

June 9, 2025
Dept. 9
Probate Tentative Rulings

1.	24PR0088	ESTATE OF CARTER
Status		

Order for Final Distribution granted on December 23, 2024. No receipts or Ex Parte Petition for Final Discharge have been filed.

The case is set for a status hearing on Monday, December 22, 2025, at 8:30 am in Department Nine.

TENTATIVE RULING #1:

THIS HEARING IS DROPPED FROM CALENDAR.

THE COURT CONFIRMS A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, DECEMBER 22, 2025, 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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2.	24PR0010	MATTER OF CHANG
Status		

Order for Final Distribution granted on December 16, 2024. No receipts or Ex Parte Petition for Final Discharge have been filed.

The case is set for a status hearing on Monday, December 8, 2025, at 8:30 am in Department Nine.

TENTATIVE RULING #1:

THIS HEARING IS DROPPED FROM CALENDAR.

THE COURT CONFIRMS A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, DECEMBER 8, 2025, 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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3.	PP20210180	ESTATE OF TANIS
Status		

TENTATIVE RULING #3:

AN ORDER FOR FINAL DISCHARGE HAVING BEEN ENTERED BY THE COURT ON OCTOBER 11, 2024, THE MATTER IS DROPPED FROM CALENDAR.

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4.	25PR0104	MATTER OF CHERNEY
Letters of Administration		

Decedent died intestate on November 3, 2020, survived by a spouse. Petitioner is decedent's nephew. The Petition requests full authority under the Independent Administration of Estates Act.

No option regarding bond was selected on the Petition. Absent a bond waiver by decedent's spouse, bond will be required.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on April 23, 2025.

Proof of service of notice of the hearing on the Petition was filed on May 14, 2025.

Proof of publication was filed on May 28, 2025.

Petitioner does not have priority of appointment, and there is no nomination included by decedent's spouse.

TENTATIVE RULING #4:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 9, 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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5.	24PR0135	ESTATE OF GILMORE
Final Distribution		

Letters Testamentary were issued on July 15, 2024, granting Petitioner full authority under the Independent Administration of Estates Act. A Final Inventory and Appraisal was filed on September 25, 2024.

Waivers of Account were executed by all of the heirs entitled to distributions under the estate. Proof of Service of Notice of the hearing on the Petition was filed on April 24, 2025. No one has filed a request for special notice in this proceeding.

The proposed distribution of the estate includes full distribution to Nancy Kay Gilmore, Trustee of the Gilmore 2021 Family Trust.

The Petition requests:

1. The First and Final Account filed with the Petition be approved;
2. The administration of the estate be brought to a close without the requirement of an accounting;
3. The Petitioner be authorized to pay statutory attorney fees in the amount of \$14,677.99 plus \$1,950.11 for costs advanced to the estate;
4. The Petitioner be authorized to pay herself \$1,292.69 for costs advanced to the estate;
5. The Petitioner be authorized to pay Sable Benjamin \$1,993.86 for costs advanced to the estate;
6. The Petitioner be authorized to pay Mark Gilmore \$1,929.13 for costs advanced to the estate;
7. The waiver of statutory compensation payable to Petitioner be approved;
8. The Petitioner be authorized to retain \$4,000 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;
9. Distribution of the estate in Petitioner's hands and any other property of the estate not now known or later discovered be distributed to the beneficiaries as set forth in the Petition;
10. Upon filing of receipts that Petitioner may apply to be discharged and released from all liability that may be incurred hereafter.

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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)

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, JUNE 8, 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.	PP20130053	ESTATE OF HAMILTON
Nunc Pro Tunc Correcting Order		

The Court granted Petitioner's Spousal Property Petition on May 3, 2013. However, the Order did not include the legal description of the property as an Attachment 7a. The County is refusing to transfer ownership to Petitioner without Attachment 7a as part of the Order. Petitioner is requesting a nunc pro tunc order correcting the Order, to include Attachment 7a.

TENTATIVE RULING #6:

APPEARANCES REQUIRED ON FRIDAY, JUNE 9, 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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7.	24PR0023	MATTER OF HAMLET
Termination of Further Proceedings		

Petitioner files a Petition to Terminate Further Proceedings under Probate Code § 12251. The only asset of the estate was a home, which was sold as part of a non-judicial foreclosure that occurred prior to the issuance of Letters. Thereafter, Petitioner was able to obtain \$158,256.49 in surplus funds from the sale, which he distributed equally between himself and his sister. This amount is below the threshold for estates requiring probate and no administration is required.

TENTATIVE RULING #7:

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).

ALL FUTURE HEARINGS ARE VACATED.

