

October 6, 2025
Dept. 9
Probate Tentative Rulings

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| 1. | 23PR0313 | ESTATE OF HARPER |
| Status | | |

TENTATIVE RULING #1:

**AN ORDER FOR FINAL DISCHARGE HAVING BEEN ENTERED BY THE COURT ON MARCH 4, 2025,
THE MATTER IS DROPPED FROM CALENDAR.**

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| 2. | 25PR0225 | ESTATE OF SMITH |
| Petition for Succession to Real Property | | |

Decedent died on April 16, 2025 as a resident of El Dorado Hills. He died intestate.

The gross value of decedent's interest in the real property described in item 11, as shown by the attached appraisal, did not exceed \$750,000. An Inventory and Appraisal was completed by a probate referee and shows the value of property subject to this Petition to be \$700,000.00. Probate Code § 13152(e) requires that Form DE300 also be attached to the Petition, *see* Petition paragraph 8(b). That form is not included with the Petition.

Attachment 11 contains the legal description and APN of the real property.

It also contains a description of the personal property in California passing to each petitioner, decedent's interest in the property and if the petitioner's claim to the property is based on succession under Probate Code §6401 and 6402, facts that show the character of the property as community, separate, or quasi-community property.

The interest claimed by each petitioner in each specific piece of real property and personal property is: 50% ownership as community property.

Decedent is survived by a spouse and adult daughter. Attachment 14 contains the names, relationships to decedent, ages, and residence/ mailing addresses, as far as known to or reasonably ascertainable by petitioner, of all persons named or checked in items 1, 9, and 10, all other persons who may be entitled to inherit decedent's property in the absence of a will, and all persons designated in the will to receive any property.

There is no notice of hearing showing service on decedent's daughter.

TENTATIVE RULING #2:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY OCTOBER 6, 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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| 3. | 22PR0124 | ESTATE OF COLOMBO |
| Status | | |

TENTATIVE RULING #3:

AN ORDER FOR FINAL DISCHARGE HAVING BEEN ENTERED BY THE COURT ON JANUARY 17, 2025, THE MATTER IS DROPPED FROM CALENDAR.

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| 4. | 24PR0232 | ESTATE OF GERNANDT |
| Status | | |

On June 20, 2025, the Court entered an Order for Final Distribution. However, no receipts or Ex Parte Petition for Final Discharge (DE-295) has been filed.

TENTATIVE RULING #4:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY OCTOBER 6, 2025, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, OCTOBER 5, 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. | 25PR0222 | ESTATE OF JOHNSON |
| Letters of Administration | | |

Decedent died intestate on November 1, 2024, survived by one adult son, who is Petitioner. 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 August 14, 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 September 11, 2025.

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, OCTOBER 5, 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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| 6. | 24PR0053 | ESTATE OF YOU-FONG LEE |
| Final Distribution | | |

Letters of Administration were issued on June 3, 2024, granting Petitioner full authority under the Independent Administration of Estates Act. Although not timely under the Probate Code, a Final Inventory and Appraisal was filed on January 7, 2025.

Proof of Service of Notice of the hearing on the Petition was filed on September 8, 2025. Prior counsel filed a request for special notice in this proceeding, and received notice of the hearing.

The proposed distribution of the estate includes full distribution to Petitioner/Administrator, who has waived an accounting to herself.

The Petition requests:

1. The administration of the estate be brought to a close;
2. All acts and proceedings of the Administrator be confirmed and approved;
3. The Administrator be authorized to pay statutory attorney fees in the amount of \$2,500;
4. Approval of distribution of the estate to the persons entitled to it pursuant to the Petition for Final Distribution;
5. 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;
6. **Upon filing of receipts and the Ex Parte Petition for Discharge, Petitioner may be discharged and released from all liability that may be incurred thereafter.**

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).

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, OCTOBER 5, 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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| 7. | 25PR0221 | ESTATE OF AUSTIN |
| Letters of Administration | | |

Decedent died intestate on August 4, 2025, survived by one adult daughter, who is Petitioner.

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 August 12, 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. However, notice was given to Franchise Tax Board and Department of Health Care Services.

Proof of publication was filed on September 12, 2025.

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).

