

**Tentative Rulings  
November 4, 2024  
Department 44  
2:30 p.m.**

**CONSERVATORSHIPS  
CONSERVATORSHIP OF KEVIN BLOCK**

**Case Number: 24PC-0032550**

This matter is on calendar for further proceedings on a Petition for Appointment of a Limited Conservator of the Person. The report from the regional center has not been received. **An appearance is necessary on today's calendar to address the status of the report.**

**CONSERVATORSHIP OF DARLENE BRUCE**

**Case Number: 23PC-0032255**

This matter is on calendar for confirmation of filing of the Proof of Service of Notice of Conservatee's Rights, Determination of Conservatee's Appropriate Level of Care Form, Conservatorship Care Plan, Inventory and Appraisal, and proof of service of the Notice of Filing of the Inventory and Appraisal. None of the documents have been filed. The Court notes that letters did not issue until September 3, 2024. This matter is continued to **Monday, January 6, 2025, at 2:30 p.m. in Department 44** for Confirmation of Filing of the Proof of Service of Notice of Conservatee's Rights, Determination of Conservatee's Appropriate Level of Care Form, Conservatorship Care Plan, Inventory and Appraisal, and proof of service of the Notice of Filing of the Inventory and Appraisal. If the documents cannot be filed before the continued hearing date, the Court **ORDERS** a Status Report be filed and served no later than three court days before the next hearing date to advise what must be accomplished before the documents can be filed. Failure to file either the required documents or the Status Report may result in the issuance of an Order to Show Cause Re Monetary Sanctions of \$250.00 for failure to timely file the required documents and failure to comply with the Court's order. **No appearance is necessary on today's calendar.**

**CONS OF MARY JANE CRAIG**

**Case Number: CVPG02-0023299**

This matter is on calendar for Biennial Review. The Report of the Court Investigator indicates that the conservatee has been moved out of state. No pre- or post- move notice has been filed. No Petition was filed seeking to fix the conservatee's residence out of state. **An appearance is necessary on today's calendar to address the proper procedure for moving a conservatee out of state.**

**CONS OF RUSSELL DURLAO**

**Case Number: CVPG19-0030087**

This matter is on calendar for Biennial Review. The court has been advised that the conservatee is now deceased. The Conservators have failed to file the required Notice of Death (GC-399).

The minutes from the last hearing were returned as undeliverable. The Court will ask the Court Investigator's office to reach out to the conservatee's and determine a current mailing address. The matter is continued to **Monday November 18, 2024, at 2:30 p.m. in Department 44** for further proceedings on the biennial review. **No appearance is necessary on today's calendar.**

### **CONSERVATORSHIP OF JEFFREY KRINKEL**

**Case Number: 24PC-0032613**

This matter is on calendar for review, after being transferred from Los Angeles County. The Court has read and considered the report for the Court Investigator, filed on October 17, 2024, which recommends that the Conservatorship continue. The report indicates that there have been no significant changes and that the Conservatorship continues to benefit the Conservatee. The Court **FINDS** that the Conservator is acting in the best interest of the Conservatee, and continued Conservatorship remains necessary and appropriate. The Court **ORDERS** that the Conservatorship shall continue. The matter is set for Annual Review on **Monday, November 3, 2025, at 2:30 p.m. in Department 44.** **No appearance is necessary on today's calendar.**

### **CONSERVATORSHIP OF DEMETRA KUTRAS**

**Case Number: 22PC-0031598**

This matter is on calendar for confirmation of filing of the First Account and Report of the Conservator. The Accounting has not been filed. A status report has been filed, which indicates additional time is needed before the Accounting can be filed. The matter is continued to **Monday, December 16, 2024, at 2:30 p.m. in Department 44** for confirmation of filing of the First Account. **No appearance is necessary on today's calendar.**

## **ESTATES**

### **ESTATE OF JARED ALVAREZ**

**Case Number: 22PB-0031583**

This matter is on calendar for Status of Administration. No Petition for Final Distribution has been filed; however, a Status Report has been filed. The matter has been properly noticed, with proof of service on file. The Status Report indicates that additional time is needed before the estate administration can be finalized. The matter is continued to **Monday, April 7, 2025, at 2:30 p.m. in Department 44** for Status of Administration. If a Petition for Final Distribution cannot be filed prior to the next hearing date, the Court **ORDERS** the personal representative to timely file and serve a Status Report with proper Notice of Hearing in compliance with Probate code Sections 12200 et seq. Failure to do so may result in the issuance of an Order to Show Cause Re Monetary Sanctions of \$250.00 for failure to timely close the estate administration and failure to comply with the Court Order. **No appearance is necessary on today's calendar.**

