

September 19, 2025

Dept. 9

Tentative Rulings

1.	25PR0001	Estate of Boyce Cunningham
Final Distribution Hearing		

Letters of Administration were issued on **02/13/2025**, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on **06/05/2025**.

Waivers of all interests were executed by **all** the heirs entitled to distributions under the estate.

The proposed distribution of the estate is for all assets to be distributed to George Cunningham, the administrator of the estate and sibling of the decedent.

Per Local Rule 10.07.12 Petitions for final distribution must include a report of the following:

1. That no federal or California estate taxes are payable or that they have been paid;
 - a. The STATE OF CALIFORNIA FRANCHISE TAX BOARD has filed a request for special notice in this proceeding on 08/26/2025. The FTB also filed a creditor's claim. The court needs further information as to whether this claim has been resolved and whether the FTB has been given notice of this hearing.

2. That income taxes and all other taxes (e.g. supplemental real property taxes or personal property taxes, if any, have been paid or otherwise provided for.

If estate taxes are payable or paid: 1) the petition shall set forth whether said taxes were prorated pursuant to Probate Code section 20100, et seq., or the provisions of the will; and 2) the petition must reflect whether or not there are non-probate assets includable in the gross estate for estate tax purposes.

The Petition requests:

1. The administration of the estate be closed without an account;
2. The first and final account of petitioner as administrator be settled, allowed, and approved as filed;
3. All the acts and proceedings of petitioner as administrator be confirmed and approved;
4. Petitioner be allowed and credited with \$10,201.74 as ordinary compensation for services as administrator;
5. Petitioner be authorized and directed to pay to George Cilley \$10,201.74 as statutory compensation for services to petitioner and to the estate;

September 19, 2025

Dept. 9

Tentative Rulings

6. Distribution of the estate in petitioner's hands and any other property of the decedent or the estate, not known or discovered that may belong to the estate or in which the decedent or the estate may have any interest be made to the persons entitled to it, as set forth in the petition; and that
7. Such further order be made as the court considers proper.

TENTATIVE RULING #1:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 22, 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.

September 19, 2025

Dept. 9

Tentative Rulings

2.	22PR0075	Estate of HEIDI MIXON
OSC Hearing		

No parties successfully appeared at the hearing on July 28, 2025. However, the Court notes the Personal Representative made an attempt to appear via Zoom, although due to technical difficulties was unable to communicate with the Court. The Court continued the order to show cause hearing regarding removal, suspension, or sanctions to September 22, 2025.

TENTATIVE RULING #2:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 22, 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.

September 19, 2025

Dept. 9

Tentative Rulings

3.	23PR0143	Estate Of Kelly Brown
Probate Will/Issue Letters		

Decedent dies testate on December 13, 2022. A Petition to administer decedent's estate was filed pm July 6, 2023. Petitioners are decedent's daughters. The Petition request Petitioner Ivy Goessens-Long be appointed Executor and granted full authority under the Independent Administration of Estates Act. The Petitioner indicates that the Will of decedent is lost, and that no Executor was named in the Will.

The Petition request bond be set at \$5,000.

Item 3(d) is not completed, which would indicate the estimated value of the estate.

There is no Duties/Liabilities statement (DE 147/DE 147s) on file with the court. There is no proof of publication on file with the court.

Probate Code §8223 provides:

The petition for probate of a lost or destroyed will shall include a written statement of the testamentary words or their substance. If the will is proved, the provisions of the will shall be set forth in the order admitting the will to probate.

The matter was continued after no parties appeared at the hearing on the Petition held on August 7, 2023. The matter was again continued at the hearing of January 22, 2024, to allow the Petitioner to file the required documents. No new documents have been filed since the prior hearing. There were no appearances at the March 25, 2024 hearing or the September 23, 2024, hearing.

At the last hearing, on September 23, 2024, the Court decided that if no appearances are made at the next hearing, the petition will be dismissed by the Court.

TENTATIVE RULING #3:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 22, 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.

September 19, 2025

Dept. 9

Tentative Rulings

4.	23PR0032	Estate of William Joseph Gyorgy SR.
Petition Hearing		

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

An Inventory and Appraisal was filed on June 16, 2025. It is not clear whether this is a Final Inventory and Appraisal.

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 August 19, 2025. No one has filed a request for special notice in this proceeding.

The proposed distribution of the estate is to distribute the estate in equal shares to the three natural heirs: Gregory William Gyorgy, Joseph Samuel Gyorgy, and William Joseph Gyorgy.

Per Local Rule 10.07.12 Petitions for final distribution must include a report of the following:

1. That no federal or California estate taxes are payable or that they have been paid;
2. That income taxes and all other taxes (e.g. supplemental real property taxes or personal property taxes) if any, have been paid or otherwise provided for.

