

1. ESTATE OF LOGAN

PP20190082

Review Hearing - Status of Administration

Letters Testamentary were issued on July 18, 2019. The Final Inventory and Appraisal was filed on December 23, 2019. There is no Final Account and Request for Order of Final Distribution in the court's file.

The personal representative, who is also the sole beneficiary of the estate, filed a declaration on June 2, 2022, addressed the need to file additional federal and state income tax returns for the decedent. The personal representative explained that she was working with a CPA to file required tax returns and deferring action on other creditor claims until the federal and state tax issues were resolved because the estate may be insolvent. The June 15, 2022, status hearing was continued to November 16, 2022 to allow the personal representative to file tax returns.

In a second declaration on November 2, 2022, the personal representative indicated that unresolved issues remained with respect to funds that had been collected by the IRS which needed to be accounted for and offset against federal tax liability, in addition to negotiations required to resolve federal tax liens against the real property included in the estate. The declaration explained that this process was necessary in order to finally determine the remaining assets in the estate and satisfy remaining creditor claims.

On February 14, 2022, the State of California filed an amended creditor's claim for \$29,481.48.

A declaration filed by the personal representative on April 5, 2023, indicated that she is still waiting to hear from the IRS about the amount of funds that have been collected so that they can be offset against the federal tax liability and so that tax liens on the real property can be resolved.

The personal representative requests a continuance for at least five months to address the unresolved tax issues.

TENTATIVE RULING # 1: THE MATTER IS CONTINUED TO OCTOBER 23, 2023.

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 JOHNSON PP20210160

Review Hearing - Status of Administration

Letters of Administration were issued on October 13, 2021. The Final Inventory and Appraisal was filed on April 12, 2022. There is no Final Account and Request for Order of Final Distribution in the court's file.

There were no appearances at the hearings of May 11, 2022, and October 12, 2022.

TENTATIVE RULING # 2: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 17, 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 FORD 21PR0050

Review Hearing - Final Distribution Hearing

Decedent died testate on September 13, 2021. The will, lodged on March 3, 2022, waived bond and named petitioner as personal representative as first beneficiary. Letters Testamentary were issued on April 13, 2022. The Final Inventory and Appraisal was filed on June 29, 2022. The Petition for Final Distribution on Waiver of Account was filed on October 10, 2022, and proof of service and notice of the hearing was filed on April 6, 2023.

The sole intestate heir assigned all of her interest in the estate to petitioner, and the assignment, waiver of bond and waiver of account were filed with the court on February 25, 2022.

The petition requests the report and waiver of account, all acts of the personal representative, and payment of \$10,440 of statutory attorney's fees and \$1,336 in costs, be approved.

TENTATIVE RULING # 3: 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.

4. ESTATE OF NIELSEN 21PR0023

Review - Status of Administration

Petition for Final Distribution

The decedent died intestate on October 5, 2021. Letters of Administration were issued to decedent's sister on January 25, 2022, after decedent's heirs waived bond and nominated petitioner to be personal representative for the estate. The Final Inventory and Appraisal was filed on May 11, 2022. A petition for Final Distribution was filed on January 23, 2023.

The petition requests that the final account and all acts of the administrator be approved; that petitioner be authorized to retain \$249.98 for closing expenses and any unpaid liabilities; that the court authorize petitioner to distribute the estate to the beneficiaries as specified in the petition without further court order. The petitioner also requests to be discharged upon filing of receipts and that the estate be brought to a close.

TENTATIVE RULING # 4: ABSENT OBJECTION, PETITION IS GRANTED AS REQUESTED, AND STATUS OF ADMINISTRATION HEARING IS DROPPED FROM THE CALENDAR.

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 AKABA 22PR0184**Petition for Probate**

The decedent passed away on February 28, 2022 and intestate probate proceedings were initiated on June 28, 2022. Letters of Administration were issued on October 4, 2022, to decedent's sister, notwithstanding the existence of a document purporting to be a will dated August 16, 2016, that was attached to the petition. As was discussed in the petition and the tentative ruling for the September 21, 2022 petition hearing, the August 16, 2016 will did not meet the requirements of Probate Code § 6110(c)(1), and even if admitted to give preference to the testator's intent, (see Estate of Stoker, (2011) 193 Cal.App.4th 236) would have resulted in the same distribution as the laws of intestate succession to the sole intestate heir of decedent.

On November 16, 2022, petitioner filed a second petition for probate of an after-discovered will and lodged that will, dated April 26, 2019, with the court when petitioner discovered it following a review of the decedent's records. Proof of a holographic instrument was also filed by petitioner on November 16, 2022. Petitioner filed notice of the petition to admit the will to probate on December 13, 2022. Proof of publication was filed on January 18, 2023.

TENTATIVE RULING # 5: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 17, 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 WEIZEN 22PR0006

Status of Administration

Final Inventory and Appraisal was filed on May 11, 2022. On April 12, 2023, counsel for the personal representative filed a letter requesting a continuance to July 10, 2023, to allow time to prepare the final petition and accounting.

TENTATIVE RULING # 6: THE MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, JULY 10, 2023, IN DEPARTMENT NINE.

7. ESTATE OF PROTZEL 22PR0308

Petition to Determine Succession to Real Property

Decedent died intestate on August 5, 2022. Petitioner, decedent's son, petitions for an order determining that real and personal property belonging to the decedent pass to petitioner. No probate proceedings have commenced for decedent's estate.

