

**1. CONSERVATORSHIP OF TIMOTHY D., SP20140022****Biennial Review of Conservatorship of the Person and Estate**

There is no fourth account and report from the conservator in the court's file. Appearances are required regarding the status of the accounting.

The court investigator recommends continuation of the conservatorship of the person and indicates that the conservatee does not object to the conservatorship.

**TENTATIVE RULING # 1: ABSENT OBJECTION, THE CONSERVATORSHIP OF THE PERSON SHALL CONTINUE. THE CONSERVATOR IS ORDERED TO PAY THE COURT \$500.00 FROM THE CONSERVATEE'S ASSETS AS REIMBURSEMENT FOR THE COURT INVESTIGATOR'S FEE WHEN FUNDS ARE AVAILABLE. SHOULD THE CONSERVATOR WISH TO REQUEST A PARTIAL OR FULL WAIVER OF THE FEE, THE CONSERVATOR NEEDS TO APPEAR AT 8:30 A.M., WEDNESDAY, DECEMBER 7, 2022, IN DEPARTMENT FOUR AND SUBMIT INFORMATION CONCERNING THE CONSERVATEE'S ASSETS AND INCOME FOR THE COURT'S CONSIDERATION. APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, DECEMBER 7, 2022, IN DEPARTMENT FOUR REGARDING STATUS OF THE FOURTH ACCOUNT AND REPORT.**

**2. ESTATE OF DE GROOTE, 22PR0140**

**Inventory and Appraisal**

Letters Testamentary were issued on July 14, 2022. To date, the Final Inventory and Appraisal is not in the court's file.

**TENTATIVE RULING # 2: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, DECEMBER 7, 2022, IN DEPARTMENT FOUR.**

**3. ESTATE OF PURVIS, 22PR0262**

**(1) Petition Administer Estate**

**(2) OSC Re: Petitioner's Failure to Comply with Court Order**

The defects identified in the October 26 tentative ruling have been corrected. The OSC is discharged. Petition is granted.

**TENTATIVE RULING # 3: PETITION IS GRANTED AS REQUESTED. LETTERS SHALL ISSUE. THE COURT SETS A HEARING RE: INVENTORY AND APPRAISAL AT 8:30 A.M., WEDNESDAY, APRIL 12, 2023, IN DEPARTMENT FOUR. THE COURT FURTHER SETS A HEARING RE: STATUS OF ADMINISTRATION AT 8:30 A.M., WEDNESDAY, DECEMBER 13, 2023, IN DEPARTMENT FOUR.**

**4. ESTATE OF IVELICH, 22PR0143**

**Inventory and Appraisal**

This matter was continued from November 9, 2022.

Letters Testamentary were issued on July 6, 2022. To date, the Final Inventory and Appraisal is not in the court's file.

**TENTATIVE RULING # 4: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, DECEMBER 7, 2022, IN DEPARTMENT FOUR.**

**5. MATTER OF NICHOLAS AND LOUISE BOGDANOFF TRUST, 22PR0171**

**Status Update Re: Alleged Discrepancies in Trust Monies**

This matter was continued from November 16, 2022. At the last hearing, the parties were to meet and confer to attempt to resolve the alleged discrepancies in the monies of the Trust.

**TENTATIVE RULING # 5: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, DECEMBER 7, 2022, IN DEPARTMENT FOUR.**

**6. ESTATE OF DALENBERG, 21PR0047**

**Status of Administration**

This matter was continued from October 5, 2022.

Letters of Administration were issued on January 3, 2022. Final distribution was ordered on July 13, 2022. To date, there is no receipt of distribution and no Ex Parte Petition for Final Discharge (Judicial Council form DE-295) in the court's file.

**TENTATIVE RULING # 6: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, DECEMBER 7, 2022, IN DEPARTMENT FOUR.**

**7. ESTATE OF HOLLAY, 22PR0290**

**Petition to Administer Estate**

Petitioner is the daughter of decedent, who died intestate on April 18, 2022. Petitioner seeks full authority to administer the estate under the IAEA, without bond. The petition states that all adult heirs have waived bond. However, the waivers are not included with the petition.

To date, Proof of Publication is not in the court's file.