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.	24PR0064	ESTATE OF ROSE
Status		

Letters Testamentary issued on June 10, 2024.

Although untimely, a Final Inventory and Appraisal was filed on January 7, 2025.

TENTATIVE RULING #8:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 9, 2025, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, JUNE 8, 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.	24PR0309	ESTATE OF MENDES
Letters & Objection, Status		

TENTATIVE RULING #9:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 9, 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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10.	23PR0176	VANDER VEEN FAMILY TRUST
Status		

TENTATIVE RULING #10:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 9, 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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11.	25PR0080	MARGARET M. REVELLO TRUST
Petition		

TENTATIVE RULING #11:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 9, 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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12.	23PR0103	ESTATE OF PAULSEN
Final Distribution		

Letters Testamentary were issued on September 11, 2024, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on July 19, 2024. Waivers of Account were executed by all of the heirs entitled to distributions under the estate.

Proof of Service of Notice of the hearing on the Petition was filed on **date**. No one has filed a request for special notice in this proceeding.

The proposed distribution of the estate includes full distribution to Petitioner, Laura Paulsen.

The Petition requests:

1. The First and Final Report and Waiver of Account filed with the Petition be settled, allowed and approved;
2. That the waiver of account be allowed;
3. That the waiver of Executor commission be approved;
4. The Petitioner be authorized to pay statutory attorney fees in the amount of \$11,904.00, plus \$1,162.00 for costs advanced to the estate;
5. The Petitioner be authorized to retain \$1,900 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;
7. Upon filing of receipts and an Ex-Parte Petition for Discharge that Petitioner be discharged and released from all liability that may be incurred hereafter.

TENTATIVE RULING #12:

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, JUNE 8, 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.

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13.	25PR0100	ESTATE OF HITCHCOCK
Letters		

Decedent died testate on January 4, 2025, survived by an adult son, who is the Petitioner.

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

The Will was lodged with the court on April 24, 2025, and is admitted to probate. The Will waives bond and Petitioner was named as Executor.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on April 24, 2025.

Pursuant to Probate Code § 1201, proof of service of notice of the hearing is not required because Petitioner is the only beneficiary of the estate.

Proof of publication was filed on May 16, 2025.

TENTATIVE RULING #13:

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, JUNE 8, 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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14.	25PR0098	ESTATE OF PIGNATA
Letters		

Decedent died testate on February 27, 2025, survived by two adult children. Petitioner is decedent's son.

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

The Will was lodged with the court on April 23, 2025, and is admitted to probate. Petitioner and Frank A. Pignata (decedent's spouse) are named as Co-Executors in the Will. However, the Petition states that the decedent's spouse is deceased. The Will waives bond.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on April 23, 2025.

Proof of service of notice of the hearing on the Petition was filed on May 8, 2025.

Proof of publication was filed on May 21, 2025.

TENTATIVE RULING #14:

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, JUNE 8, 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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15.	23PR0035	ESTATE OF STUART
Petition		

Petitioner, Daniel Stuart ("Petitioner"), individually and as Personal Representative of the Estate of James R. Stuart ("decendent") petitions the Court for sanctions striking Respondents Shannon Velasquez and Chris Velasquez ("Respondents") Answer due to Respondents' failure to appear at the MSC, trial confirmation hearing and trial¹ after notice to appear was served.

Petitioner alleges that the conduct of both Respondents confirms that which Petitioner pled in the Petition before this Court: (1) that the James R. Stuart Trust is invalid; (2) that the pour over will executed by James R. Stuart (which has neither been produced nor lodged with this Court as the law requires) is invalid; and (3) that Respondents are liable to Petitioner for their conversion of the Decedent's estate, in the sum of \$1,175,000.00, which is based upon the value of decedent's residence. Petitioner also requests double damages under Probate Code § 859 in the amount of \$2,350,000.00, for a total judgment of \$3,525,000.00. Petitioner seeks attorney fees and costs, according to proof.

"Countenancing a litigant's blatant disregard of the judicial process and rules has serious downsides. It invites other litigants to ignore the laws and rules and renders the process unfair to most other litigants and counsel who endeavor to comply with them. It also undermines trial courts' ability to manage their caseloads and, in turn, to serve other litigants in a timely way.... 'It would also thwart vital policies [which] favor getting cases to trial on time, avoiding unnecessary and prejudicial delay, and preventing litigants from playing fast and loose with the pertinent legal rules and procedures. When inexcusable neglect is condoned even tacitly by the courts, they themselves unwittingly become instruments undermining the orderly process of the law.'" *Kramer v. Traditional Escrow, Inc.* (2020) 56 Cal.App.5th 13, 32 (internal citations omitted).

