

1. ESTATE OF WARD 22PR0328

Petition for Probate

Petitioner seeks to admit decedent's December 10, 1993, will to probate and be appointed administrator of his estate. Decedent passed away on July 12, 2022. Petitioner and her sister Cynthia Ann Valdillez, are decedent's only heirs, and both are nominated as co-executors in the will; however Ms. Valdillez executed a Notice of Declination on December 12, 2022. The will waives a bond. Petitioner has executed and filed forms DE-147 and De-147S. Notice of the petition was filed on February 14, 2023, and proof of publication was filed on March 13, 2023.

TENTATIVE RULING # 1: ABSENT OBJECTION, PETITION IS GRANTED AS REQUESTED. THE WILL IS ADMITTED TO PROBATE. THE COURT SETS A HEARING RE: STATUS OF ADMINISTRATION AT 8:30 A.M. ON MONDAY, APRIL 8, 2024, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

2. ESTATE OF KISSINGER 22PR0033

Review Hearing – Status of Administration – Inventory and Appraisal

Letters of Administration were issued on April 3, 2022. There is no Final Inventory and Appraisal in the court's file.

TENTATIVE RULING # 2: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 10, 2023, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

3. ESTATE OF SHEEHAN 22PR0018

Petition for Final Distribution on Waiver of Account – Petition for Attorney’s Fees and Costs

TENTATIVE RULING # 3: ABSENT OBJECTION, PETITION IS GRANTED AS REQUESTED.

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4. ESTATE OF HANDEN PP20210157

Review Hearing – Status of Administration

An order for final distribution was signed and filed in open court on October 19, 2022. The order ratified all acts and transactions of the Administrator, closed the estate, waived an account, authorized payment of attorney's fees and reimbursement of costs, authorized final distribution of remaining assets of the estate without further order of the court, and provided for discharge of the Administrator upon filing of receipts. Receipts of distribution were filed as to decedent's heir Carl Handen on November 21, 2022. There is no receipt for distribution to decedent's heir Roberta Handen or for the attorney for fees and costs on file with the court.

TENTATIVE RULING # 4: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 10, 2023, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

5. ESTATE OF MCCOMB 22PR0087

Review Hearing – Inventory and Appraisal

Letters of Administration were issued on June 1, 2022. A Final Inventory and Appraisal was filed on October 22, 2022. On May 25, 2022, when the Petition to Administer Estate was granted the court set a Status of Administration hearing for May 24, 2023, in Department Eight. That hearing has not yet been rescheduled in Department Nine.

TENTATIVE RULING # 5: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 10, 2023, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

6. ESTATE OF SMITH 23PR0007

Petition for Probate

Petitioner is the daughter of the decedent, who is also survived by an adult son. The Petition requests bond to be waived, but no DE-142 form (bond waiver) or DE-147/147S form (duties and liabilities statement) is on file. There is also no proof of publication on file with the court.

TENTATIVE RULING # 6: THE MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, JUNE 5, 2023, IN DEPARTMENT NINE TO ALLOW PETITIONER TO FILE A PROOF OF PUBLICATION.

7. ESTATE OF WEST 22PR0327

Petition to Administer Estate

Petitioner requests Letters of Administration to administrator of decedent's estate. Decedent passed away on November 20, 2022. Decedent's four daughters have all executed bond waivers that were filed on December 16, 2022. Petitioner has executed and filed forms DE-147 and De-147S. Notice of the petition was filed on February 14, 2023, and proof of publication was filed on March 13, 2023.

TENTATIVE RULING # 7: ABSENT OBJECTION, PETITION IS GRANTED AS REQUESTED.

**IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867
AND MEETING INFORMATION WILL BE PROVIDED.**

8. ESTATE OF CARL 22PR0178

Petition for Final Distribution on Waiver of Account – Request for Fees

Decedent died testate on March 10, 2022, and Petitioner is the decedent's sole devisee under decedent's will, dated March 7, 2022. Letters Testamentary were issued to Petitioner Henry Carl and the will was admitted to probate on September 28, 2022. A Final Inventory and Appraisal was filed on November 16, 2022. Petitioner filed a Petition for Final Distribution on March 1, 2023, requesting: 1) authority to close the estate without account, 2) ratification of all acts and transactions of the personal representative, 3) authority to pay attorney's fees in the amount of \$10,250, 4) property in the hands of the personal representative and any other property of the estate shall be distributed to Petitioner, and 5) The personal representative be discharged upon the filing of receipts.