### **ESTATE OF LINDA BIRKLAND**

**Case Number: 24PB-0032328**

This matter is on calendar for Confirmation of Filing the Inventory and Appraisal. The Inventory and Appraisal has not been filed. However, the personal representative has filed a Status Report indicating that additional time is needed before the Final Inventory and Appraisal can be filed. This matter is continued to **Monday, February 3, 2025, at 2:30 p.m. in Department 44** for confirmation of filing of the Inventory and Appraisal. If a Final Inventory and Appraisal cannot be filed prior to the continued hearing date, the Court **ORDERS** a Status Report be filed and served no later than three court days before the next hearing date to advise what must be accomplished before the Final Inventory and Appraisal can be filed. Failure to file either the Final Inventory and Appraisal or the Status Report may result in the issuance of an Order to Show Cause Re Monetary Sanctions of \$250.00 for failure to timely file the Inventory and Appraisal, and failure to comply with the Court's order. The Court notes the future court date of June 30, 2025, for Status of Administration. **No appearance is necessary on today's calendar.**

### **ESTATE OF SCOTT BROWN**

**Case Number: 24PB-0032664**

This matter is on calendar for hearing on a Petition for Letters of Administration. The Court cannot determine if the matter has been properly noticed, as Item 5a(7) or (8) of the Petition is required to be checked. Other defects in the Petition include that item 6f was incorrectly checked. If decedent was survived by siblings, the correct box is 6b. The Petition states that decedent has a spouse; however, the spouse is not listed in item 8 and is not included on the proof of service. Finally, the value of the estate appears to be incorrectly calculated. If decedent died with \$335,000 in personal property and \$335,000 in real property, then the value of the estate is \$670,000. Proof of publication has been filed. The matter is continued to **Monday, December 16, 2024, at 2:30 p.m. in Department 44** for further proceedings on the Petition. An amended Petition is required that cures the above defects. Notice of Hearing is required to be timely served for the continued hearing date. **No appearance is necessary on today's calendar.**

## **ESTATE OF WILLIAM BROWN**

**Case Number: 24PB-0032648**

This matter is on calendar for hearing on a Petition for Probate of Will. The matter has been properly noticed, with proof of service on file. No objections have been raised. The paperwork appears to be in order, with the exception that no proof of publication has been filed. The will is not self-proving; however, the Court accepts the declaration of the Subscribing Witnesses has been filed. The matter is continued to **Monday, December 16, 2024, at 2:30 p.m. in Department 44** for further proceedings on the Petition. An amended Petition is required that cures the above defects. Notice of Hearing is required to be timely served for the continued hearing date. **No appearance is necessary on today's calendar.**

## **ESTATE OF CANDACE COLLINS**

**Case Number: CVPB20-0030822**

This matter is on calendar for further proceedings on a Motion to Vacate the Court's order of June 27, 2022. The matter has been continued several times to address a related family law matter. **An appearance is necessary on today's calendar to provide the court with a status.**

## **EST OF COLLEEN DAVIS**

**Case Number: CVPB21-0031378**

This matter is on calendar for hearing on an Order to Show Cause Re: Monetary Sanctions. Nothing has been filed in response to the Order to Show Cause. The Court notes that it issued an order of final distribution on March 6, 2023. That order of final distribution ordered that \$127,412.81 was to be distributed to Brandon Davis. No receipt has been filed indicating that these funds were distributed to Brandon Davis. Consequently, it appears that the personal representative has absconded with that sum. At today's appearance, the personal representative should be prepared to address why a civil judgment should not be entered against him for the sum of \$127,412.81. **An appearance is necessary on today's calendar to address the Order to Show Cause and to discuss the status of the Estate. Failure to appear will result in the imposition of sanctions in the amount of \$250.00 and the issuance of an Order to Show Cause re: Removal of the Personal Representative.**

