

Probate Notes for June 4, 2015

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. Unless an appearance at the hearing is otherwise required by law, if petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you are scheduled to appear and there is no probate note issued in your case, you should appear as scheduled. If you wish to continue a matter, you must contact the civil division at (530) 406-6704, at least two (2) court days before your hearing.

Please note: The following probate matters will be heard in **Department Two at 9:00 a.m.**

CASE: Conservatorship of Gaboury
Case No. CV PC 09-181

The Court notes the following deficiency: the conservator failed to file the required accounting as ordered by the Court on August 27, 2013. (Prob. Code, § 2620.)

It is recommended to approve the court investigator's report. (Prob. Code, § 1850 et seq.)

The parties are **DIRECTED TO APPEAR.**

CASE: Conservatorship of Figeroa
Case No. CV PC 15-78

It is recommended to grant the petition for appointment of limited conservator of the person. (Prob. Code, § 1820 et seq.)

CASE: Conservatorship of Padilla
Case No. CV PC 15-30

Based on the Court investigator's recommendation and Silvia Griselda Padilla's failure to provide notice of the hearing on the petition, it is recommended that the Court deny the petition for appointment of limited conservator of the person.

CASE: Estate of Conto
Case No. CV PB 14-147

It is recommended to grant the petition for first and final account and report of executor, for allowance of statutory compensation for attorney fees and for final distribution and settlement of the estate. (Prob. Code, § 11600 et seq.) Petitioner is directed to submit a proposed order prior to the date of the hearing.

CASE: Estate of Moya
Case No. CV PB 13-196

The Court notes the following deficiencies:

1. Proof that notice of the hearing has been given to each known devisee whose interest in the estate would be affected by the account has not been filed with the Court. (Prob. Code, § 11000.)
2. Petitioner fails to state whether notice was given or was required under Probate Code section 9201.
3. Petitioner fails to state whether notice was given or was required to the Victim's Compensation and Government Claims Board or the Franchise Tax Board. (Prob. Code, 9202, subds. (b) & (c).)
4. The petition does not state the proposed distribution of the estate. Exhibit D is not attached to the petition as indicated.
5. A waiver of account by Matthew Moya, or a written acknowledgment that his interest has been satisfied, has not been filed with the Court. (Prob. Code, §§ 10954.) Exhibit E is not attached to the petition as indicated.
6. Exhibit B of the petition does not include the creditor's claim filed by petitioner on June 4, 2014, or the disposition thereof, as required. (Prob. Code, § 10900, subds. (b) & (c), Cal. Rules of Court, rule 7.403.)

Additionally, petitioner is directed to submit a proposed order prior to the date of the hearing.

The parties are **DIRECTED TO APPEAR.**

CASE: Estate of Poarch
Case No. CV PB 15-85

It is recommended to grant the petition for letters of administration, and for full authority under the Independent Administration of Estates Act. (Prob. Code, § 8000 et seq.)