as provided in section 480 of the California Revenue and Taxation Code.

There is no Petition for Final Distribution on file with the court.

TENTATIVE RULING #5:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 9, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, NOVEMBER 8, 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.

GENERAL REMOTE APPEARANCE INFORMATION DISCLAIMER:

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6.	**25PR0267**	**ESTATE OF SUSAN LORRAINE ABBOTT**
STATUS OF ADMINISTRATION		

Letters of Administration were issued on February 9, 2026.

An Inventory and Appraisal was filed on June 24, 2026. At the time the inventory and appraisal was filed, the change of ownership statement with the county recorder or assessor in each county where the decedent owned real property at the time of death, as provided in section 480 of the California Revenue and Taxation Code, was filed.

A Petition for Final Distribution was filed on August 27, 2026.

An Order for Final Distribution was filed on October 19, 2026.

There are no Receipts of Distribution on file with the court.

There is no ex parte Petition for Final Discharge (Judicial Council Form DE-295) on file with the court**.**

TENTATIVE RULING #6:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 9, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, NOVEMBER 8, 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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7.	**25PR0246**	**IN THE MATTER OF JOHN DAVID MCLLWAIN**
STATUS OF ADMINISTRATION		

An Order for Final Discharge was entered on October 7, 2026. The matter is dropped from calendar.

TENTATIVE RULING #7:

AN ORDER FOR FINAL DISCHARGE HAVING BEEN ENTERED BY THE COURT OCTOBER 7, 2026, THE MATTER IS DROPPED FROM CALENDAR.

GENERAL REMOTE APPEARANCE INFORMATION DISCLAIMER:

Issues Conference

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8.	**24PR0301**	**MATTER OF REGINA MIESCH VS COLLEEN O'BRIEN**
STATUS AND TRIAL SETTING		

On June 15, 2026, Petitioner, Regina Miesch ("Petitioner"), filed a First Amended Petition ("the Petition) alleging causes of action for 1) Removal of Trustee; 2) Breach of Trust; 3) Recovery of Compensation Paid for Unlicensed Contracting Work; 4) Financial Elder Abuse; and 5) Attorney Fees and Damages.

On October 5, 2026, the Court overruled Respondent's, Colleen O'Brien ("Respondent O'Brien"), Demurrer to the third cause of action, and ordered each Respondent to file a Response within ten days from the Court's Order. The Court set a status and trial setting hearing on November 9, 2026.

On October 14, 2026, Respondent O'Brien filed a Response and Opposition to First Amended Petition. No Response has been filed by Respondent Mike Ramos.

TENTATIVE RULING #8:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 9, 2026, IN DEPARTMENT NINE.

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9.	**25PR0332**	**MATTER OF WINTERS FAMILY TRUST DATED 12-15-1996**
ACCOUNTING HEARING		

On October 28, 2026, the Parties filed a Stipulation and Order to Continue the November 9, 2026, Hearing on the Petition and Amended Accounting, seeking a continuance of the hearing in late January or early February.

The Parties' request for a continuance is granted. The matter is continued to February 1, 2027, at 8:30 a.m. in department nine.

TENTATIVE RULING #9:

MATTER CONTINUED TO FEBRUARY 1, 2027, AT 8:30 A.M. IN DEPARTMENT NINE.

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10.	**26PR0042**	**IN THE MATTER OF MARIAN RENDELL FAMILY TRUST, DATED SEPTEMBER 14, 2017**
REVIEW HEARING		

On October 5, 2026, the Court ordered Trustee to send all copies of the accounting to all parties. A review hearing was set for November 9, 2026.

To date, nothing further has been filed.

TENTATIVE RULING #10:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 9, 2026, IN DEPARTMENT NINE.

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11.	**25PR0265**	**ESTATE OF DAVID Z HILL, JR.**
PETITION HEARING		

On July 13, 2026, the Court continued the Petition for Orders: 1) Confirming Estate's Interest in Surplus Funds Held by Jacquline R. Thomas; 2) Compelling Return of Property; 3) Imposing a Constructive Trust Pending the Return of the Property; 4) Awarding Punitive Damages Pursuant to Probate Code § 859; and 5) Awarding Attorney Fees and Costs, to November 9, 2026.

To date, nothing further has been filed.

TENTATIVE RULING #11:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 9, 2026, IN DEPARTMENT NINE.

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12.	**21PR0038**	**ESTATE OF DAN'L G. ROEDIGER**
STATUS OF ADMINISTRATION / PETITION HEARING		

Before the Court are the following matters: 1) Status of Administration; and 2) Petition for Preliminary Distribution.

STATUS OF ADMINISTRATION

Amended Letters of Administration were issued on October 28, 2025.

