

June 16, 2025
Dept. 9
Probate Tentative Rulings

1.	25PR0120	MATTER OF ARMSTRONG
Letters Testamentary		

Decedent died testate on January 12, 2025, survived by her husband, and four adult grandchildren. Petitioner is decedent's spouse. The Petition requests full authority under the Independent Administration of Estates Act.

The Will was lodged with the court on May 23, 2025, and is admitted to probate. Petitioner was named as Executor in the Will and the Will waives bond.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on May 7, 2025.

Proof of service of notice of the hearing on the Petition was filed on May 12, 2025.

Proof of publication was filed on May 28, 2025.

TENTATIVE RULING #1:

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 15, 2026, IN DEPARTMENT NINE. PETITIONER OR COUNSEL ARE ORDERED TO PERSONALLY APPEAR, OR FILE A STATUS UPDATE WITH THE COURT AT LEAST TWO WEEKS BEFORE THAT HEARING.

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.	25PR0085	MATTER OF CAMPOS
Letters of Administration		

Decedent died intestate on October 3, 2024, survived by her husband and adult daughter. Petitioner is decedent's husband.

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

Waiver of bond has been filed with the court by the heirs.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on April 8, 2025.

Proof of service of notice of the hearing on the Petition was filed on April 11, 2025.

Proof of publication was filed on May 2, 2025.

TENTATIVE RULING #2:

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 15, 2026, IN DEPARTMENT NINE. PETITIONER OR COUNSEL ARE ORDERED TO PERSONALLY APPEAR, OR FILE A STATUS UPDATE WITH THE COURT AT LEAST TWO WEEKS BEFORE THAT HEARING.

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3.	25PR0027	MATTER OF CHAVERS
850 Petition		

TENTATIVE RULING #3:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 16, 2025, IN DEPARTMENT NINE.

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4.	25PR0093	MATTER OF MCKAY
Letters of Administration		

Decedent died intestate on January 25, 2025, survived by two adult daughters and two adult siblings. Petitioner is decedent's sister.

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

Both of decedent's daughters have executed declinations to serve and waivers of bond, which were filed with the Court.

A Duties/Liabilities Statement (DE 147) was filed on April 17, 2025, but there is no DE-147s form on file with the court, 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 May 9, 2025.

Proof of publication was filed on May 23, 2025.

TENTATIVE RULING #4:

ABSENT OBJECTION AND UPON FILING OF THE DE-147S, 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 15, 2026, IN DEPARTMENT NINE. PETITIONER OR COUNSEL ARE ORDERED TO PERSONALLY APPEAR, OR FILE A STATUS UPDATE WITH THE COURT AT LEAST TWO WEEKS BEFORE THAT HEARING.

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.	PP20210107	ESTATE OF DORMISHEV
Status		

Letters of Administration issued on April 4, 2023.

Counsel for the Petitioner was relieved on March 5, 2024. At the hearing on April 8, 2024, and May 12, 2025, there were no appearances.

TENTATIVE RULING #5:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 16, 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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6.	25PR0086	GORDON CHAPPELL HISTORIC TRUST
Petition to Confirm Trust Assets		

Gordon S. Chappell (hereinafter “Gordon” or “Grantor”) created the Gordon S. Chappell Historic Trust on July 31, 2015 (hereinafter “Trust”). Gordon died on April 12, 2021. Following a declination to serve and a resignation, on November 8, 2023, Mia Ehsani, CLPF, consented to serving as successor trustee of the Trust.

There are two accounts – one with UBS Financial and one with Umpqua Bank – that are not titled in the name of the Trust, but that Petitioner alleges are assets of the Trust. As evidence of the Grantor’s intention to transfer all of his assets to the Trust, Petitioner cites to Section 1.03, paragraph (a) of the Trust. The Grantor also has a Pour-Over Will that he executed on April 18, 2018, leaving the residue of his estate to the Trust.

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 decedent 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 Petition was mailed to those entitled to notice and the Notice was filed on April 21, 2025.

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Pursuant to Probate Code §850 and *Estate of Heggstad* (1993) 16 Cal.App. 4th 943, 947-950, the Court finds sufficient evidence that decedent intended the above-mentioned assets be part of the Trust.

TENTATIVE RULING #6:

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.

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7.	PP20200228	ESTATE OF KAMINE
Status		

Following the hearing on June 17, 2024, My Inheritance Cash, LLC, filed a Release and Satisfaction of Assignment, acknowledging receipt in full of the amount due under the Assignment.

The only additional document filed since that hearing was an Amended Creditor's Claim by Crystal Sobrino for \$34,012.22.

TENTATIVE RULING #7:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 16, 2025, IN DEPARTMENT NINE.

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8.	24PR0120	ESTATE OF KNIGHT
Final Distribution		

Letters Testamentary were issued on July 1, 2024, granting Petitioner full authority under the Independent Administration of Estates Act.

A Partial Inventory and Appraisal was filed on April 24, 2025. No Final Inventory and Appraisal was filed.