## **ESTATE OF CHRISTOPHER DILLEY**

**Case Number: 24PB-0032467**

This matter is on calendar for hearing on a Petition for Letters of Administration. The matter has been properly noticed, with proof of service on file. Proof of proper publication has been filed. No objections have been raised. The paperwork appears to be in order, with the exception that Petitioner has failed to identify herself in Item 8. The matter is continued to **Monday, December 16, 2024, at 2:30 p.m. in Department 44** for further proceedings on the Petition. An amended Petition is required that cures the above defects. Notice of Hearing is required to be timely served for the continued hearing date. **No appearance is necessary on today's calendar.**

## **ESTATE OF JEREMY DUNKASON**

**Case Number: 24PB-0032629**

This matter is on calendar for hearing on a Petition for Letters of Administration. The matter has been properly noticed, with proof of service on file. Proof of proper publication has been filed. No objections have been raised. The paperwork appears to be in order. The Petition is **GRANTED**. A proposed Order was lodged with the Court and will be executed. No bond is required, and letters shall issue. The matter is set for **Monday, March 10, 2025, at 2:30 p.m. in Department 44** for Confirmation of Filing the Inventory and Appraisal. The matter is set for **Monday, November 10, 2025, at 2:30 p.m. in Department 44** for Status of Administration. The personal representative is **ORDERED** to comply with Probate Code section 12200 et seq. **No appearance is necessary on today's calendar.**

## **ESTATE OF ROGER DYER**

**Case Number: 24PB-0032408**

This matter is on calendar for hearing on the First and Final Report of Administrator and Petition for Final Distribution on Waiver of Account. The matter has been properly noticed, with proof of service on file. No objections have been raised. The paperwork appears to be in order. The Petition is **GRANTED**. A proposed order was submitted and will be executed by the Court. The matter is set for **Monday, January 6, 2025, at 2:30 p.m. in Department 44** for confirmation of filing of receipts and a Petition for Final Discharge. **No appearance is necessary on today's calendar.**

## **ESTATE OF RICHARD FINNERAN**

**Case Number: 24PB-0032373**

This matter is on calendar for further proceedings on a Spousal Property Petition. Petitioner has previously been advised on multiple occasions that the will is not valid. Consequently, for Petitioner to obtain title to the property, she will need assignments from decedent's three sons. No assignments have been filed. Petitioner has filed a Status Report. The status report indicates Petitioner is attempting to do something related to either the original or a copy of the will. The Court has already determined that the Will attached to the Petition is not valid. The status report also indicates that Petitioner is seeking to obtain assignments from the other intestate heirs, and requests additional time to obtain those assignments. The matter is continued to **Monday, March 3, 2025, at 2:30 p.m. in Department 44** for further proceedings on the Petition. **No appearance is necessary on today's calendar.**

## **ESTATE OF MORGAN HARVIN**

**Case Number: 24PB-0032458**

This matter is on calendar for further proceedings on a Petition for Letters of Administration. The matter has been properly noticed, with proof of service on file. Proof of proper publication has been filed. No objections have been raised. The paperwork appears to be in order. The Petition is **GRANTED**. A proposed Order was lodged with the Court and will be executed. No bond is required, and letters shall issue. The matter is set for **Monday, March 10, 2025, at 2:30 p.m. in Department 44** for Confirmation of Filing the Inventory and Appraisal. The matter is set for **Monday, November 10, 2025, at 2:30 p.m. in Department 44** for Status of Administration.

The personal representative is **ORDERED** to comply with Probate Code section 12200 et seq. **No appearance is necessary on today's calendar.**

**ESTATE OF WILMA JENSEN**

**Case Number: 24PB-0032640**

This matter is on calendar for further proceedings on a Petition to Determine Succession to Real Property. The matter was continued to today to allow the filing of an Amended Petition. Nothing has been filed since the last hearing. The Petition is **DENIED** without prejudice. The Clerk is directed to close the file. **No appearance is necessary on today's calendar.**

**ESTATE OF MICHAEL JOHNSON**

**Case Number: 22PB-0031703**

This matter is on calendar today to confirm the filing of Receipts and Petition for Discharge. All receipts have been filed. The Petition for Discharge has been submitted and the order executed by the Court. Today's hearing has been **VACATED**. **No appearance is necessary on today's calendar.**

**ESTATE OF RICHARD KOTZ**

**Case Number: 24PB-0032358**

This matter is on calendar for Confirmation of Filing the Inventory and Appraisal. The Final Inventory and Appraisal was filed on September 3, 2024, and is accepted by the Court. The Court notes the future court date of June 30, 2025, for Status of Administration. **No appearance is necessary on today's calendar.**