A Final Corrected Inventory and Appraisal was filed on November 3, 2026. At the time the inventory and appraisal was filed, the change of ownership statement with the county recorder or assessor in each county where the decedent owned real property at the time of death, as provided in section 480 of the California Revenue and Taxation Code, was filed.

There is no Petition for Final Distribution on file with the court.

PETITION FOR PRELIMINARY DISTRIBUTION

On August 31, 2026, the Court continued the hearing on the Petition for Preliminary Distribution to November 9, 2026. On November 3, 2026, a Final Corrected Inventory and Appraisal was filed, which indicates a total estate value of $901,334.69, consisting of $142,998.34 in liquid assets.

Finding Petitioner's request for a preliminary distribution of $250,000.00 in cash exceeds the estate's liquid assets, Petitioner's request is denied.

TENTATIVE RULING #12:

1. STATUS OF ADMINISTRATION

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 9, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, NOVEMBER 8, 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.

2. PETITION FOR PRELIMINARY DISTRIBUTION

PETITION FOR PRELIMINARY DISTRIBUTION IS DENIED.

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13.	**26PR0249**	**IN RE THE ALFRED VENTURA AND MARY Y. VENTURA JOINT REVOCABLE TRUST AGREEMENT**
PETITION HEARING		

On October 19, 2026, the Court continued the matter and allowed Trustee/Respondent to file written objections by October 26, 2026. The Court suspended Trustee's powers and appointed a neutral interim successor trustee. The Court ordered the Parties to meet and confer regarding who to appoint as interim successor trustee and to provide at least 3 options at the November 9, 2026, hearing.

On October 29, 2026, Respondent, Francisco Garcia Cobian ("Respondent"), filed a Response and Objections of Francisco Garcia Cobian to Petition to Invalidate the Fifth Amendment to the Alfred Ventura and Mary Y. Ventura Joint Revocable Trust Agreement. Respondent asserts that he had known Decedent for eighteen years prior to her death, over which time she became a member of his family. This is supported by the Fourth Amendment and Restatement, in which Decedent left 80% of her estate to Respondent and left Petitioner David Robinson 10%, and Petitioner Verena Robinson to receive nothing unless David predeceased Decedent. Additionally, in the Amendment and Restatement to the Trust on November 14, 2016, Decedent left nothing to either Petitioner. The Fifth Amendment completed a plan she had chosen years earlier.

Respondent argues that Petitioners rarely visited Decedent and were disinterested in her well-being and care. Petitioners did not visit Decedent during her final days, took no part in funeral arrangements, and did not attend the funeral. Respondent maintains the presumption of undue influence pursuant to Probate Code § 21380 does not apply because Respondent had a personal relationship with Decedent for more than a decade before he ever helped care for her. Respondent was not paid for the help he gave Decedent. Petitioners' assertion the relationship was "commercial" overlooks years of shared family holidays, birthday celebrations, a family reunion, near-daily lunches, and two international trips to meet Respondent's family. Although their friendship began when Respondent worked at Decedent's property does not make their relationship any less personal.

Respondent contends that even if the presumption applied, Respondent will rebut it by clear and convincing evidence. On October 29, 2025, Decedent was evaluated by an independent medical doctor, prior to making any revisions to her trust, who confirmed that Decedent exhibited "no focal Neurodeficit except for mild hearing deficit and confused in dates especially. She lives alone and dependent on outside help and care." Decedent accordingly had the capacity to execute the Fifth Amendment.

TENTATIVE RULING #13:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 9, 2026, IN DEPARTMENT NINE.

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14.	**26PR0273**	**IN RE FIRST AMENDED AND RESTATED MAXINE B. SUMMERFIELD TRUST DATED MARCH 12, 2007**
INSTRUCTION HEARING		

On September 28, 2026, Petitioner, Arthur E. Summerfield, III ("Petitioner"), filed a Petition for Appointment of Successor Truste and for Trustee Instructions on Distributions. No opposition has been filed. Proof of service of notice of hearing was filed on October 1, 2026.

Petitioner asserts that pursuant to Section 7.2.1 of the Trust, Terrie Prod'hon has agreed to resign contingent upon the appointment and qualification of a successor trustee. Brian Rowland has agreed to accept the position as successor trustee of the Trust.

Section 7.1 as restated by the Second Amendment dated April 27, 2010 authorized Chris L. Morse, if serving as sole successor trustee and later unable to act, to appoint a successor. Mr. Morse appointed Terrie Rod'hon; however, the Trust does not provide a practical method by which Ms. Prod'hon may appoint her own successor. Both Petitioner and remainder beneficiary nominate Brian Rowland.

