

1. ESTATE OF BERG 22PR0020

Status of Administration

Letters of Administration were issued on May 4, 2022. The Final Inventory and Appraisal was filed December 2, 2022. To date, there is no final account and request for order of final distribution in the court's file.

TENTATIVE RULING # 1: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

2. ESTATE OF PEAK 22PR0235

Petition for Probate

TENTATIVE RULING # 2: ABSENT OBJECTION, PETITION IS GRANTED. THE WILL IS ADMITTED TO PROBATE. THE COURT SETS A HEARING RE: STATUS OF ADMINISTRATION AT 8:30 A.M. ON MONDAY, MARCH 11, 2024, IN DEPARTMENT NINE.

3. ESTATE OF ELTISTE 22PR0067

Inventory and Appraisal

TENTATIVE RULING # 3: THE FINAL INVENTORY AND APPRAISAL HAVING BEEN FILED ON SEPTEMBER 28, 2022, MATTER IS DROPPED FROM THE CALENDAR.

4. ESTATE OF ARANDA 22PR0194

Inventory and Appraisal

TENTATIVE RULING # 4: THE FINAL INVENTORY AND APPRAISAL HAVING BEEN FILED ON NOVEMBER 22, 2022, MATTER IS DROPPED FROM THE CALENDAR.

5. ESTATE OF VERRY 21PR0056

(1) Inventory and Appraisal

(2) Status of Administration

Letters of Administration were issued on July 27, 2022. Partial Inventory and Appraisal, number 1, was filed on August 2, 2022. To date, the Final Inventory and Appraisal is not in the court's file.

TENTATIVE RULING # 5: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

6. ESTATE OF McKENNA 21PR0026

Status of Administration

The order for final distribution was entered on January 30, 2023. 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. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

7. ESTATE OF GALLOWAY 22PR0093

Inventory and Appraisal

TENTATIVE RULING # 7: THE FINAL INVENTORY AND APPRAISAL HAVING BEEN FILED ON FEBRUARY 14, 2023, MATTER IS DROPPED FROM THE CALENDAR.

8. ESTATE OF GUMINA PP-20180192

(1) Status of Administration

(2) OSC Re: Whether Anthony Gumina Should be Removed as Administrator

This matter was continued from June 15, 2022, and December 14, 2022.

At the hearing on December 14, the court noted that the administrator, Anthony Gumina, had not filed the required final account and request for order of final distribution. The court set an OSC hearing to determine if Anthony Gumina should be removed as administrator, and the court directed Kimberly Harris to file a petition to be appointed administrator of the estate. To date, Ms. Harris has not filed her petition.

On January 19, 2023, Melody Russell, the sister of Heather Gumina, filed a declaration objecting to the appointment of Ms. Harris as successor administrator.

TENTATIVE RULING # 8: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

9. ESTATE OF NEWELL 22PR0090

Petition for Final Distribution on Waiver of Account

TENTATIVE RULING # 9: ABSENT OBJECTION, PETITION IS GRANTED AS REQUESTED.

10. ESTATE OF CALUNDAN 22PR0238

Petition for Probate

TENTATIVE RULING # 10: ABSENT OBJECTION, PETITION IS GRANTED. THE WILL IS ADMITTED TO PROBATE. THE COURT SETS A HEARING RE: STATUS OF ADMINISTRATION AT 8:30 A.M. ON MONDAY, MARCH 11, 2024, IN DEPARTMENT NINE.

11. ESTATE OF VISMAN 22PR0301

Petition for Probate

TENTATIVE RULING # 11: ABSENT OBJECTION, PETITION IS GRANTED. LETTERS SHALL ISSUE. BOND IS WAIVED. THE COURT SETS A HEARING RE: STATUS OF ADMINISTRATION AT 8:30 A.M. ON MONDAY, MARCH 11, 2024, IN DEPARTMENT NINE.

12. ESTATE OF POWERS 22PR0152

Petition for Probate

This matter was continued from August 31, 2022.

To date, petitioner has not corrected the deficiencies identified in the tentative ruling for the August 31 hearing.

TENTATIVE RULING # 12: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

13. ESTATE OF KENNY PP-20200237

Status of Administration

This matter was continued from September 7, 2022.

