

November 10, 2025  
Dept. 9  
Probate Tentative Rulings

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| 1.                                                     | 25PR0263 | ESTATE OF AMMONS |
| Petition for Probate of Lost Will/Letters Testamentary |          |                  |

The Petition in this case contains some deficiencies:

1. It states that the Will waives bond, but no Will is attached. The Petition states that the Will has been lost but also checks the box indicating that the decedent died intestate.
2. It states that the heirs have waived bond but there are no waivers attached. Petitioner, two additional siblings and decedent's mother are named as heirs.
3. There is no proof of publication or DE-147 form on file with the Court.
4. There is no proof of service of notice of the Petition on file with the Court.

**TENTATIVE RULING #1: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 10, 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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| 2.                 | 23PR0068 | ESTATE OF TANIZAWA |
| Final Distribution |          |                    |

Letters of Administration were issued on June 26, 2023, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on July 10, 2025. The Petition declares that the Administrator has met the requirements of Section 480 of the California Revenue and Taxation Code.

Proof of Service of Notice of the hearing on the Petition was filed on October 9, 2025. No one has filed a request for special notice in this proceeding.

The Petition meets the requirements of Local Rule 10.07.

The Petition requests:

1. The administration of the estate be brought to a close;
2. The First and Final Report of Administrator be confirmed and approved;
3. All acts, transactions and proceedings of the Administrator be confirmed and approved;
4. The Administrator be authorized to pay statutory attorney fees in the amount of \$21,116.71, plus \$2,138.66 for costs advanced to the estate;
5. The Administrator be authorized to pay himself \$21,116.71 in statutory compensation;
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.

**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, NOVEMBER 9, 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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| 3.                        | 25PR0272 | ESTATE OF WOOD |
| Letters of Administration |          |                |

Decedent died intestate on October 9, 2018, survived by two adult children. Petitioner is decedent's daughter. The Petition requests full authority under the Independent Administration of Estates Act.

The Petition requests a bond in the amount of \$900,000 be fixed.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on October 21, 2025.

Proof of service of notice of the hearing on the Petition was filed on October 28, 2025.

There is no proof of publication on file with the court, as required by Probate Code §§ 8120, 8121.

**TENTATIVE RULING #3: THIS MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, DECEMBER 29, 2025, IN DEPARTMENT NINE, TO ALLOW PETITIONER TIME TO FILE PROOF OF PUBLICATION WITH THE COURT.**

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| 4.               | 25PR0245 | ESTATE OF CASTRO |
| Spousal Property |          |                  |

Petitioner is the surviving spouse of decedent, who died on December 23, 2023, and is survived by Petitioner and three adult 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 residential real property that is the subject of the Petition.

Probate Code § 13655 requires notice of the Petition filed pursuant to Section 13650 be given to “[a]ll devisees and known heirs of the deceased spouse”. There is no proof of service of notice of the hearing on the Petition.

**TENTATIVE RULING #4: THIS MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, DECEMBER 29, 2025, IN DEPARTMENT NINE, TO ALLOW PETITIONER TIME TO FILE PROOF OF SERVICE OF NOTICE OF THE PETITION ON DECEDENT’S HEIRS 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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| 5.                   | 25PR0267 | ESTATE OF ABBOTT |
| Letters Testamentary |          |                  |

Decedent died testate on December 15, 2024. The Petition requests full authority under the Independent Administration of Estates Act.

The Will was lodged with the court on October 23, 2025, and is admitted to probate.

Petitioner was named as Executor in the Will. The Will waives bond.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on September 30, 2025.

Proof of publication was filed on November 6, 2025, as required by Probate Code §§ 8120, 8121.

There is no proof of service of notice of the Petition on file with the court, as required by Probate Code § 8110.

**TENTATIVE RULING #5: THIS MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, DECEMBER 29, 2025, IN DEPARTMENT NINE, TO ALLOW PETITIONER TIME TO FILE PROOF OF SERVICE OF NOTICE OF THE PETITION ON DECEDENT'S HEIRS 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.                        | 25PR0265 | IN THE MATTER OF DAVID Z. HILL, JR. |
| Letters of Administration |          |                                     |

Decedent died intestate on September 10, 2023, survived by a minor child. The mother of the minor, Marcy Lynne O'Rourke, is proposed as Guardian ad Litem for the minor, and her nomination of Petitioner as Administrator of the estate is attached to the Petition.

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

The Petition states that the heirs "are adults and have waived bond, but the only heir identified in the Petition is a minor and there are no waivers on file with the court.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on September 25, 2025.

Proof of service of notice of the hearing on the Petition was filed on October 31, 2025.