Section 6.9.1 added by the First Amendment, authorizes the trustee, in their sole discretion, to distribute income and principal for Petitioner's health, education, maintenance, and support, either directly to Petitioner or to a third party for his benefit. Petitioner currently receives $3,000 per month from the Trust to enable him to meet ordinary living expenses, maintain stability, and plan for present and future care. The remainder beneficiary has consented to the requested distribution of income and principal.

Petitioner has retained Denise E. Anderson to provide ongoing nonmedical care and household assistance so he can safely and effectively manage his daily life. Under the Caregiver Agreement, Ms. Anderson requires payment of $3,000 per month for up to 80 hours of services, equivalent to $37.50 per hour. Approved hours beyond 80 per month are compensated at $50 per hour. The remainder beneficiary has consented to the requested appointment and distribution plan.

Probate Code § 17200 provides, in part:

> (a) Except as provided in Section 15800, a trustee or beneficiary of a trust may petition the court under this chapter concerning the internal affairs of the trust or to determine the existence of the trust.
>
> (b) Proceedings concerning the internal affairs of a trust include, but are not limited to, proceedings for any of the following purposes:
>
> > (5) Settling the accounts and passing upon the acts of the trustee, including the exercise of discretionary powers.

(6) Instructing the trustee.

(10) Appointing or removing a trustee.

(11) Accepting the resignation of a trustee.

A trustee who has accepted the trust may resign only by one of the following methods:

(a) As provided in the trust instrument.

(b) In the case of a revocable trust, with the consent of the person holding the power to revoke the trust.

(c) In the case of a trust that is not revocable, with the consent of all adult beneficiaries who are receiving or are entitled to receive income under the trust or to receive a distribution of principal if the trust were terminated at the time consent is sought. If a beneficiary has a conservator, the conservator may consent to the trustee's resignation on behalf of the conservatee without obtaining court approval. Without limiting the power of the beneficiary to consent to the trustee's resignation, if the beneficiary has designated an attorney in fact who has the power under the power of attorney to consent to the trustee's resignation, the attorney in fact may consent to the resignation.

(d) Pursuant to a court order obtained on petition by the trustee under Section 17200. The court shall accept the trustee's resignation and may make any orders necessary for the preservation of the trust property, including the appointment of a receiver or a temporary trustee.

Probate Code § 15640.

If the vacancy in the office of trustee is not filled as provided in subdivision (b) or (c), on petition of any interested person or any person named as trustee in the trust instrument, the court may, in its discretion, appoint a trustee to fill the vacancy. If the trust provides for more than one trustee, the court may, in its discretion, appoint the original number or any lesser number of trustees. In selecting a trustee, the court shall give consideration to any nomination by the beneficiaries who are 14 years of age or older. Probate Code § 15660(d).

Petitioner seeks the following:

1. The Court accepts Terrie Prod'hon's resignation as trustee of the Trust;
2. The Court appoints Brian Rowland as successor trustee of the Trust;
3. The Court instructs the Trustee in the exercise of the distribution authority granted by section 6.9.1, to distribute to Arthur Summerfield, III all net income generated by the trust and, if that net income is less than $3,000 in any month, sufficient principal

so that the total distribution for that month equals $3,000 for his living expenses, maintenance and support;

4. The Court instructs the Trustee to pay Denise E. Anderson directly the compensation and documented reimbursable expenses due under the Caregiver Agreement and authorizes the Trustee, without further court order, to approve and pay reasonable increased compensation under a written amendment to that Agreement when Petitioner's care needs materially increase, provided the caregiver supplies the required records and the Trustee determines in good faith that the amended services and compensation are reasonable for Petitioner's health, maintenance, or support.

The Petition for Appointment of Successor Truste and for Trustee Instructions on Distributions is granted as requested.

TENTATIVE RULING #14:

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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15.	**26PR0270**	**IN THE MATTER OF THE REVOCABLE TRUST DECLARATION OF JOAN E. RHOADS**
INSTRUCTION HEARING		

On November 21, 2026, Petitioner, Christy Rae Williams ("Petitioner"), filed a Petition for Instructions and Order to Distribute Assets and Complete Administration. Petitioner contends that Wendy Rhoads is entitled to notice of the petition. No proof of service of the notice of hearing has been filed.

The hearing on the Petition for Instructions and Order to Distribute Assets and Complete Administration is continued to December 7, 2026, to allow for proper service.

TENTATIVE RULING #15:

MATTER CONTINUED TO DECEMBER 7, 2026, AT 8:30 A.M. IN DEPARTMENT NINE TO ALLOW FOR PROPER SERVICE.

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