**ESTATE OF KEVIN LARSON**

**Case Number: 23PB-0032019**

This matter is on calendar today to confirm the filing of Receipts and Petition for Discharge. All receipts have been filed. However, there is no Petition for Discharge on file. The matter is continued to **Monday, December 16, 2024, at 2:30 p.m. in Department 44** to confirm filing of the Petition for Discharge. If a Petition for Discharge cannot be filed prior to the next hearing date, the Court **ORDERS** a Status Report be filed and served at least three court days before the next hearing to advise what must be accomplished before the Petition for Discharge can be filed. **No appearance is necessary on today's calendar.**

**ESTATE OF MARGIE LAVIS**

**Case Number: 23PB-0032113**

This matter is on calendar for hearing on the First and Final Report of Administrator and Petition for Final Distribution. The matter has been properly noticed, with proof of service on file. No objections have been raised. The court notes that payments have already been made to the Dean Law Firm in the sum of \$4,937.69, without approval of the court, as required by Probate Code Section 10830. The Dean Law firm associated in as counsel for the personal representative. Consequently, any statutory compensation is to be apportioned between multiple counsel according to services rendered, as provided by Probate Code Section 10814. To the extent that statutory compensation is inadequate, the personal representative may petition to receive

compensation for extraordinary services, pursuant to Probate Code Section. An amended Petition is required that correctly addresses the issue of attorney compensation. The matter is continued to **Monday, December 16, 2024, at 2:30 p.m. in Department 44** for further proceedings on the Petition for Final Distribution. **No appearance is necessary on today's calendar.**

#### **ESTATE OF LEONARD MALITZ**

**Case Number: CVPB22-0031410**

This matter is on calendar for further proceedings on a Petition for Removal of Personal Representative. An objection has been filed. **An appearance is necessary on today's calendar to discuss the status of the Petition, and if appropriate, to set this matter for a contested hearing.**

#### **ESTATE OF DANIEL MASSEY**

**Case Number: 24PB-0032331**

This matter is on calendar for Confirmation of Filing the Inventory and Appraisal. The Final Inventory and Appraisal was filed on October 21, 2024, and is accepted by the Court. The Court notes the future court date of April 14, 2025, for Status of Administration. **No appearance is necessary on today's calendar.**

#### **ESTATE OF MCCAFFREY**

**Case Number: 24PB-0032540**

This matter is on calendar for further proceedings on competing Petitions for Letters of Administration. The court notes that the surviving spouse would have priority for appointment over a friend. **An appearance is necessary on today's calendar to address further proceedings on the Petitions.**

#### **ESTATE OF MCCAFFREY**

**Case Number: 24PB-0032658**

This matter is on calendar for hearing on a Spousal Property Petition. The matter has been properly noticed, with proof of service on file. No objections have been raised. The Court notes that the Petition does not contain sufficient information from which to make the determination that this real property, held as decedent's separate property, is in fact community property. **As the parties are appearing on the related matter (Case 32540), an appearance is necessary on today's calendar to address further proceedings on this Petition.**

#### **ESTATE OF MORALES**

**Case Number: 23PB-0032199**

This matter is on calendar today to confirm the filing of Receipts and Petition for Discharge. All receipts have been filed. The Petition for Discharge has been submitted and the order executed by the Court. Today's hearing has been **VACATED. No appearance is necessary on today's calendar.**

**ESTATE OF JOYCE MURRELL**

**Case Number: 24PB-0032387**

This matter is on calendar for Confirmation of Filing the Inventory and Appraisal. The Final Inventory and Appraisal was filed on July 26, 2024, and is accepted by the Court. The Court notes the future court date of June 23, 2025, for Status of Administration. **No appearance is necessary on today's calendar.**

**ESTATE OF JODEAN OSIER**

**Case Number: 23PB-0032181**

This matter is on calendar for Status of Administration. No Petition for Final Distribution has been filed; however, a Status Report has been filed. The matter has been properly noticed, with proof of service on file. The Status Report indicates that additional time is needed before the estate administration can be finalized. The matter is continued to **Monday, April 7, 2025, at 2:30 p.m. in Department 44** for Status of Administration. If a Petition for Final Distribution cannot be filed prior to the next hearing date, the Court **ORDERS** the personal representative to timely file and serve a Status Report with proper Notice of Hearing in compliance with Probate code Sections 12200 et seq. Failure to do so may result in the issuance of an Order to Show Cause Re Monetary Sanctions of \$250.00 for failure to timely close the estate administration and failure to comply with the Court Order. **No appearance is necessary on today's calendar.**