If estate taxes are payable or paid: 1) the petition shall set forth whether said taxes were prorated pursuant to Probate Code section 20100, et seq., or the provisions of the will; and 2) the petition must reflect whether or not there are non-probate assets includable in the gross estate for estate tax purposes.

The Petition indicates that there are no estate or property taxes to be paid and that all income taxes have been paid.

The Petition requests:

1. The administration of this estate be closed;
2. The First and Final Report and Petition presented herewith is approved;
3. The property of the estate be distributed as set forth pursuant to this petition; Per the las of intestacy, the nest estate, after the deduction of the cost of the administration should be distributed in equal shares to the natural heirs of the estate, namely, Gregory William Gyorgy, Joseph Samuel Gyorgy, and William Joseph Gyorgy, Jr.;

September 19, 2025

Dept. 9

Tentative Rulings

4. The waivers of accounts are allowed and approved as filed;
5. Petitioner is allowed the sum of \$11,662.80 out of the estate as the statutory compensation to which petitioner as Administrator of the estate is entitled;
6. Distribution of any other property of the decedent or the estate not now known or later discovered be distributed to the beneficiaries , namely, Gregory William Gyorgy, Joseph Samuel Gyorgy, and William Joseph Gyorgy, Jr., and,
7. 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 #4:

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).

AN ORDER FOR FINAL DISTRIBUTION HAVING BEEN ENTERED BY THE COURT ON SEPTEMBER 22, 2025, THE MATTER IS CONTINUED TO 8:30 A.M. ON SEPTEMBER 21, 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.

September 19, 2025

Dept. 9

Tentative Rulings

5.	25PR0200	ESTATE OF REBBECA LEMMA NICHOLS
Letters of Administration		

Decedent died intestate on July 19, 2025, survived by one adult daughter. Petitioner is decedent's daughter.

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

No waivers of bond have been filed with the court by the heirs, although the Petition request that no bond be ordered.

The Court requires the following to be filed to consider the Petitioners request for full authority under the Independent Administration of Estates Act:

- A Duties/Liabilities statement (DE 147/DE 147s).
- Proof of service of notice of the hearing on the Petition
- Proof of publication

TENTATIVE RULING #5:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 22, 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.

September 19, 2025

Dept. 9

Tentative Rulings

6.	24PR0028	ESTATE OF HENKE
Petition Hearing		

Letters of Administration were issued on May 6, 2024. A Final Inventory and Appraisal was filed on August 26, 2024. Waivers of accounting have been filed by all living beneficiaries - Gianna Bingham, Alec Bingham, and Phillip Henke. Decedent's mother has since passed away.

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 filed on September 8, 2025. No one has filed a request for special notice in this proceeding.

The proposed distribution of the estate is as follows: ½ to Phillip Henke and ½ to Annette Henke.

Per Local Rule 10.07.12 Petitions for final distribution must include a report of the following:

1. That no federal or California estate taxes are payable or that they have been paid;
2. That income taxes and all other taxes (e.g. supplemental real property taxes or personal property taxes, if any, have been paid or otherwise provided for.

If estate taxes are payable or paid: 1) the petition shall set forth whether said taxes were prorated pursuant to Probate Code section 20100, et seq., or the provisions of the will; and 2) the petition must reflect whether or not there are non-probate assets includable in the gross estate for estate tax purposes.

The Petition indicates that there are no estate taxes to be paid and that all income and other taxes have been paid.

The Petition requests:

1. The administration of this estate be closed
2. Petitioner's report on waiver of account be approved.
3. The property in the estate be distributed as set for herein.
4. For such other and further orders as the court may deem proper.

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).

September 19, 2025

Dept. 9

Tentative Rulings

AN ORDER FOR FINAL DISTRIBUTION HAVING BEEN ENTERED BY THE COURT ON SEPTEMBER 22, 2025, THE MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, SEPTEMBER 21, 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.

September 19, 2025

Dept. 9

Tentative Rulings

7.	25PR0154	Estate Of Diehl
Probate Will/Issue Letters		

Decedent died testate on October 4, 2024, survived by four adult children, and predeceased by one child. Petitioners are decedent's children.

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

A Proof of Holographic Instrument was filed as was a purported Will, but there is a written summary of the document filed. The Petition requests that bond be required, but there is only a bond waiver filed by Jeff Hursell and Nena Joy Metz. Penny Cook requested to be appointed co-executor, so the court need not require a waiver of bond for this heir. However, there is no waiver of bond for the remaining adult child, Christy Ann Blair.

A Duties/Liabilities statement was filed on July 8, 2025 signed by both Co-Executors. There is a DE-147S for Jeff Hursell filed July 15, 2025, but no DE-147S for Penny Cook.

Proof of service of notice of the hearing on the Petition was filed on July 15, 2025.

There is proof of publication on file with the court, as required by Probate Code §§ 8120, 8121.

TENTATIVE RULING #7:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 22, 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.

