

November 24, 2025
Dept. 9
Probate Tentative Rulings

1.	PP20200066	CONSERVATORSHIP OF GRISHAM
Status Conference		

See Related Item No. 9: Estate of Grisham.

TENTATIVE RULING #1: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 24, 2025, IN DEPARTMENT NINE TO ADDRESS THE STATUS OF SETTLEMENT.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, NOVEMBER 23, 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.	25PR0155	ESTATE OF DEUBEL
Final Distribution		

Letters Testamentary were issued on July 21, 2025, granting Petitioner full authority as Executor under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on October 13, 2025.

A Waiver of Account was executed by Petitioner in her capacity as trustee of the Deubel Family Trust, which is the sole devisee of the estate. Petition, Exhibit C.

Proof of Service of Notice of the hearing on the Petition was filed on October 24, 2025. No one has filed a request for special notice in this proceeding.

The Petition complies with Local Rule 10.07.12.

The Petition requests:

1. That the Court find notice of the Petition has been given as required by law;
2. The administration of the estate be brought to a close without the requirement of an accounting;
3. All acts and transactions of Petitioner be ratified, confirmed and approved;
4. Petitioner be authorized to pay statutory attorney fees in the amount of \$ 12,585.74, plus \$659.55 for costs advanced to the estate;
5. Approval of distribution of the estate, without further Order of the Court, to the persons entitled to it pursuant to the Petition for Final Distribution;
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.

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 23, 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.	25PR0290	ESTATE OF SMITH
Letters of Administration		

Decedent died intestate on July 28, 2025, survived by two adult brothers. Petitioners are Becky Skaife and Shannon Skaife.

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

The Petition requests bond be fixed at \$907,939.68.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on October 17, 2025.

Proof of service of notice of the hearing on the Petition was filed on October 27, 2025.

Proof of publication was filed on November 14, 2025.

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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4.	24PR0269	ESTATE OF PAPPA
Final Distribution		

TENTATIVE RULING #4: THE PETITION FOR FINAL DISTRIBUTION HAVING BEEN GRANTED BY COURT ORDER DATED SEPTEMBER 30, 2025, THIS MATTER IS TAKEN OFF CALENDAR.

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5.	23PR0152	ESTATE OF SCAMARA
Final Distribution		

At the previous Status of Administration hearing on September 15, 2025, the Court found that neither the personal representative nor counsel appeared or filed a status report.

The Court set the matter for OSC Hearing on December 8, 2025, to determine whether the personal representative should be removed or suspended.

Following that hearing, a Petition for Final Distribution was filed on October 23, 2025. According to the Petition:

Letters of Administration/Letters Testamentary were issued on September 8, 2023, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on February 27, 2025. At the time the inventory and appraisal is filed, you must also file a change of ownership statement with the county recorder or assessor in each county where the decedent owned real property at the time of death, as provided in section 480 of the California Revenue and Taxation Code.

Waivers of Notice 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 November 6, 2025. No one has filed a request for special notice in this proceeding.

The Petition complies with Local Rule 10.07.12.

The Petition requests:

1. The administration of the estate be brought to a close;
2. The First and Final Account filed with the Petition be settled, allowed and approved;
3. All acts and proceedings of Petitioner be confirmed and approved;
4. Petitioner be authorized to pay statutory attorney fees in the amount of \$20,792.00 and \$3,044.00 for compensation for extraordinary services (see Declaration of Kimberly A. Strand, dated October 22, 2025 and attached as Exhibit E to the Petition);
5. Petitioner be authorized to pay himself \$9,906.00 in statutory compensation and \$1,750 for compensation for extraordinary services (see Declaration of Marianne Saindon, dated October 15, 2025, attached as Exhibit D to the Petition);

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6. Petitioner be authorized to retain \$2,500 in closing expenses and to pay liabilities, and to deliver the unused part to the beneficiaries of the estate without further court order after closing expenses have been paid;
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. The Petition originally requested approval of the distribution of any share or property that is to be distributed to Deborah Menken, whose whereabouts are unknown, in the name of the distributee to the county treasurer in this county. However, since the Petition was filed she has apparently been located as she has filed a Waiver of Notice and request that her share be distributed to her and not to the County Treasurer;
9. **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 #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). THE OSC HEARING SET FOR DECEMBER 8, 2025, IS VACATED.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, NOVEMBER 23, 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.	25PR0031	ESTATE OF OTERMAT
Spousal Property		

This matter has resulted in a spousal property Order signed on April 28, 2025, a second spousal property Petition filed on August 11, 2025 that was granted at the hearing of April 21, 2025, an *ex parte* application to correct a Court Order regarding succession to real property filed on August 27, 2025, a September 8, 2025, *ex parte* application to correct the legal description of a property that was the subject of the Court's Order that has already been signed by the Court.