**ESTATE OF BILLIE JEAN RAINWATER**

**Case Number: 24PB-0032320**

This matter is on calendar for further proceedings on a Petition to Determine Succession to Real Property. The matter was continued to today to allow the filing of an Amended Petition. No amended Petition has been filed. However, counsel has filed a status report requesting additional time for him to file the amended pleading. The matter is continued to **Monday, January 6, 2025, at 2:30 p.m. in Department 44** for further proceedings on the Petition to determine succession to real property. If Petitioner notices the hearing for a different date, the January 6, 2025, date will be vacated. **No appearance is necessary on today's calendar.**

**ESTATE OF WAYNE RINARD**

**Case Number: 22PB-0031847**

This matter is on calendar today to confirm the filing of Receipts and Petition for Discharge. All receipts have been filed. The Petition for Discharge has been submitted and the order executed by the Court. Today's hearing has been **VACATED**. **No appearance is necessary on today's calendar.**

**ESTATE OF ROBERT SIZEMORE**

**Case Number: 24PB-0032459**

This matter is on calendar for Confirmation of Filing the Inventory and Appraisal. The Partial Inventory and Appraisal was filed on October 11, 2024, and is accepted by the Court. The Court notes the future date of June 30, 2025, for Status of Administration. **No appearance is necessary on today's calendar.**



## **ESTATE OF ROBERT STRICKLAN**

**Case Number: 23PB-0032018**

This matter is on calendar for hearing on the First and Final Report of Administrator and Petition for Final Distribution. The matter has been properly noticed, with proof of service on file. No objections have been raised. The paperwork appears to be in order. The Petition is **GRANTED**. A proposed order was submitted and will be executed by the Court. The matter is set for **Monday, January 6, 2025, at 2:30 p.m. in Department 44** for confirmation of filing of receipts and a Petition for Final Discharge. **No appearance is necessary on today's calendar.**

## **ESTATE OF VIOLET SULLIVAN**

**Case Number: 24PB-0032669**

This matter is on calendar for hearing on a Petition for Probate of a Lost Will. The matter has been properly noticed, with proof of service on file. No objections have been raised. The original proof of publication has not been filed. Otherwise, the paperwork appears to be in order. The Petition is conditionally granted. A proposed Order was lodged with the Court and will be executed upon receipt of the original proof of publication. No bond is required, and letters shall issue. The matter is set for **Monday, March 10, 2025, at 2:30 p.m. in Department 44** for Confirmation of Filing the Inventory and Appraisal. The matter is set for **Monday, November 10, 2025, at 2:30 p.m. in Department 44** for Status of Administration. The personal representative is **ORDERED** to comply with Probate Code section 12200 et seq. **No appearance is necessary on today's calendar.**

## **ESTATE OF DAVID TIDWELL**

**Case Number: CVPB16-0028648**

This matter is on calendar for Status of Administration. No Petition for Final Distribution has been filed. No Status Report been filed. The matter is continued to **Monday, December 16, 2024, at 2:30 p.m. in Department 44** for Status of Administration. If a Petition for Final Distribution cannot be filed prior to the next hearing date, the Court **ORDERS** the personal representative to timely file and serve a Status Report with proper Notice of Hearing in compliance with Probate code Sections 12200 et seq. Failure to do so may result in the issuance of an Order to Show Cause Re Monetary Sanctions of \$250.00 for failure to timely close the estate administration and failure to comply with the Court Order. **No appearance is necessary on today's calendar.**

## **ESTATE OF JEANETTA TROTTER**

**Case Number: 24PB-0032318**

This matter is on calendar for Confirmation of Filing the Inventory and Appraisal. The Final Inventory and Appraisal was filed on September 23, 2024, and is accepted by the Court. The Court notes the future date of April 28, 2025, for Status of Administration. **No appearance is necessary on today's calendar.**

## **ESTATE OF MARY WALKER**

**Case Number: 24PB-0032388**

This matter is on calendar for Confirmation of Filing the Inventory and Appraisal.