\

September 19, 2025

Dept. 9

Tentative Rulings

8.	23PR0113	Estate of King
Review Hearing		

Attorney for the Executor filed a Petition requesting a continuance of the review hearing to September 20, 2027, as a related civil case has yet to be resolved. The Petition also requests confirmation of acts performed by the Executor. The Court grants the continuance, but declines to confirm any acts of the Executor without the statutory notice to all interested parties. The Executor can continue act consistent with the letters previously issued.

TENTATIVE RULING #8:

THE MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, SEPTEMBER 20, 2027, 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.

September 19, 2025

Dept. 9

Tentative Rulings

9.	25PR0211	In the Matter of Debra Klein
Instruction Hearing for Trust Petition		

Petitioner has filed for the following to occur:

1. For Instructions authorizing action by single trustee;
2. For suspension of co-trustee;
3. For removal of co-trustee;
4. For surcharges of Jeanette Renee Cordova; and
5. For Attorneys' Fees and Costs.

Notice has been given in the manner required by law to all persons entitled to notice, so far as known to Petitioner.

TENTATIVE RULING #9:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 22, 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.

September 19, 2025

Dept. 9

Tentative Rulings

10.	25PR0233	Estate of Peter Michael Myers
Status		

TENTATIVE RULING #10:

**APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 22, 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**

September 19, 2025

Dept. 9

Tentative Rulings

11.	24CV1990	Garden vs. Rincon
Motion Hearing		

The Court set this hearing on its own motion to consider consolidation of with a related probate matter.

Accordingly, appearances are required so that the parties may address the following:

1. The extent to which the issues in the civil breach and promissory note claims overlap with the probate matter.
2. Whether consideration would streamline adjudication of the claims without compromising the probate process for creditor claims.
3. The potential for prejudice, confusion, or undue delay if the matters are combined.
4. Whether alternatives such as coordination (CCP § 404.1) or limited consideration would better serve judicial economy and the interest of justice.

Appearances are required. Parties should be prepared to address these factors at the hearing.

TENTATIVE RULING #11:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 22, 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.

September 19, 2025

Dept. 9

Tentative Rulings

12.	PP20210130	MATTER OF THE SADDLE ROAD TRUST
Motion Hearing		

The Court set this hearing on its own motion to consider consolidation of with a related civil matter.

Accordingly, appearances are required so that the parties may address the following:

5. The extent to which the issues in the civil breach and promissory note claims overlap with the probate matter.
6. Whether consideration would streamline adjudication of the claims without compromising the probate process for creditor claims.
7. The potential for prejudice, confusion, or undue delay if the matters are combined.
8. Whether alternatives such as coordination (CCP § 404.1) or limited consideration would better serve judicial economy and the interest of justice.

Appearances are required. Parties should be prepared to address these factors at the hearing. The matter is also set for a status hearing.

TENTATIVE RULING #12:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 22, 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.

September 19, 2025

Dept. 9

Tentative Rulings

13.	25PR0205	In the Matter of Benoit David Ustariz
Probat Will/Issue letters	Lost Will	

The Court has considered the Petition to admit the lost will of Benoit David Ustariz dated June 24, 1987. The evidence establishes that the original will cannot be found after a diligent search. The Court finds, consistent with *Ulm v. Prather* (1920) 49 Cal. App. 141, that the loss or destruction of the original will was unintentional and that Petitioner exercised reasonable diligence in attempting to locate it.

Under California law, the provisions of a lost will must be proven by the testimony of at least two credible witnesses. (*Estate of Ruben* (1964) 224 Cal. App. 2d 600.) The Court finds that this requirement has not been based on the evidence submitted. No circumstantial evidence or hearsay may substitute for this requirement.

TENTATIVE RULING #13:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 22, 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.

September 19, 2025

Dept. 9

Tentative Rulings

14.	25PR0214	The Estate of Daniel Jackson Santiano
Spousal Property Hearing		

Petitioner is the surviving spouse of decedent, who died intestate March 25, 2025, survived by Petitioner and his two children. No petition to administer the estate has been filed.

Probate Code § 100(a) provides that “[u]pon the death of a person who is married or in a registered domestic partnership, one-half of the community property belongs to the surviving spouse and the other one-half belongs to the decedent.”

Probate Code § 6401(a) states: “As to community property, the intestate share of the surviving spouse is the one-half of the community property that belongs to the decedent under Section 100.”

Probate Code § 13500 provides that “when a spouse dies intestate leaving property that passes to the surviving spouse under Section 6401, . . . 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.

The Petition in this case identifies one piece of real property that is the subject of the Petition. Decedent and Petitioner took title to their 25% interest in the property as tenants in common. The property was purchased during their marriage. The remaining 75% of the property is owned by decedent’s parents.

Notice of the hearing on the Petition was filed with the court on August 20, 2025.

Three creditors claims have been filed.

TENTATIVE RULING #14:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 22, 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.