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, OCTOBER 5, 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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| 8. | 24PR0318 | ESTATE OF MCFADDEN |
| Final Distribution | | |

Letters of Administration were issued on January 22, 2025, granting Petitioner full authority under the Independent Administration of Estates Act. A Final Inventory and Appraisal was filed on April 1, 2025.

Petitioner is the sole beneficiary, and notice is not required. No one has filed a request for special notice in this proceeding.

The proposed distribution of the estate includes full distribution to Petitioner/Administrator, who waived an accounting to himself.

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 Administrator be ratified, confirmed and approved;
3. The Administrator be authorized to pay statutory attorney fees in the amount of \$8,543;
4. 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;
5. **Upon filing of receipts and the Ex Parte Petition for Discharge, Petitioner may be discharged and released from all liability that may be incurred thereafter.**

TENTATIVE RULING #8:

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, OCTOBER 5, 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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| 9. | 24PR0309 | ESTATE OF MENDES |
| Letters & Objection, Status | | |

TENTATIVE RULING #9:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY OCTOBER 6, 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. | 25PR0031 | ESTATE OF OTERMAT |
| Petition | | |

Kathleen Otermat (“Petitioner”) married David Cremean Otermat (“decedent”) on June 27, 1992, and he died on October 30, 2024. Decedent was survived only by Petitioner – he had no children, was predeceased by his parents, and had one sibling who predeceased him and left no issue. Decedent died testate, and his Will names Petitioner as Executor and sole beneficiary. During their marriage, Petitioner alleges that decedent purchased and retained possession of a 1999 Ford F350 truck and a 2024 Honda NX500 motorcycle (the “vehicles”).

Laura Houghton (“Respondent”), a resident of Oregon, was a friend of decedent’s. Petitioner alleges that decedent put Respondent’s name as registered owner on the vehicles because she was an Oregon resident and he wanted to avoid California fees. After decedent’s death, Respondent requested a replacement title for the Ford F350 truck, making Petitioner’s original title null and void. Petitioner has physical possession of the vehicles, but prays that the Court order Respondent to execute all documents to transfer title to the vehicles to Petitioner’s name, awarding Petitioner double damages based on the value of the vehicles, and awarding attorney’s fees and costs.

Petitioner brings this Petition under Probate Code §§ 850 and 859.

TENTATIVE RULING #10:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY OCTOBER 6, 2025, IN DEPARTMENT NINE.

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| 11. | 23PR0224 | ESTATE OF COREY |
| Final Distribution | | |

Letters Testamentary were issued on December 7, 2023, granting Petitioner full authority under the Independent Administration of Estates Act. A Final Inventory and Appraisal was filed on April 15, 2024.

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 16, 2025. No one has filed a request for special notice in this proceeding.

The proposed distribution of the estate includes equal distribution amongst decedent's three adult siblings – Susan E. Perry, Thomas Corey, and Cheryl Corey Collins. Decedent's friend Elizabeth Crayton disclaimed her interest in the Will.

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. All creditor claims not properly filed with the court and served on the estate be barred;
4. The Petitioner be authorized to pay statutory attorney fees in the amount of \$16,684.91;
5. The Petitioner be authorized to pay herself \$16,684.91 in statutory compensation;
6. 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;
7. **Upon filing of receipts and the Ex Parte Petition for Discharge, Petitioner may be discharged and released from all liability that may be incurred thereafter.**

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. | 25PR0215 | ESTATE OF POINSETT |
| Letters of Administration | | |

Decedent died intestate on June 29, 2025, survived by one adult son, who is the Petitioner.

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 July 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 September 12, 2025.

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).

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| 13. | 25PR0219 | MATTER OF RITTIMAN |
| Petition | | |

Petitioner is the currently acting Successor Trustee of the Margaret Bucholtz Trust dated March 28, 2014 (“Trust”) and sole beneficiary. In the Trust, Margaret Bucholtz (“decedent”) excluded her spouse at the time, Ronald J. Bucholtz, who has since passed away. As part of the Trust, decedent executed a Schedule A of the property she intended to transfer to the Trust, along with a Comprehensive Transfer Document. However, a piece of real property that is subject to this Petition, was not transferred into the Trust. Petitioner is requesting that the real property be confirmed as a trust asset.

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 is not required as Petitioner is the sole beneficiary under the Trust. 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.

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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).

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