Proof of publication was filed on November 6, 2025, as required by Probate Code §§ 8120, 8121.

**TENTATIVE RULING #6: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 10, IN DEPARTMENT NINE.**

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| <b>7.</b>                            | <b>25PR0273</b> | <b>IN THE MATTER OF DONENE VUKOVICH</b> |
| <b>Petition to Compel Accounting</b> |                 |                                         |

Settlors Melvin Vukovich (“Melvin”) and Ayriane Vukovich (“Ayriane”) were married and had four children: Aimee L. Vukovich (“Aimee”), Claudia M. Vukovich (“Claudia”), Milan Vukovich (“Milan”), and Troy Vukovich (“Troy”). Petitioner is the surviving spouse of Milan.

On February 28, 1994, Melvin and Ayriane created the Vukovich Family Living Trust, which was subsequently amended and restated on July 24, 2002 (the “2002 Restatement”). See Petition, Exhibit A. Melvin died on October 6, 2005, and in accordance with the trust, the assets were divided into the Vukovich Survivor’s Trust and the Vukovich Exemption Trust. The Trust was further amended by the Third Amendment to the Second Amendment and Restatement dated August 18, 2017 (the “2017 Amendment”). See Petition, Exhibit B. The Petition refers to the trust terms consisting of the 2002 Restatement as amended by the 2017 Amendment as the “Family Trust”.

Co-Trustees. On August 18, 2017, Troy executed a Consent of Co-Trustee (the “Troy’s Consent”) accepting his appointment as Co-Trustee. See Petition, Exhibit E. Ayriane died on August 22, 2022. Following Ayriane’s death, Troy, as sole trustee, appointed Aimee as Co-Trustee on September 26, 2022 (the “Co-Trustee Appointment”). See Petition, Exhibit F. Accordingly, since September 26, 2022, Troy and Aimee have been acting as Co-Trustees, in accordance with the terms of the Family Trust.

Beneficiaries: Upon the death of the surviving spouse, the Family Trust provides that the trust estate shall be distributed “in equal shares to the Settlers, children, AIMEE L. VUKOVICH, CLAUDIA M. VUKOVICH-PAREDES, MILAN VUKOVICH, and TROY VUKOVICH.” (Ex. B at p. 1, para. 2.) Claudia died on March 14, 2025. Milan died on May 18, 2025. Petitioner is Milan’s surviving spouse and heir as well as the trustee of his trust. See Petition, Exhibit H at 8. The Will of Milan Vukovich nominates Petitioner as his executor, pours over his entire estate into his trust. Petition, Exhibit G.

Accounting: On June 21, 2025, Petitioner sent a written demand for information and an accounting from August 22, 2022 (the date of the death of the last surviving settlor) through the present, pursuant to Probate Code § 16061. See Petition, Exhibit I.

Petitioner requests the Court to order the trustees to provide a formal accounting in accordance with the requirements of the trust for the period beginning with the death of the last surviving settlor through the date of the first hearing on this matter.

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The trustees filed an Opposition which states that the Petitioner in this matter, Donene Vukovich, has not yet been appointed executor of Milan Vukovich's estate, which is the beneficiary entitled to distributions from the Family Trust. Accordingly, they argue, she lacks standing to demand an accounting. Probate Code § 16062(a) ("[T]he trustee shall account at least annually, . . . , to each beneficiary to whom income or principal is required or authorized in the trustee's discretion to be currently distributed.")

Further, the trustees note that they did in fact respond to the June 21, 2025, demand for an accounting, with correspondence attached to the Opposition as Exhibits A and B. This correspondence includes documentation of the terms of the Family Trust and various financial statements covering the period between August, 2022 and June, 2025.

Finally, the trustees represent that they are preparing the requested accounting and will provide it as soon as Petitioner qualifies to receive it as executor of the beneficiary Milan Vukovich's estate.

The Court notes that while Milan Vukovich's Will would send any distribution from the Family Trust to his own trust--of which Petitioner is the trustee--there is nothing in the record to indicate that Petitioner has opened probate in order to receive Letters Testamentary and be appointed executor of Milan Vukovich's estate such that she would be empowered to receive and distribute those assets into Milan Vukovich's trust.

**TENTATIVE RULING #7: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 10, 2025, IN DEPARTMENT NINE.**

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| 8.                                | 25PR0262 | IN THE MATTER OF JOANQ RAE SANFORD |
| Letters of Special Administration |          |                                    |

At the time of death, the decedent was a party to a civil action currently pending in the Sacramento County Superior Court, arising from the decedent's claim for elder abuse, neglect, and negligence, against the residential care facility where decedent had been a resident. Petitioner seeks Letters of Special Administration because there is a substantial personal injury settlement involving decedent's estate which requires immediate attention in order to safeguard and preserve the claim. The Petition alleges that failure to promptly execute the settlement documents may result in the settlement being vacated or delayed, which would cause significant financial harm to the estate and its beneficiaries.