On April 20, 2022, the court granted the petition for final distribution on waiver of account. The formal order for final distribution was not presented and therefore was not entered. There is no ex parte Petition for Final Discharge (Judicial Council Form DE-295) in the court's file stating that the order of final distribution or personal representative's deed was recorded concerning the distribution of the real property and that no receipt is required because the personal representative is the sole distributee.

TENTATIVE RULING # 13: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

14. ESTATE OF TINCHER 22PR0145

Petition for Probate

This matter was continued from August 24, 2022.

To date, petitioner has not corrected the deficiencies identified in the tentative ruling for the August 24 hearing.

TENTATIVE RULING # 14: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

15. ESTATE OF WALLACE PP-20180214

Status of Administration

This matter was continued from August 24, 2022.

On April 13, 2022, the court allowed, settled, approved, and confirmed the Final Account and Report. There were no assets to distribute to the sole will beneficiary, the Wallace Family Revocable Living Trust. To date, there is no ex parte Petition for Final Discharge (Judicial Council Form DE-295) in the court's file.

TENTATIVE RULING # 15: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

16. ESTATE OF DEFAZIO 22PR0319

Petition for Probate

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

Petitioners need to file the mandatory Duties and Liabilities of Personal Representative (Judicial Council Form DE-147). Additionally, the Local Rules also require that petitioners submit the Confidential Supplement to Duties and Liabilities of Personal Representative (Judicial Council Form DE-147S). (El Dorado County Superior Court Local Rules, Rule 10.02.10.)

TENTATIVE RULING # 16: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

17. ESTATE OF QUEEN 22PR0137

Status of Administration

This matter was continued from August 24, 2022.

Proof of Publication was filed on December 19, 2022. Notice of hearing to the successor trustee/great-granddaughters was given as required by law.

To date, bond has not been posted.

TENTATIVE RULING # 17: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

18. MATTER OF THE ROBERT SIMAS FAMILY REVOCABLE TRUST 22PR0133

Petition to Remove Trustee, Compel Accounting, Appoint Successor Trustee

This matter was continued from February 6, 2023.

On August 15, 2022, James Simas, Trustee, filed a response to the petition. Respondent denies the allegations of the petition and requests that it be denied.

Because this is a contested matter, appearances are required to set dates for an evidentiary hearing, Issues Conference, and Mandatory Settlement Conference.

TENTATIVE RULING # 18: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

19. MATTER OF THE JOHN M. “MIKE” SHIELDS REVOCABLE LIVING TRUST 22PR0317**Petition to Confirm Trust Terms, Compel Accounting, Request for Financial Documents**

On December 9, 2022, Ruby Shields and Paul Shields filed a petition to confirm trust terms, for an order to compel trustee to account, request for financial documents, and request for attorney fees and costs. Petitioners are the children of John M. “Mike” Shields, the Grantor and initial trustee of the Trust. Petitioners are partial beneficiaries of the residual share of the Trust. Respondent Leslie C. Myrick was the girlfriend of the Grantor, the acting successor trustee of the Trust, and also a beneficiary of the Trust.

The petition requests that respondent provide a full and complete copy of the Trust dated August 11, 2000; that she prepare and file a complete account and report of her acts as successor trustee from April 15, 2022 (date of Grantor’s death) to the present; that she be instructed to petition this court for settlement of the account and give notice of the hearing on the petition, and that respondent provide documentation for any and all financial accounts owned by Grantor as of the date of his death, including accounts held in joint tenancy with any other person or assets payable on death through beneficiary designation. Petitioners also request attorney fees and costs.

On January 12, 2023, respondent filed a response and objection to the petition. Specifically, respondent objects to an award of attorney fees and costs as there was no formal or specific demand to do an accounting. Respondent agrees to provide an account of the Trust’s assets and expenses as of the Grantor’s date of death to the present, and then annually as required by the Probate Code. Respondent states that a copy of the terms of the Trust as possessed by respondent was provided to the beneficiaries along with the notice of trust administration. She will collect and provide whatever other documents she has.

TENTATIVE RULING # 19: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, MARCH 13, 2023, IN DEPARTMENT NINE. IF A PARTY WISHES TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.