

October 13, 2025
Dept. 9
Probate Tentative Rulings

1.	25PR0235	THOMPSON REVOCABLE TRUST
§850 Petition		

Petitioner ("Petitioner" or "Trustee") is the currently acting Trustee of The David E. Thompson Revocable Living Trust ("Trust"), named Executor of the estate of David E. Thompson ("Decedent"), and daughter of David E. Thompson. The Decedent died on April 28, 2023. Decedent executed his Trust and Pour-Over Will on April 27, 2023.

After Decedent's death, Petitioner became aware of a piece of real property in Hawaii that was not properly transferred to Decedent's Trust, despite his intention that it be 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 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 September 5, 2025.

October 13, 2025
Dept. 9
Probate Tentative Rulings

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 #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).

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

October 13, 2025
Dept. 9
Probate Tentative Rulings

2.	24PR0239	ESTATE OF BACHMANN
Status		

Letters of Special Administration issued on October 14, 2024, and are set to expire on December 31, 2025. In violation of Probate Code § 8800, no Inventory and Appraisal has been filed.

Petitioner is represented by Drobny Law.

TENTATIVE RULING #2:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 13, 2025, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, OCTOBER 12, 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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October 13, 2025
Dept. 9
Probate Tentative Rulings

3.	25PR0223	MATTER OF CAIN/MILLER FAMILY TRUST
Petition for Appointment of Trustee		

Petitioner, a licensed professional fiduciary, brings this Petition to fill a vacancy as Trustee of the Miller Family Trust dated December 14, 1988 ("Trust"). The Trust was established by Charles and Carol Miller ("Settlers") who are both still living but have been determined by physicians to be incapacitated and unable to serve as trustees. The Trust names Settlers' two daughters, or Charles' sister as successor trustees – all of whom are deceased. Settlers' neighbors are currently serving as agents under powers of attorney and requested that Petitioner be appointed as Trustee. This Petition is brought under Probate Code §17200(b)(10).

TENTATIVE RULING #3:

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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October 13, 2025
Dept. 9
Probate Tentative Rulings

4.	25PR0142	ESTATE OF CARPENTER
Petition for Letters		

TENTATIVE RULING #4:

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October 13, 2025
Dept. 9
Probate Tentative Rulings

5.	25PR0234	ESTATE OF MACAULEY
Petition to Determine Succession		

Decedent died on May 30, 2025, as a resident of El Dorado. She 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. **No Inventory and Appraisal was completed by a probate referee showing the value of property subject to this Petition.** 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.**

Decedent is survived by one daughter, who is the Petitioner. The interest claimed by each petitioner in each specific piece of real property and personal property is: 100%.

There is no Attachment 11 containing the legal description and APN of the real property.

There is no 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. However, Petitioner seems to include the information in paragraph 14 of the Petition.

TENTATIVE RULING #5:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 13, 2025, IN DEPARTMENT NINE.

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October 13, 2025
Dept. 9
Probate Tentative Rulings

6.	24PR0071	ESTATE OF LAHARGOUE
Status		

An Order for Final Distribution was entered by the Court on October 14, 2024. No receipts or Ex-Parte Petition for Final Distribution have been filed.

Petitioner is represented by Quiring Law.

TENTATIVE RULING #6:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 13, 2025, IN DEPARTMENT NINE.

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October 13, 2025
Dept. 9
Probate Tentative Rulings

7.	25PR0183	ESTATE OF MANHART
Letters Testamentary		

In its September 8, 2025, tentative ruling, the Court identified several deficiencies with the Petition. Nothing additional has been filed.

TENTATIVE RULING #7:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 13, 2025, IN DEPARTMENT NINE.

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October 13, 2025
Dept. 9
Probate Tentative Rulings

8.	22PR0061	ESTATE OF GRISHAM
Status		

9.	PP20200066	CONSERVATORSHIP OF GRISHAM
Status		

TENTATIVE RULING #8 & 9:

**APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 13, 2025, IN
DEPARTMENT NINE.**

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October 13, 2025
Dept. 9
Probate Tentative Rulings

10.	25PR0229	MEYER TRUST
Petition		

Petitioner, Michael D. Meyer, presents his Petition: 1) To Compel Trust Accounting, 2) For Breach of Fiduciary Duty, 3) For Removal of Trustee and Appointment of Private Professional Trustee, 4) and, 5) Request for Attorney's Fees in his capacity as a Beneficiary of The First Amendment of The Carlan V. and Susan M. Meyer Trust ("Trust") dated December 31, 1992.

The currently acting Trustee is Monica Susan Huston, Petitioner's sister.

TENTATIVE RULING #10:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 13, 2025, IN DEPARTMENT NINE.

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October 13, 2025
Dept. 9
Probate Tentative Rulings

11.	25PR0238	ESTATE OF PROCTOR
Petition to Determine Succession		

Decedent died on September 27, 2023, as a resident of El Dorado County. She died testate.

The gross value of decedent's interest in the real property described in item 11, as shown by the attached appraisal, did not exceed \$184,500. An Inventory and Appraisal was completed by a probate referee and shows the value of property subject to this Petition to be \$180,000.00.

Probate Code § 13152(e) requires that Form DE300 also be attached to the Petition, *see* Petition paragraph 8(b). That form is included with the Petition.

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

The interest claimed by each petitioner in each specific piece of real property is: 100% of decedent's 50% interest.

There is no Attachment 14 containing the names, relationships to decedent, ages, and residence/mailling 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. However, Petitioner is the sole beneficiary and heir. Attachment 15 contains the names and addresses of all named executors in decedent's Will.

An amended Order is needed, showing Petitioner's interest in the real property at 50%, since Decedent only owned a 50% interest according to Attachment 2 of the Inventory and Appraisal. There is no indication as to who owns the other 50%.

TENTATIVE RULING #11:

UPON RECEIPT OF AN AMENDED ORDER 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).

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October 13, 2025
Dept. 9
Probate Tentative Rulings

12.	24PR0236	ESTATE OF EVANS
Status		

Letters issued on October 14, 2024. A final Inventory and Appraisal was filed on January 3, 2025. Two creditors' claims have since been filed.

TENTATIVE RULING #12:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 13, 2025, IN DEPARTMENT NINE.

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October 13, 2025
Dept. 9
Probate Tentative Rulings

13.	22PR0147	ESTATE OF ECHEVERRI
Status		

At the hearing on October 14, 2024, counsel indicated that distributions had been made. However, there are no receipts or Ex-Parte Petition for Final Discharge on file.

Petitioner is represented by attorney Nathaniel Wilson.

TENTATIVE RULING #13:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 13, 2025, IN DEPARTMENT NINE.

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October 13, 2025
Dept. 9
Probate Tentative Rulings

14.	22PR0081	ESTATE OF TAYLOR
OSC		

Letters of Administration issued on May 18, 2022. An Inventory and Appraisal was filed on March 23, 2022, but does not indicate whether it is the partial or final version.

There were no appearances at the hearing on August 5, 2024, or August 4, 2025.

Petitioner is pro per and there is no bond.

TENTATIVE RULING #14:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 13, 2025, IN DEPARTMENT NINE.

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October 13, 2025
Dept. 9
Probate Tentative Rulings

15.	25PR0204	ESTATE OF SEELEY
Letters of Administration		

The Petition was heard on September 8, 2025, and several deficiencies were identified. Since that time, Petitioner has cured all deficiencies – the DE-147S was filed on September 16, 2025 along with the Notice of Hearing, and proof of publication was filed September 29, 2025.

TENTATIVE RULING #15:

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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