At the hearing on January 23, 2023, the court instructed petitioner to correct specified deficiencies in the petition.

Petitioner also filed a Final Inventory and Appraisal on November 23, 2022. At the hearing on January 23, 2023, the court instructed petitioner that appraisal of real property must be conducted by a probate referee appointed for El Dorado County pursuant to Probate Code § 8903. The court continued the matter to allow petitioner time to file an amended petition and an appraisal in accordance with the court's instructions.

No amended petition or appraisal has been filed with the court since the prior hearing.

TENTATIVE RULING # 7: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 17, 2023, IN DEPARTMENT NINE.

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8. ESTATE OF HARNEY PP20210198

Status of Administration

TENTATIVE RULING # 8: THIS MATTER IS CONTINUED TO MAY 1, 2023.

9. ESTATE OF ROBBINS 23PR0041

Petition Hearing - Forfeiture

Decedent died intestate on March 8, 2022. Supported by a nomination and waiver of bond filed by decedent's son on March 1, 2023, Letters of Special Administration were issued to William Hayman on March 8, 2023, with an expiration date of April 17, 2023. At the March 8, 2023 hearing, the court shortened the time for the petition to administer estate due to the risk of foreclosure of the real estate that is included in the estate. Also filed on March 1, 2023 were Forms DE-147 and DE-147S. Proof of service of the notice of petition was filed on March 6, 2023. Proof of publication was filed on April 3, 2023.

The sole heir to decedent filed a March 5, 2023, declaration in support of the appointment of Mr. Hayman as Special Administrator as well as regular Administrator in order to prevent foreclosure of the real estate so that it may be listed and sold.

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

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 GILMET PP20200196

Review Hearing – Status of Administration

The Final Inventory and Appraisal was filed on June 15, 2022. There is no final account and request for final distribution in the court's file.

TENTATIVE RULING # 10: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 17, 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 WARNER PP20210106

Review Hearing – Inventory and Appraisal

Review Hearing – Status of Administration

Letters Testamentary were issued on July 14, 2021. A Final Inventory and Appraisal was filed on January 24, 2023, indicating that there are no real or personal property assets within the estate.

TENTATIVE RULING # 11: A FINAL INVENTORY AND APPRAISAL HAVING BEEN FILED ON JANUARY 24, 2023, THE REVIEW HEARING FOR INVENTORY AND APPRAISAL IS DROPPED FROM CALENDAR. APPEARANCES ARE REQUIRED AT 8:30 A.M. ON APRIL 17, 2023 FOR THE REVIEW HEARING OF STATUS OF ADMINISTRATION.

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 BARRINGER 22PR0095**Review Hearing – Inventory and Appraisal****Petition for Final Distribution**

At the hearing of November 16, 2022 the court required a corrected Final Inventory and Appraisal to be filed because the original Final Inventory and Appraisal had listed a retirement account that was not part of the probate proceeding and had been paid directly to the beneficiary. A corrected Final Inventory and Appraisal was filed on March 9, 2023.

A petition for final distribution, waiver of accounting and notice of hearing of the petition were filed on March 9, 2023. The petition requests approval of all acts of the executor and waiver of accounting, approval of statutory attorney's fees in the amount of \$7,560.67, authority to distribute the estate in accordance with the petition without further court order, and that the administration of the estate be brought to a close.

The petition is not clear as to the plan for distribution of the estate. First, the petition references a schedule of assets "set forth in EXHIBIT B" but no Exhibit B is attached. Second, the petition states that the persons entitled to receive distributions and a plan of distribution are listed on Exhibit C, but no Exhibit C is attached. Third, the petition states that the petitioner, the decedent's brother, is the sole beneficiary and that he waives an accounting which is identified as Exhibit A, but no Exhibit A is attached. Paragraph 4 of the prayer on page 4 of the petition is also incomplete.

TENTATIVE RULING # 12: A FINAL INVENTORY AND APPRAISAL HAVING BEEN FILED ON MARCH 9, 2023, THE REVIEW HEARING FOR INVENTORY AND APPRAISAL IS DROPPED FROM CALENDAR. APPEARANCES ARE REQUIRED AT 8:30 A.M. ON APRIL 17, 2023, FOR THE PETITION FOR FINAL DISTRIBUTION.

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 HARTMAN 22PR0088

Review Hearing – Inventory and Appraisal

Letters of Administration were issued on July 20, 2022. A Final Inventory and Appraisal was filed on November 28, 2022.

TENTATIVE RULING # 13: A FINAL INVENTORY AND APPRAISAL HAVING BEEN FILED ON NOVEMBER 28, 2022, THE MATTER IS DROPPED FROM CALENDAR.

14. **IN THE MATTER OF THE NAYGROW FAMILY TRUST** **22PR0260**
 Instruction Hearing

TENTATIVE RULING # 14: THIS MATTER IS CONTINUED TO APRIL 24, 2023.

15. **ESTATE OF CARVER 22PR0053**
Review hearing -Inventory and Appraisal
Review Hearing – Status of Administration

Letters of Administration with Will Annexed were issued on July 20, 2022. A Final Inventory and Appraisal was filed on January 10, 2023.

TENTATIVE RULING # 15: A FINAL INVENTORY AND APPRAISAL HAVING BEEN FILED ON JANUARY 10, 2023, THE MATTER IS DROPPED FROM CALENDAR. APPEARANCES ARE REQUIRED AT 8:30 A.M. ON APRIL 17, 2023, FOR THE HEARING ON STATUS OF ADMINISTRATION.

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