The Final Inventory and Appraisal was filed on July 26, 2024, and is accepted by the Court. The Court notes the future date of June 30, 2025, for Status of Administration. **No appearance is necessary on today's calendar.**

### **EST OF BARBARA JEAN WEAVER**

**Case Number: CVPB18-0029635**

This matter is on calendar to trail the related Barbara Weaver Trust matter (Shasta County Case No. 23PB-0031997). The Court is awaiting the Inventory and Appraisal or Petition for Final Distribution in this Estate. The matter is continued to **Monday, January 6, 2025, at 2:30 p.m. in Department 44** for Status of Administration. **No appearance is necessary on today's calendar.**

### **ESTATE OF THOMAS WILLIAMS**

**Case Number: 23PB-0031917**

This matter is on calendar to confirm the filing of Receipts and Petition for Final Discharge. No Receipts have been filed. No Petition for Final Discharge is on file. No Status report has been filed, as Ordered by the Court on September 23, 2024. The court will issue an Order to Show Cause to the personal representative and counsel as to why monetary sanctions in the sum of \$250 should not be imposed for failing to timely close the estate administration and failure to file a status report, as ordered on September 23, 2024. The hearing on the Order to Show Cause is set for **Monday, December 16, 2024, at 2:30 p.m. in Department 44.** The clerk is directed to prepare a separate Order to Show Cause. **No appearance is necessary on today's calendar.**

## **TRUSTS**

### **IN RE: JOHN R. ALLEN TRUST**

**Case Number: 24PB-0032672**

This matter is on calendar for hearing on a Petition for order confirming trust assets. The matter has been properly noticed. The paperwork appears to be in order. The Petition is **GRANTED**. A proposed order was submitted and will be executed by the Court. The clerk is directed to close the file upon processing of the order. **No appearance is necessary on today's calendar.**

### **IN RE: WAKEFIELD BAKER, JR. TRUST**

**Case Number: 24PB-0032553**

This matter is on calendar hearing on a Petition for Instructions. An Opposition and Reply has been filed. **An appearance is required on today's calendar to address the Petition.**

### **IN RE: THE DONALD BELDEN TRUST**

**Case Number: 24PB-0032487**

This matter is on calendar for hearing on a Petition to Invalidate a Trust amendment, elder abuse, removal of trustee, and for an order to return property to the trust. The Court notes that Petitioner filed a document entitled "First Amended Complaint." That document contains only a third cause of action. Clarification is required as to whether this is actually an amendment to the Petition originally filed on June 5, 2024. An opposition was filed on behalf of Carolyn Walsh. A demurrer was filed on behalf of Donald Belden to the original Petition, but it appears as if insufficient time has elapsed since service of the amendment for a response to be filed. **An appearance is necessary on today's calendar to address further proceedings, and whether the matter should be set for a contested hearing.**

### **IN RE: DONALD BELDEN TRUST**

**Case Number: 24PB-0032508**

This matter is on calendar for further proceedings on a Petition for Instructions. The matter does not appear to have been properly noticed. Probate Code Section 17201 provides that the Petition is required to list the names and addresses of each person entitled to notice. The individuals set forth in Probate Code Section 17203 are entitled to notice. Those individuals are all trustees and beneficiaries. Also, to the extent that they are not trustees or beneficiaries, all intestate heirs are required to be served in the manner required for service of summons. An amended Petition is required that includes the required information. A Notice of Hearing is required to be timely served. **An appearance is required on today's calendar to address further proceedings.**

### **IN RE: BETTY CARLSON TRUST**

**Case Number: 24PB-0032631**

This matter is on calendar for hearing on a Petition to Compel an Accounting and to remove a co-trustee. The matter has been properly noticed, with proof of service on file. An objection has been filed. **An appearance is necessary on today's calendar to address setting the matter for a contested hearing.**

**IN RE MILLICENT D LEE LEWIS TRUST**

**Case Number: CVPB20-0030866**

This matter is on calendar for further proceedings on a Petition to Determine Claim to Property. Nothing has been filed since the last hearing. **An appearance is necessary on today's calendar to address the status of the Petition and, if appropriate, set the matter for a contested hearing.**

**IN RE: THE NOLAND TYLER TRUST**

**Case Number: 24PB-0032443**

This matter is on calendar for further proceedings on a Petition for Instructions and Removal of Trustee. Nothing has been filed since the last hearing. **An appearance is necessary on today's calendar to provide the Court with a status of the Petition.**