It is not clear whether there is any Petition pending before the Court.

After the *ex parte* application was signed by the Court, Petitioner requested a continuance of an October 6, 2025, hearing on the Petition to the current date. That request indicated that the continuance was needed to correct a problem of service of notice of the hearing, but no proof of service has been filed since that request was made.

TENTATIVE RULING #6: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 24, 2025, IN DEPARTMENT NINE.

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7.	PP20200228	ESTATE OF KAMINE
OSC- Sanctions		

At the hearings of June 16, 2025, and October 6, 2025, the Court found that neither the personal representative nor their counsel appeared or filed a status report for the hearings. The Court set an Order to Show Cause for removal, suspension or sanctions against the personal representative, which was continued to the current date.

TENTATIVE RULING #7: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 24, 2025, IN DEPARTMENT NINE.

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8.	23PR0268	ESTATE OF JACOBSON
Status of Administration		

TENTATIVE RULING #8: A PETITION FOR FINAL DISTRIBUTION HAVING BEEN SET FOR HEARING ON DECEMBER 29, 2025, THIS MATTER IS TAKEN OFF CALENDAR.

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9.	22PR0061	ESTATE OF GRISHAM
Status Conference		

See Related Item No. 1: Conservatorship of Grisham.

TENTATIVE RULING #9: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 24, 2025, IN DEPARTMENT NINE.

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10.	25PR0275	IN THE MATTER OF AARON CHALENOR 1997 SPECIAL NEEDS TRUST
Transfer In		

At a hearing held on April 22,2025, the Sacramento County Superior Court granted a venue transfer of this matter to El Dorado County.

TENTATIVE RULING #10: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 24, 2025, IN DEPARTMENT NINE.

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11.	25PR0277	In the Matter of Charles Robert Smith
Letters Testamentary		

Decedent died testate on July 21, 2025.

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

The Will was lodged with the court on October 29, 2025, and is admitted to probate.

Petitioners were named as Executors in the Will.

The Will waives bond.

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

Proof of service of notice of the hearing on the Petition was filed on October 13, 2025.

Proof of publication was filed on November 4, 2025.

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.	25PR0276	In the Matter of Steven Lee Stubbs
Letters of Administration		

Decedent died intestate on July 28, 2024, survived by two adult sisters and an adult child (Petitioner), as well as a deceased sister and her four adult children. Petitioner is decedent's niece.

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

The Petition requests bond be fixed at \$600,000.

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

Proof of service of notice of the hearing on the Petition was filed on October 13, 2025.

Proof of publication was filed on November 4, 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.	25PR0206	THE DARLENE ANDRESEN TRUST
Petition for Instructions / to Determine Rights to Property		

This Petition, brought by the trustee of the Darlene Andreson Trust (“Trust”) requests a determination of the right of one of several Trust beneficiaries, Teresa Andresen, the daughter of the settlor, to occupy a residential real property that is an asset of the Trust. Petitioner/Trustee, a son of the settlor, characterizes the right to occupy the property as conditional, as stated in the trust instrument:

Notwithstanding the apportionment of assets pursuant to this paragraph, the Trustee shall administer that certain property of the trust commonly known as 132 New York Creek Court, El Dorado Hills, El Dorado County, California 95762 (“Residence”), for the benefit of TERESA L. ANDRESEN until the first to occur of (1) death of TERESA L. ANDRESEN; (2) TERESA L. ANDRESEN’S move away from the Residence; or (3) **the inability of TERESA L. ANDRESEN’S to pay all expenses related to the Residence.** When TERESA L. ANDRESEN ceases to reside in the Residence, the Trustee shall sell the residence and the net proceeds shall be distributed proportionately among those trust beneficiaries whose shares include a portion of the Residence.

Petition, Exhibit C (Second Amendment to Trust Agreement, dated August 8, 2006) (emphasis added).

The Trust was executed on August 8, 2006. Petition, Exhibit A. It was first amended on June 24, 2009. Petition, Exhibit B. It was amended again on January 13, 2015, and it was in this most recent amendment that the quoted language above first appears in the Trust document. Petition, Exhibit C. Teresa Andersen’s Opposition¹ notes that a similar provision appeared in a 2003 Will of decedent (“Teresa Andresen is allowed to live at my house so long as she is able to keep up the payments to support the household.”). Opposition, Exhibit A.

The Settlor died in February, 2025. Since then, Teresa Andresen has resided in the property pursuant to the terms of the Trust. The Trustee represents that he has had to take out a line of credit in order to pay expenses such as property taxes and mortgage payments.

