

April 21, 2025
Dept. 9
Probate Tentative Rulings

1.	PP20200066	CONSERVATORSHIP OF GRISHAM
Status Conference		

The Court reviewed the status report filed by Sara McCarthy and the Court finds it proper to postpone this hearing since mediation has not yet occurred.

TENTATIVE RULING #1:

MATTER IS CONTINUED TO MONDAY, JUNE 30, 2025, AT 8:30 AM 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.

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2.	PP20190082	ESTATE OF LOGAN
Status		

The personal representative of this estate filed a Declaration on March 25, 2025, indicating that a determination of the tax liability was received from the IRS, but the parties are negotiating, and the personal representative is deferring to act on pending creditor's claims until the liability to the US Department of Treasury and the Franchise Tax Board is known.

The personal representative requests a continuance for this purpose.

TENTATIVE RULING #2:

MATTER IS CONTINUED TO MONDAY, OCTOBER 20, 2025, AT 8:30 AM 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.

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3.	25PR0006	ESTATE OF HONSVICK II
Letters of Administration		

Decedent died intestate on December 11, 2024, survived by two adult children.
Petitioner is decedent's daughter.

The Petition requests full authority under the Independent Administration of Estates Act.

Waivers of bond have been filed with the court by the heirs.

A Duties/Liabilities Statement (DE 147) was filed on January 10, 2025, and the DE-147S was filed on April 7, 2025, as required by Local Rules of El Dorado County Superior Court, Rule 10.02.10.

Proof of service of notice of the hearing on the Petition was filed on April 7, 2025.

There is no proof of publication on file with the court, as required by Probate Code §§ 8120, 8121.

TENTATIVE RULING #3:

UPON RECEIPT OF THE PROOF OF PUBLICATION AND 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).

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, APRIL 20, 2026, 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.

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4.	PP20200127	ESTATE OF ARANDA
Status		

Letters Testamentary were issued on October 7, 2020. The Final Inventory and Appraisal was filed on May 19, 2021.

There is no request for Final Distribution and Account on file with the court.

TENTATIVE RULING #4:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 21, 2025, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, APRIL 20, 2026, 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.

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5.	22PR0278	ESTATE OF VALLOT
Final Distribution		

Letters of Special Administration were issued on November 30, 2022, and Letters of Administration were issued on June 5, 2023, granting Petitioner full authority under the Independent Administration of Estates Act. A Final Inventory and Appraisal was filed on May 2, 2024.

Proof of Service of Notice of the hearing on the Petition was filed on March 24, 2025. No one has filed a request for special notice in this proceeding.

The proposed distribution of the estate includes: 1/3 to Kathleen A. Vallot, 1/3 to Patricia M. Vallot-Pienaar, 1/12 to David A. Vallot, 1/12 to Jonathan R. Vallot, 1/12 to Serena M. Vallot, and 1/12 to Melissa G. Vallot.

The Petition requests:

1. The First and Final Account filed with the Petition be settled, allowed and approved;
2. All acts and proceedings of the Administrator be confirmed and approved;
3. The Administrator be authorized to pay himself \$10,408.67 in statutory compensation, \$2,046.00 for compensation for extraordinary services, plus 5,616.74 for costs advanced to the estate;
4. The Administrator be authorized to pay statutory attorney fees in the amount of \$10,408.67, plus \$2,258.90 for costs advanced to the estate;
5. The Administrator be authorized to retain \$2,000.00 in closing expenses and to pay liabilities, and to deliver the unused part to the beneficiaries of the estate without further court order after closing expenses have been paid;
6. Approval of distribution of the estate to the persons entitled to it pursuant to the Petition for Final Distribution, Exhibit F.

TENTATIVE RULING #5:

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).

COUNSEL TO FILE PROPOSED ORDER.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, APRIL 20, 2026, IN DEPARTMENT NINE, BY WHICH TIME THE COURT EXPECTS RECEIPTS AND AN EX PARTE PETITION FOR FINAL DISCHARGE (JUDICIAL COUNCIL FORM DE-295) TO BE FILED WITH THE COURT.

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

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6.	23PR0281	ESTATE OF BAY
Status		

TENTATIVE RULING #6:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 21, 2025, 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.

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7.	PP20210138	ESTATE OF NASH
Status		

David Larsen and Thomas Larsen are named beneficiaries in decedent's Will, and the Will devises decedent's real property and the residue of the estate to the two named beneficiaries in equal shares. Letters Testamentary were issued to Thomas Larsen, Petitioner, on September 20, 2021 as the named Executor in decedent's Will, although David Larsen objected to the appointment.

In January 2022, Thomas Larsen filed a creditor's claim against the estate in the amount of \$50,765.75. This was approved by the Court on May 6, 2024.

On January 14, 2022, Thomas Larsen filed a Partial Inventory and Appraisal No.1 listing a bank account containing \$64,403.59.