TENTATIVE RULING # 8: ABSENT OBJECTION, PETITION IS GRANTED AS REQUESTED. FEES ARE ALLOWED AS REQUESTED.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

9. ESTATE OF BROSEKER 22PR0176

Review Hearing - Inventory and Appraisal

Final Inventory and Appraisal was filed on November 23, 2022. A Status of Administration hearing is set for September 25, 2023.

TENTATIVE RULING # 9: MATTER DROPPED FROM CALENDAR AS FINAL INVENTORY AND APPRAISAL WAS FILED ON NOVEMBER 23, 2022.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

10. ESTATE OF DOLCINI PP20210067

Review Hearing – Status of Administration

Letters of Administration were issued on May 19, 2021. The Final Inventory and Appraisal was filed on November 16, 2021. The personal representative failed to appear at the May 18, 2022, hearing and the hearing was continued to November 16, 2022. At that hearing the court informed the personal representative that a Final Account and Request for Order of Final Distribution would be required. There is no Final Account and Request for Order of Final Distribution in the court's file.

TENTATIVE RULING # 10: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 10, 2023, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

11. ESTATE OF BENAL 22PR0256

Petition for Probate

Petitioner seeks to admit decedent's June 9, 1998, will to probate and be appointed administrator of his estate. Decedent passed away on December 29, 2021. The will waives a bond. Petitioner has executed and filed forms DE-147 and De-147S. Notice of the petition was filed on February 09, 2023, and proof of publication was filed on March 20, 2023.

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

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

12. ESTATE OF MUELLER 22PR0274

Petition for Probate

Petitioner seeks to admit decedent's November 1, 2017 will to probate and be appointed administrator of his estate. Decedent passed away on September 4, 2022. The will waives a bond. Petitioner has executed and filed forms DE-147 and De-147S. Notice of the petition was filed on November 23, 2022, and proof of publication was filed on February 6, 2023.

TENTATIVE RULING # 12: ABSENT OBJECTION, PETITION IS GRANTED AS REQUESTED. THE WILL IS ADMITTED TO PROBATE. THE COURT SETS A HEARING RE: STATUS OF ADMINISTRATION AT 8:30 A.M. ON MONDAY, APRIL 8, 2024, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

13. ESTATE OF SINGH PP20210152

Dismissal

Petitioner filed a petition to be appointed personal representative of the decedent's estate on July 2, 2021. On January 5, 2022, the tentative ruling for the petition hearing set for that date noted that there had been no proof of service of the petition filed, nor a proof of publication, no waiver of bond forms to support the petition's request for waiver of bond, and no executed statement of duties and liabilities. Therefore, the court could not consider the petition. No documents have been filed since that hearing.

TENTATIVE RULING # 13: ABSENT OBJECTION, THE PETITION IS DISMISSED.

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AND MEETING INFORMATION WILL BE PROVIDED.**

14. ESTATE OF VAN NESS PP20210129

Review hearing -Inventory and Appraisal

Letters of Administration were issued on June 8, 2022. There is no Final Inventory and Appraisal in the court's file.

TENTATIVE RULING # 14: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 10, 2023, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

15. ESTATE OF KNOLL PP20200121

Review Hearing – Status of Administration

Letters Testamentary were issued on December 17, 2020. The Final Inventory and Appraisal was filed on June 14, 2021. There is no Final Account and Request for Order of Final Distribution in the court's file.

TENTATIVE RULING # 15: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 10, 2023, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

16. IN THE MATTER OF CHANDRA COE 22PR0325**Petition to Establish Fact, Time and Place of Death**

Petitioner brings this petition to establish the death of her son, Joshua Chamberlain Coe, pursuant to Cal. Health and Safety Code §§ 103450 *et seq.* The alleged decedent was a resident of El Dorado County. Petitioner has submitted an unsigned statement (“Attachment 4”) to her signed petition describing the circumstances leading to her conclusion that Joshua Coe is currently deceased.

Petitioner filed a missing persons report with the Placer County Sheriff’s Office on January 12, 2017. According to email correspondence attached to petitioner’s statement (“Exhibit 1”), Joshua Coe’s disappearance was being treated by investigating authorities as both a missing person case, as well as a “no-body homicide” (Case No. 18-4953) as of November 22, 2022. Deputy Sheriff Jeff Martin of the Placer County Sheriff’s Department informed Ms. Coe that the family of a missing person would have to appeal to the superior court in order to have a missing person declared “deceased.”

Health and Safety Code § 103450(a)(3) provides:

A verified petition may be filed by any beneficially interested person with the clerk of the superior court in and for . . . (3) the county in which the person was domiciled at the date of death for an order to judicially establish the fact of, and the time and place of, a death . . . that is not registered or for which a certified copy is not obtainable.