The parties have agreed on a settlement amount, which will net the decedent's estate approximately \$130,000. The settlement requires a legal representative of the decedent's estate to execute the settlement agreement and distribute the settlement funds. Because the net amount of the settlement to the estate will be below the general probate threshold, Petitioner does not intend to file a general probate petition.

Probate Code § 8540 provides:

(a) If the circumstances of the estate require the immediate appointment of a personal representative, the court may appoint a special administrator to exercise any powers that may be appropriate under the circumstances for the preservation of the estate.

(b) The appointment may be for a specified term, to perform particular acts, or on any other terms specified in the court order.

Petitioner argues that she is the best person to be the special administrator because as the agent under decedent's power of attorney, she caused the suit to be filed that gave rise to the settlement. She is familiar with the lawsuit, the settlement, and the attorneys involved. Additionally, Petitioner is the first nominated as executor by decedent's Will (Prob. Code § 8541(b) ("In making the appointment, the court shall ordinarily give preference to the person entitled to appointment as personal representative.") and she is the decedent's successor trustee.

The Petition alleges that there are no disputes among heirs or beneficiaries regarding this limited appointment.

Petitioner requests that the Court issue Letters of Special Administration pursuant to Prob. Code §§ 8540–8547, with authority limited to executing and carrying out all documents necessary to consummate the pending settlement and receiving and disbursing the proceeds in accordance with the terms of the settlement.

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The Court finds that the requirements of the Probate Code § 8540 are met.

**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).**

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| 9.                        | 25PR0246 | IN THE MATTER OF JOHN DAVID MCILWAIN |
| Letters of Administration |          |                                      |

Decedent died intestate on July 1, 2025, survived by two parents. Petitioner is decedent's father.

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

Waivers of bond have been filed with the court by the heirs.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on August 29, 2025.

Proof of service of notice of the hearing on the Petition was filed on September 25, 2025.

Proof of publication was filed on October 15, 2025.

**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).**

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| 10.              | 25PR0266 | IN THE MATTER OF TED GUILLERMO |
| Spousal Property |          |                                |

Petitioner is the surviving spouse of decedent, who died on June 28, 2020, and is survived by Petitioner and three adult children. No petition to administer the estate has been filed.

The real property that is the subject of the Petition was the decedent's separate property. Probate Code § 6401(c) defines the inheritance of intestate share of separate property as one third of the intestate estate when the decedent leaves more than one child. In this case there are three adult children; however, all three have assigned their share to Petitioner. See Petition, Exhibit D.

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 residential real property that is the subject of the Petition.

Probate Code § 13655 requires notice of the Petition filed pursuant to Section 13650 be given to "[a]ll devisees and known heirs of the deceased spouse". Proof of service of notice of the Petition was filed on October 1, 2025.

**TENTATIVE RULING #10: 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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| <b>11.</b>                       | <b>25PR0261</b> | <b>IN THE MATTER OF THE RAMOS TRUST</b> |
| <b>Confirming Trust Property</b> |                 |                                         |

On September 21, 2017, settlor Beverly Ann Ramos executed a Trust Agreement ("Trust"), an Assignment of Property, and a Pour-over Will. See Petition, Exhibits A (Trust), B (Assignment of Property), and C (Pour-over Will).

Settlor passed away on December 3, 2024. The first successor trustee passed away. The second successor trustee resigned. See Petition, Exhibit F. Pursuant to Article IV of the Trust, Petitioner has assumed responsibilities as the sole trustee.

Real property previously held in the Trust was sold during the settlor's lifetime. The proceeds from this sale were deposited into her personal Wells Fargo Bank accounts (2297309722 and #5815380489). Supporting documentation, including the grant deed and relevant bank statements, are attached to the Petition as Exhibits G and H.

The Assignment of Property (Exhibit B) expressly states that all rights, title, and interest in the settlor's real and tangible and intangible personal property are transferred to the Trust. The settlor's Will (Exhibit C) directs that her entire estate be added to the assets of the Trust.

Accordingly, Petitioner argues that the Settlor intended for the Wells Fargo bank accounts to be included as assets of the Trust. Citing Probate Code section 850 and Estate of Heggstad (1993) 16 Cal. App. 4th 943, Petitioner requests confirmation that the Wells Fargo account containing property sale proceeds is 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 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

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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 must be 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 29, 2025.

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 #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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