On May 12, 2022, Thomas Larsen filed a Partial Inventory and Appraisal No.2 listing a real property valued at \$295,000. This Partial Inventory and Appraisal No. 2 was re-filed on February 5, 2024.

On February 15, 2024, Thomas Larsen filed a Notice of Proposed Action, indicating that he intended to deliver a vehicle to "Jerry Schneider as a gift for services rendered." The referenced vehicle has not appeared in any Inventory and Appraisal for the estate. Proof of service of notice to David Larsen was included with the Notice of Proposed Action.

On April 17, 2024, a Partial Inventory and Appraisal No. 3 listing three interests in real property, two vehicles, an interest in the Estate of John Baptist DeGhetto, and household furnishings, for a total value of \$564,018.65 was filed. There is no Final Inventory and Appraisal or Petition for Final Distribution in the court's file.

There were no appearances at Status of Administration hearings on January 19, 2022, March 30, 2022, June 1, 2022, September 14, 2022, October 12, 2022, or April 24, 2023. Counsel for the Executor did appear at the hearing on April 22, 2024.

TENTATIVE RULING #7:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 21, 2025, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, APRIL 20, 2026, 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.

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8.	PP20210163	ESTATE OF BURGON
Status		

Letters of Administration were issued on October 13, 2021. The Final Inventory and Appraisal was filed on June 15, 2022. There is no Final Account or Petition for Order of Final Distribution in the court's file.

TENTATIVE RULING #8:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 21, 2025, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, APRIL 20, 2026, 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.

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9.	22PR0268	ESTATE OF WEST
Status		

On July 10, 2024, an Ex-Parte Petition for Final Discharge was filed. However, it states that no receipts of distribution are required because Petitioner is the sole distributee, which does not accurately reflect the Order for Final Distribution. Receipts are required by Lauren Katharina West and Robert West, in order for Petitioner to be discharged.

TENTATIVE RULING #9:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 21, 2025, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, APRIL 20, 2026, 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.

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10.	23PR0031	ESTATE OF GYORGY
Final Distribution		

Letters of Administration were issued on May 22, 2023, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on March 14, 2024.

The proposed distribution of the estate includes 1/3 to William Joseph Gyorgy, Sr. and the remaining 2/3 divided equally amongst Gregory William Gyorgy, Joseph Samuel Gyorgy, and William Joseph Gyorgy, Jr. Waivers of Account were executed by some of the heirs entitled to distributions under the estate. No Waiver of Account was filed by William Joseph Gyorgy, Sr.

Proof of Service of Notice of the hearing on the Petition was filed on April 1, 2025.

The Petition requests:

1. The administration of the estate be brought to a close;
2. The First and Final Account be approved;
3. Approval of distribution of the estate to the persons entitled to it pursuant to the Petition for Final Distribution;
4. The Waivers of Accounting are allowed and approved;
5. The Administrator be authorized to pay herself \$20,849.00 in statutory compensation.

TENTATIVE RULING #10:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 21, 2025, IN DEPARTMENT NINE.

HEARING ON MAY 19, 2025, AT 8:30 AM IN DEPARTMENT NINE WILL REMAIN ON CALENDAR, AND FURTHER STATUS HEARING WILL BE SET AT THAT TIME.

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

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11.	25PR0031	MATTER OF OTERMAT
Petition		

Petitioner is the surviving spouse of decedent, who died testate on October 30, 2024, survived by Petitioner. Decedent's Will was lodged with the court on February 6, 2025. Exhibit 7a identifies one piece of real property (40 acres in Coulterville) that was decedent's separate property. The Will grants decedent's entire estate to Petitioner, confirms Petitioner's interest in their shared community property, and appoints Petitioner executor of the estate. No petition to administer the estate has been filed.

Probate Code § 13500 provides that "when a spouse dies . . . testate and by his or her will devises all or a part of his or her property to the surviving spouse, 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.

TENTATIVE RULING #11:

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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12.	25PR0044	MATTER OF KIMMONS REVOCABLE TRUST
Petition & Opposition		

TENTATIVE RULING #12:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 21, 2025, IN DEPARTMENT NINE.

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13.	24PR0059	ESTATE OF BORGES
Status		

Letters issued on April 22, 2024.

A Final Inventory and Appraisal was filed on February 26, 2025.

There is no Petition for Final Distribution on file.

TENTATIVE RULING #13:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 21, 2025, IN DEPARTMENT NINE.

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14.	25PR0032	ESTATE OF NYBERG
Letters of Administration		

This case was heard on April 14, 2025. This appears to be a duplicative filing.

TENTATIVE RULING #14:

HEARING DROPPED FROM 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.

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15.	24PR0309	ESTATE OF MENDES
Petition & Objection		

TENTATIVE RULING #15:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, APRIL 21, 2025, IN DEPARTMENT NINE.

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