**IN RE: THE PASCHEK TRUST**

**Case Number: 24PB-0032652**

This matter is on calendar for hearing on a Petition to confirm trust assets. The matter has been properly noticed, with proof of service on file. No objections have been raised. The Petition is **GRANTED**. A proposed order was submitted and will be executed. The file will be closed upon processing the order. **No appearance is necessary on today's calendar.**

**IN RE: MITSUKO I. RAGSDALE TRUST**

**Case Number: 24PB-0032385**

This matter is on calendar for further proceedings on a Petition to invalidate trust, and for Accounting and Removal of Trustee. At the prior hearing on June 24, 2024, the Court noted multiple defects with the Petition and Notice. The defects included the fact that the Petition failed to identify all individuals entitled to notice, as required by Probate Code Section 17201. Additionally, a Notice of Hearing for a probate code section 850 petition was utilized; however, the petition does not only seek recovery of property. The matter was continued to today's date and the Petitioner ordered to file and timely serve an Amended Petition. No Amended Petition has been filed. **An appearance is necessary on today's calendar to provide the Court with a status of the Amended Petition.**

**IN RE: TONKS TRUST**

**Case Number: 22PB-0031601**

This matter is on calendar for hearing on the Third Amended Petition for Attorney's fees. The matter appears to have been properly noticed, with proof of service on file. No objections have been raised. The court notes that the Petition seeks payment of \$28,020.10 in fees. However, the billing attached to the Petition shows attorney's fees in the sum of \$16,398. In addition, there is no supporting documentation for the request for costs of \$,2706.10. A supplemental declaration will be required to be filed and served that addresses the above defects. The matter is continued to **Monday, December 23, 2024, at 2:30 p.m. in Department 44** for further proceedings on the Petition. Petitioner is required to file and timely serve a notice of hearing for the continued hearing date. **No appearance is necessary on today's calendar.**

**IN RE: BARBARA WEAVER TRUST**

**Case Number: 23PB-0031997**

Petitioner filed the present Motion for Attorney's fees on August 20, 2024. In that Motion, Petitioner seeks attorney's fees related to this proceeding. In addition, Petitioner seeks damages in the form of the distribution that remains unpaid, pre-judgment interest, and double damages pursuant to Probate Code Section 859. No opposition to the Motion was filed. At the hearing on September 23, 2024, the Court advised that insufficient information had been provided to support the request for attorney's fees and requested additional information. Petitioner has now filed an amended declaration that provides the necessary information regarding the demand for attorney's fees. Still, no opposition has been filed. The court notes that the Petitioner was compelled to bring the original Petition in order to obtain an accounting. The Court has found that the Petitioner, as a beneficiary, had standing to request and obtain an accounting, at least for the period of time that Barbara Jean was entitled to receive a distribution under the trust. Consequently, petitioner is entitled to an award of reasonable attorney's fees and costs. Counsel's declaration breaks down the bills that have been incurred in prosecuting this matter. Those costs and fees appear to be reasonable. The Petition is **GRANTED**. Petitioner is awarded \$8,190 in attorney's fees, and \$816 in costs.

The remainder of the Petition is denied. The original Petition sought an order that the trustee provide an accounting, that the trustee petition the Court for approval of the accounting, and for attorney's fees. None of the currently requested relief was demanded in that Petition. The provision of the accounting confirmed that the disbursements of \$400 per month during Barbara Jean's lifetime had not been made. The prior judgment in the previous case simply found that the second amendment to the trust was valid. To the extent that Petitioner now seeks an order that the Trustee has breached her duty by failing to pay the distribution to Barbara Jean and owes damages for the unpaid distribution and accrued interest, and has acted in bad faith warranting double damages, Petitioner may bring that Petition. That relief was not properly requested in this matter, and that request is **DENIED** without prejudice. Counsel for Petitioner is directed to prepare the Order. **No appearance is necessary on today's calendar.**

**IN RE: TRANSFER ON DEATH DEED EXECUTED BY GRANT R. MILLER, DECEDENT**

**Case Number: 24PB-0032676**

This matter is on calendar for hearing on a Petition to Confirm Validity of a Transfer on Death Deed. The matter has been properly noticed, with proof of service on file. No objections have been raised. The petition is **GRANTED**. No order was submitted. Petitioner is required to submit a proposed order. Upon execution and processing of a proper order, the clerk is directed to close the file. **No appearance is necessary on today's calendar.**