Health and Safety Code § 103455 requires that the petition “shall be verified and shall contain all the facts necessary to enable the court to determine the fact of and the time and place of the . . . death . . . upon the proofs adduced in behalf of the petitioner at the hearing.”

“If, upon the hearing, the allegations of the petition are established to the satisfaction of the court, the court may make an order determining that the birth, death, or marriage did in fact occur at the time and place shown by the proofs adduced at the hearing.” Health and Safety Code § 103475.

Upon petitioner’s request, this hearing may be held in chambers. Health and Safety Code § 103465.

TENTATIVE RULING # 16: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 10, 2023, IN DEPARTMENT NINE. THIS HEARING MAY BE HELD IN CHAMBERS AT PETITIONER'S REQUEST.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

17. MATTER OF THE PATRICK JOHN DUNN FAMILY TRUST 21PR0043**Review Hearing**

On November 24, 2021, Petitioner Deina Weber, a beneficiary of the Patrick John Dunn Family Trust, filed a Petition for Accounting of Trust Property, for Return of Trust Property and for Damages. The Petition alleged that trustee Pauline lone Baker, successor trustee, failed to provide petitioner a copy of the Trust in violation of Probate Code § 16060, failed to provide notice to the beneficiaries pursuant to Probate Code § 16061.7, failed to administer the Trust in accordance with its terms as required by Probate Code § 16000 in that she sold the real property belonging to the Trust in violation of the Trust provisions, failed to distribute the proceeds of the sale, and failed to provide an accounting of or an inventory of Trust assets and liabilities in violation of Probate Code § 16062. The Petition alleges that Pauline lone Baker remains in possession of approximately \$400,000 of Trust assets which she has wrongfully withheld from the beneficiaries, and that the trustee is an involuntary trustee of the funds wrongfully withheld (Civil Code § 2224), that she is liable for damages in the amount of twice the value of property that has been wrongfully retained (Civil Code § 859), as well as for exemplary damages (Civil Code § 3294).

Following a hearing on the matter, on November 22, 2022, the court ordered Pauline lone Baker to deliver a copy of the Trust to Deina Weber in care of Law Offices of Daniel A. Hunt, and to file an accounting within 30 days of the date of that Order. The court also ordered Pauline lone Baker to be surcharged in the amount of \$6,895 for costs of suit and attorney's fees. The court set a review hearing for April 10, 2023.

No accounting has been filed with the court since the date of the Order.

TENTATIVE RULING # 17: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 10, 2023, IN DEPARTMENT NINE.

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18. MATTER OF THE SAMUEL M. TENNANT JR. FAMILY TRUST 23PR0022

Instruction Hearing – Funding of Trust

Pursuant to Probate Code §§ 850 and 17200, petitioner seeks an Order from the court vesting title of the Alpha Retirement Wealth account that is held in the settlor's individual name (account #945829003, with a current value of approximately \$245,581.14) in the name of the petitioner as trustee of the Samuel M. Tennant Jr. Family Trust, dated November 17, 2017. A declaration by the settlor's investment advisor appended to the petition states that it was the settlor's expressed intention to include this account in the Trust's assets, but that the settlor died suddenly before he could complete the paperwork to effectuate that intention. Section 104(a) of the Trust declaration provides for after-acquired property to be transferred to the Trust except where expressly excepted in the declaration, and the referenced account was not so excepted.

TENTATIVE RULING # 18: ABSENT OBJECTION, THE PETITION IS GRANTED.

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19. MATTER OF THE WILLIAM AND GRACE HOOD TRUST PP202100006

Review Hearing Re: Status of Sale of House

On March 3, 2021, the court granted a petition to appoint a successor trustee, set bond in the amount of \$550,000 to be posted within ten days, or to deposit the proceeds from the sale of the house into a blocked account, and set a review hearing regarding the sale of the house.

Bond was posted on April 8, 2021. On July 7, 2021, the hearing was continued to September 22, 2021. On September 22, 2021, trustee's counsel filed a declaration explaining that following the resolution of title issues associated with the real property, the Caldor fire prevented access to the property for some time, but eventually the realtor was able to return in order to get photographs in order to list the property at a price of \$795,000.

On February 2, 2022, the court granted the trustees petition confirming that the property was an asset of the trust, and that the court's order was required in order to proceed with a sale.

As of the date of a review hearing set on March 9, 2022, the court had not received further word about the sale of the house, and the hearing was continued to June 8, 2022. No party appeared at the June 8, 2022 hearing, and the matter was continued to November 9, 2022. On November 9, 2022, no party appeared for the hearing and the matter was continued to April 10, 2023.

TENTATIVE RULING # 19: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY APRIL 10, 2023, IN DEPARTMENT NINE.

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