Teresa Andresen has made no mortgage, property tax or home insurance payments. Utilities were transferred to her name by Trustee but there is no evidence as to whether they are being paid. Landscaping maintenance has not been performed.

The Petition appends, as Exhibit E, a table summarizing 14 email communications regarding property expenses compiled by the Trustee, beginning on March 21, 2025, up to July 24, 2025. At issue in these communications are delinquent property insurance (\$2,128.10 due April 10, 2025) and mortgage payments (due monthly on the 20th), water, power and garbage

¹ The Opposition to the Petition, filed on November 3, 2025, is titled ‘Petition to Determine Claim to Property’

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bills (which have been put into Teresa Andresen's name), landscaping maintenance, repairs and maintenance and home insurance. On April 9, 2025, Trustee informed Teresa Andresen that there was no money remaining in the Trust to pay bills and that he could sell the house and disburse the proceeds to generate revenue. Trustee has been communicating outstanding expenses to Teresa Andresen since settlor's death. *See, e.g.* Petition, Exhibit D. Teresa Andresen has not responded by paying these bills, and so the Trustee has secured a line of credit against the property to make the payments. *See* Petition, page 7 for table of communications regarding payments.

The Court is requested to determine whether the Trust condition, Teresea Andresen's "inability ... to pay all expenses related to the Residence," has been met such that her right to reside in the real property is terminated by the terms of the Trust. As stated in the Trust, if Teresa Andresen no longer has a right to reside in the residence property, four beneficiaries, including Teresa Andresen, will share the proceeds of the sale of the property. The Trustee cites 1) the Trust lacks funds to pay property expenses, 2) Teresa Andresen has failed to maintain the property, 3) Teresa Andresen has not paid \$6,128.63 in property expenses as of July, 2025, when the Petition was filed, 4) the Trustee has exhausted all efforts short of judicial intervention to resolve the matter, 5) continued non-compliance will harm Trust assets and the interests of the other beneficiaries.

On the issue of property taxes, Teresa Andresen was given an opportunity by Trustee to execute a form that would extend a lower property tax rate to a child of the decedent using the property as a primary residence in order to avoid a property tax reassessment and reduce the future tax bill for the property. She has not executed the form as of July, 2025 when the Petition was filed.

Trustee seeks an Order:

1. Confirming Teresa Andresen's right to occupy the property is terminated (Probate Code §§ 17200(b), 850));
2. A finding that the termination of Teresa Andresen's right to occupy also applies to Reginald Smith, who has also been living at the property;
3. A deadline for Teresa Andresen to vacate the property (Probate Code § 850);
4. Reimbursement of expenses related to the property that the Trust has incurred, including the expenses related to bringing this Petition by surcharge against Teresa Andresen's share of the estate (Probate Code § 17206);
5. If the Court does not find Teresa Andresen's right of occupancy to have terminated, Trustee requests the Court to issue instructions to resolve the uncertainties in the interpretation of the Trust (Probate Code § 17200(b)), as follows:

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- Ascertaining what constitutes, “all expenses related to the Residence.” (2015 Restatement at Article IV (B)(1).)
- Ascertaining who has the power to control who, other than Teresa Andresen, may reside at the Residence.
- Ascertaining what “move away” means so as to trigger a termination of the right to occupy. (2015 Restatement at Article IV (B)(1).)
- Establishing deadlines or other requirements that must be met by Daughter, such that if she fails to follow, the right to occupy is immediately and automatically terminated (e.g., a grace or notice period).
- Establishing a move-out deadline that Daughter must comply with should her right to occupy terminate.

The *pro per* Respondent filed an Opposition raising the following issues:

1. Failure of Trustee to provide requested accounting
2. Breach of fiduciary duty
3. Misappropriation of funds
4. Maintenance of the real property

TENTATIVE RULING #13: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 24, 2025, IN DEPARTMENT NINE.

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14.	23PR0212	THE ESTATE OF CLARENCE STRICKLER
Set Aside / Vacate Judgment		

The personal representative failed to appear or file a report for a Status of Administration hearing held on March 10, 2025, and the Court set an OSC hearing for removal or suspension and/or sanctions against the personal representative. At a hearing held on June 2, 2025, at which no parties appeared, the Court removed Petitioner as the personal representative of the estate.

At a hearing on November 3, 2025, the Petitioner provided the Court with a status update, and the Court on its own motion set a hearing on whether to set aside the Court's June 2, 2025, removal of petitioner as personal representative of the estate.

TENTATIVE RULING #14: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, NOVEMBER 4, 2025, IN DEPARTMENT NINE.

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