Local Rules of Court, Rule 7.12.11 E:

GOOD FAITH PARTICIPATION AND SANCTIONS. Counsel, the parties, and all persons attending the MSRC, shall participate fully and in good faith. The court may impose sanctions on any person required to attend who fails to attend, to participate fully and in good faith, or to file the required documents as set forth in Local Rule 7.12.13. In addition to such sanctions, the court may vacate the trial date.

Respondents failed to appear at the duly noticed Mandatory Settlement Conference set by this Court for November 20, 2024. When this matter was called on November 20, 2024,

¹ The Petition states that Respondents failed to appear for the first day of trial. However, the Court's records indicate that Respondents failed to appear at the January 10, 2025, trial confirmation hearing and that the January 14, 2025 trial was vacated for lack of judicial coverage. The case was set for a further Case Management Conference on March 25, 2025 which Respondents did not appear for and Petitioner requested a continuance to file the above Petition.

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Petitioner and his counsel appeared, having filed with the Court a Mandatory Settlement Conference Statement mandated by Rule 7.12.11 of the Local Rules of Court. Respondents also failed to appear and/or file any required pleading with this Court again at the Trial Confirmation set for January 10, 2025.

TENTATIVE RULING #15:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 9, 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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16.	PP20190249	ESTATE OF VALENCIA
Status		

An Order for Final Distribution was granted on May 15, 2023.

There are no Receipts of Distribution on file with the court. There is no ex parte Petition for Final Discharge (Judicial Council Form DE-295) on file with the court.

There were no appearances at the hearing on June 10, 2024. Petitioner is represented by Charlton Wordell.

TENTATIVE RULING #16:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 9, 2025, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, JUNE 8, 2026, IN DEPARTMENT NINE.

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17.	PP20110054	ESTATE OF WALZ
OSC		

Letters were issued on July 27, 2016. There have been several continuances, beginning in 2021.

Counsel has still not filed a motion to withdraw, there is no Final Inventory and Appraisal, and no Petition for Final Distribution.

At the hearing on March 20, 2023, counsel requested a continuance. There were no appearances at the hearing on March 18, 2024, nor March 10, 2025. Petitioner is represented by Daryl Lander.

TENTATIVE RULING #17:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 9, 2025, IN DEPARTMENT NINE.

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18.	25PR0106	MATTER OF WONG
Petition to Modify Trust & Appoint Guardian Ad Litem		

The Paul and Patricia Wolfe-Wong Trust (the "Trust") was created by declaration dated May 22, 2002 (the "Trust Declaration"), executed by Paul C. Wong and Patricia D. Wolfe-Wong, as settlors and trustees.

Patricia D. Wolfe-Wong ("Patricia") died on September 13, 2002, whereupon, pursuant to Article Five of the Trust Declaration, the Trust estate was divided into two separate sub-trusts, the "Bypass Trust" and the "Survivor's Trust." The Survivor's Trust consisted of Paul C. Wong's one-half interest in the settlors' community estate and her separate property; the Bypass Trust consisted of the balance of the Trust estate.

The Bypass Trust has been irrevocable and non-amendable since the time of its creation, as provided in Section 3.2 of the Trust Declaration. Upon Patricia's death, pursuant to Section 7.1 of the Trust Declaration, Petitioner became sole trustee of both trusts created under the Trust Declaration. Petitioner has been serving as sole trustee of the Bypass Trust at all times since Patricia's death.

Section 6.4 of the Trust Declaration, which governs the distribution of the Bypass Trust upon the death of Paul C. Wong ("Paul") as surviving settlor, provides that the trust estate will be distributed at that time to the settlors' then-living issue, by right of representation. The share of any child of the settlors is to be held in trust for the child's benefit until he or she attains age 30, at which time the child will receive outright distribution; the child is entitled to outright distribution of one half of the principal at age 25. The settlors' only issue is their daughter, Kayla Helen Wong ("Kayla"), who was born on April 28, 1999, and is now 25 years old. If she survives Paul, Kayla will thus receive the entire Bypass Trust estate. Because she would be over 25 years old at the time, she would receive one half of that estate outright; if she is then over 30 years old, she would receive the entire estate outright. In the meantime, any undistributed portion of the Bypass Trust will be held in a Separate Share Trust for Kayla's benefit that requires the trustee to distribute so much of the net income and principal as may be necessary for Kayla's health, education, support, and maintenance.