**TENTATIVE RULING # 7: APPEARANCES ARE REQUIRED AT 8:30 A.M.,  
WEDNESDAY, DECEMBER 7, 2022, IN DEPARTMENT FOUR.**

**8. ESTATE OF INGERSOLL, SP20210043**

**Inventory and Appraisal**

**TENTATIVE RULING # 8: INVENTORY AND APPRAISAL, PARTIAL NO. 1, AND THE FINAL INVENTORY AND APPRAISAL HAVING BEEN FILED, MATTER IS DROPPED FROM THE CALENDAR.**



**9. ESTATE OF SANCHEZ, SP20210037**

**Status of Administration**

This matter was continued from October 5, 2022.

Letters Testamentary were issued on October 6, 2021. Final distribution was ordered on April 20, 2022. To date, there is no receipt of distribution and no Ex Parte Petition for Final Discharge (Judicial Council form DE-295) in the court's file.

**TENTATIVE RULING # 9: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, DECEMBER 7, 2022, IN DEPARTMENT FOUR.**

**10. ESTATE OF EISSEL, 22PR0028****(1) Inventory and Appraisal****(2) Motion to be Recognized as an Heir/Beneficiary and to be Given Notice****(3) Motion to be Added as Party and Contest Prior Distributions**

These matters were continued from September 7, 2022, and November 9, 2022.

Inventory and Appraisal

The Final Inventory and Appraisal having been filed on August 26, 2022, matter is dropped from the calendar.

Motions Filed by Lothar Eissel, IV

Two motions have been filed by Lothar Eissel, IV, who states he is the son of Lothar Eissel, III, the deceased spouse of Sharon Eissel, the decedent and Lothar's stepmother.<sup>1</sup> Lothar seeks to be recognized as an heir of Sharon and to be given notice of these proceedings, as well as to contest any distributions of Sharon's estate made prior to him receiving notice of this estate administration.

Under Probate Code section 1207, notice need not be given to a decedent's stepchildren who may be heirs "because of a possible parent-child relationship" between them unless the personal representative "has actual knowledge of facts" reasonably giving rise to a parent-child relationship under Probate Code section 6454.

Under Probate Code section 6454, for the purpose of determining intestate succession by a stepchild through a stepparent, a "parent-child relationship" exists if (1) the relationship began during the stepchild's minority and continued throughout the joint lifetimes of the stepchild and stepparent, and (2) "it is established by clear and convincing evidence" that the stepparent would have adopted the stepchild but for a legal barrier.

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<sup>1</sup> The court will use the parties' first names to avoid confusion, not out of disrespect.

The petition for probate alleges that Sharon was not survived by a stepchild who would have been adopted by Sharon but for a legal barrier. However, Lola Perez, who Lothar states is his sister and also a child of Sharon's predeceased spouse, was provided notice of the estate administration. While it is debatable whether notice to Lothar and Lola is statutorily required pursuant to Probate Code section 1207, because it appears that Lothar is contesting his rights as to intestate succession and because his sister was provided notice, the court orders the personal representative to provide notice of these proceedings to Lothar as well. The court is exercising its equitable authority in ordering notice to Lothar, but the court does not find that notice was defective as there is insufficient evidence that the personal representative had "actual knowledge of facts" reasonably giving rise to a parent-child relationship between Sharon and Lothar under Probate Code section 6454.

Accordingly, the personal representative must file an amended petition for probate listing Lothar in Item 8 of the petition. Any filed documents that were previously served on Lola Perez and John Eissel must also be served by mail on Lothar.

The court is not making a determination at this time as to intestate succession because that matter involves disputed facts which cannot be resolved at this time.

**TENTATIVE RULING # 10: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, DECEMBER 7, 2022, IN DEPARTMENT FOUR.**

**11. ESTATE OF JACOBSEN, SP20210045****Status of Administration**

The petition to administer estate was granted on December 1, 2021. However, Letters of Administration were not issued until January 26, 2022. The Final Inventory and Appraisal was filed on April 1, 2022. To date, there is no final account and request for order of final distribution in the court's file.

**TENTATIVE RULING # 11: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, DECEMBER 7, 2022, IN DEPARTMENT FOUR.**