A First and Final Account was attached to the Petition, but Waivers of Account were executed by all the heirs entitled to distributions under the estate.

Proof of Service of Notice of the hearing on the Petition was not filed. The IRS filed a request for special notice that has since been withdrawn.

The Petition requests:

1. The First and Final Account filed with the Petition be approved;
2. All acts of the Petitioner be approved;
3. The Petitioner be authorized to pay herself \$14,500.00 in statutory compensation;
4. The Petitioner be authorized to pay statutory attorney fees in the amount of \$14,500.00 , plus \$595.85 for costs advanced to the estate;
5. Petitioner be authorized to hold back reserves in the amount of \$1,000 for closing costs;
6. Approval of distribution of the estate to the persons entitled to it pursuant to the Petition for Final Distribution;
7. 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;
8. **Upon filing of receipts and the Ex Parte Petition for Discharge, Petition may be discharged and released from all liability that may be incurred thereafter.**

TENTATIVE RULING #8:

HEARING CONTINUED TO MONDAY, JULY 14, 2025, AT 8:30 AM IN DEPARTMENT NINE TO ALLOW PETITIONER TO CURE THE DEFECTS IDENTIFIED ABOVE.

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9.	22PR0228	ESTATE OF MARSHALL
OSC/Final Distribution		

Letters of Administration were issued on January 25, 2023, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on May 2, 2025. 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 May 8, 2025. No one has filed a request for special notice in this proceeding.

The proposed distribution of the estate includes full distribution to Justin M. Marshall, as Trustee of the Robert A. and Barbara E. Marshall Revocable Trust, dated June 10, 2015.

The Petition requests:

1. The administration of the estate be brought to a close without the requirement of an accounting;
2. All acts and proceedings of the Petitioner be confirmed and approved;
3. The Administrator be authorized to pay statutory attorney fees in the amount of \$10,992.21;
4. Approval of distribution of the estate to the persons entitled to it pursuant to the Petition for Final Distribution; and,
5. **Upon filing of receipts and the Ex Parte Petition for Discharge, Petition may be discharged and released from all liability that may be incurred thereafter.**

TENTATIVE RULING #9:

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 15, 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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10.	23PR0297	ESTATE OF MOORE
OSC		

There were no appearances at the hearing on February 24, 2025, and the matter was set for an OSC. Since that time, a Final Inventory and Appraisal was filed along with a Petition for Final Distribution. Therefore, the OSC is dropped from calendar.

TENTATIVE RULING #10:

HEARING DROPPED FROM CALENDAR.

THE CASE REMAINS ON CALENDAR FOR MONDAY, JULY 7, 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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11.	PP20200146	ESTATE OF O'SULLIVAN
OSC		

Petitioner is represented by attorney Aaron Gregg.

TENTATIVE RULING #11:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 16, 2025, IN DEPARTMENT NINE.

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12.	25PR0087	MATTER OF STAUDINGER
Letters of Administration		

Decedent died intestate on October 30, 2024, survived by his wife, daughter, and son. Petitioner is decedent's wife.

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

The Petition does not make any selection regarding bond, and there are no bond waivers on file.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on April 9, 2025.

Proof of service of notice of the hearing on the Petition was filed on May 12, 2025.

Proof of publication was filed on May 8, 2025.

TENTATIVE RULING #12:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 16, 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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13.	24PR0033	ESTATE OF STEWARD
Status		

Letters issued on June 17, 2024. In violation of Probate Code § 8800, no Inventory and Appraisal has been filed.

TENTATIVE RULING #13:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JUNE 16, 2025, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, JUNE 15, 2026, IN DEPARTMENT NINE.

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14.	25PR0088	ANTHONY A. HUSBY REVOCABLE TRUST
Petition to Confirm Trust Assets		

Anthony A. Husby, as Settlor (“Settlor” or “Decedent”) and initial Trustee, created the Trust on July 3, 2019. Concurrently with the execution of the Trust, Anthony A. Husby executed the Last Will and Testament of Anthony A. Husby (“Will”) a pour-over will directing the residue of his estate to be added to the Trust to be held, administered and distributed as directed by the terms of the Trust. The Settlor died on December 1, 2024, and the Petitioner became the sole acting Trustee of the Trust. In addition to the Will, Anthony A. Husby executed a Comprehensive Transfer Document (“Comprehensive Transfer Document”) categorically transferring substantially all of his assets to the Trust. The Petition concerns one parcel of real property, which is held in the name of Decedent and his pre-deceased wife. After the Decedent’s death the Petitioner located a signed, unnotarized Trust Transfer Deed, further evidencing the Decedent’s intent to transfer his real property to the Trust.

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 decedent 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 Petition was mailed to the beneficiaries on April 11, 2025 and the Notice was filed on June 3, 2025.

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Pursuant to Probate Code §850 and *Estate of Heggstad* (1993) 16 Cal.App. 4th 943, 947-950, the Court finds sufficient evidence that decedent intended the above-mentioned assets be part of the Trust.

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).

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