However, Kayla suffers from mental processing deficits that render her unable to financially support herself or manage her own financial affairs. Petitioner and his wife Carolyn Wong are co-conservators over her person and estate. Kayla also receives public assistance for her support. For this reason, Petitioner submits that the existing distribution provisions of the Bypass Trust are not in Kayla's best interest, because they would disqualify her to receive SSI and, thus, Medicaid as well. These circumstances were not known to or anticipated by Patricia prior to her death. The settlors' primary purpose in providing for the Bypass Trust to be held in a Separate Share Trust for Kayla's benefit until age 30, and outright enjoyment thereafter, was to

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provide an economic benefit to her that would enable her to better provide for her own support and enhance her lifestyle.

Petitioner proposes that the Bypass Trust be modified to authorize the successor trustee, following the death of Petitioner, to hold and administer the trust property in a special needs trust for Kayla's lifetime benefit, in lieu of making outright distribution to her upon her reaching age 30, if the trustee determines that the distribution provisions that would otherwise apply would jeopardize Kayla's eligibility to receive public benefits or are otherwise not in Kayla's best interest. The proposed modifications to the distribution provisions of the Bypass Trust are set forth in Exhibit "B", attached hereto and made a part hereof.

Patricia having died prematurely, the designation of her brother, Kenneth Wolfe, as successor trustee of the Bypass Trust is less appropriate than it was during Patricia's lifetime. Petitioner believes that the current circumstances make the designation of his current wife, Carolyn Wong, his sister, Lonnie Ann Wong-Trufanoff, and his wife's son, Jack Dylan McCarty, as successor trustees, in that order, more appropriate, and he proposes that the Trust be modified accordingly. Petitioner also proposes that he be authorized to designate successor trustees from time to time so that further court orders in this regard will not be necessary if circumstances change further in the future. The proposed modifications to the successor trustee provisions of the Bypass Trust are set forth in Exhibit "B", attached.

Kayla, as the sole vested, non-contingent beneficiary of the Bypass Trust, will have consented to the modification proposed herein, as indicated by the written consent of her guardian ad litem filed herewith. The proposed guardian ad litem will also have consented to the proposed modification on behalf of all unborn and unascertained beneficiaries. Other beneficiaries receiving notice will also have consented to the proposed modification.

The Corrected Notice of Hearing for the Petition for Order Modifying Irrevocable Trust filed May 14, 2025, shows the Petition was mailed on all interested parties on May 14, 2025.

Concurrent with the Petition to Modify the Trust, Petitioner filed a Petition for Appointment of Guardian Ad Litem for Kayla, seeking to appoint attorney Jana Ellerman. Attachment 7a of that Petition indicates the persons entitled to Notice, however, the Corrected Notice of Hearing for the Petition for Appointment of Guardian Ad Litem filed May 14, 2025, only indicates service upon Paul, Kayla, and Jana Ellerman, and not the other individuals listed on Attachment 7a.

TENTATIVE RULING #18:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 9, 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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19.	25PR0071	NATE WORTH TRUST
Petition to Determine Ownership		

Petitioner is the sole Successor Trustee of the Nate Worth Trust ("Trust") executed on November 3, 2015. At the same time, he executed a Pour-Over Will, giving all assets to the Trust. On October 2, 2020, Nate Worth ("decendent") executed a Declaration of Trust, giving all assets of his to the Trust. Decendent is survived by two children, one of whom is the Petitioner. The Trust is being administered in El Dorado County, so venue is proper under Probate Code § 17005(a)(1).

Probate Code § 850 permits a trustee who has a claim to property, the title to or possession of which is held by another, to file a petition requesting that the court make an order pursuant to Probate Code § 856 authorizing and directing the person having title to or possession of real property to execute a conveyance or transfer to a person entitled thereto, or granting other appropriate relief. Probate Code § 851 requires the Petitioner to serve notice of the hearing and a copy of the Petition at least 30 days prior to the hearing to each person claiming an interest in or having title to or possession of the property. When the matter concerns a decendent estate, notice shall also be given to any heir or devisee whose interest may be affected by the Petition in accordance with Probate Code § 1200.

Probate Code § 857 provides that in the event that the court issues such an Order:

(a) The order is prima facie evidence of the correctness of the proceedings and of the authority of the personal representative or other fiduciary or other person to make the conveyance or transfer.

(b) After entry of an order that the personal representative, other fiduciary, or other person execute a conveyance or transfer, the person entitled thereunder has the right to the possession of the property, and the right to hold the property, according to the terms of the order as if the property had been conveyed or transferred in accordance with the terms of the order.

Notice of the hearing and a copy of the Petition were mailed at least 30 days prior to the hearing, to each person claiming an interest in or having title to or possession of the property, as well as any heir or devisee whose interest may be affected by the Petition. The notice and Petition were mailed and filed on April 1, 2025.

TENTATIVE RULING #19:

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).

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