

DEPARTMENT ELEVEN
JUDGE DAVID EDWIN POWER
707-207-7311

PROBATE NOTES FOR
MATTERS SCHEDULED FOR

THURSDAY, OCTOBER 22, 2015

Prepared on October 15, 2015

Probate notes are not posted for guardianship or conservatorship matters, ex parte petitions, or status conferences.

Probate notes supplement—but do not replace—the posting of intended rulings on probate matters. Please check the court’s website for intended rulings on probate matters (“pregrants”) after 2:00 p.m. the court day before the scheduled hearing.

If the notes identify defects, you can file documents with the court to correct them. Defects that are not corrected may result in your petition being denied or the hearing delayed.

Because of processing times and staff shortages, documents filed one or two court days prior to the hearing might not be reviewed in time to alter the court’s intended pregrant ruling. Documents filed in this time frame will not necessarily avoid an appearance at the hearing.

Questions?

You can now e-mail the court’s probate staff at probate@solano.courts.ca.gov.

Remember:

- (1) Probate staff cannot give legal advice or discuss your case with you.
- (2) Parties or attorneys may not submit via e-mail any documents intended to address the probate notes. Attachments e-mailed directly to probate staff will not be opened.

PROBATE NOTES

Case Name: In re the Estate of Edward F. Archibald, Deceased
Case Number: FPR042957

Calendar Date: Thursday, October 22, 2015
Prior Calendar History:

Petition(s) or Motion(s): Status Conference
Filed By: N/A

Objections:
Filed On:
Filed By:

Reviewed By: C. Donovan, Staff Attorney
Date of Review: October 15, 2015

No probate notes needed for this type of petition, motion, or hearing.

No defects identified.

DEFECTS OR ISSUES IDENTIFIED:

Comments:

PROBATE NOTES

Case Name: In re the Estate of Norman Casserly-Hollman, Deceased
Case Number: FPR046279

Calendar Date: Thursday, October 22, 2015
Prior Calendar History:

Petition(s) or Motion(s): Petition to Set Aside Non-Probate Transfer(s) of Community Property by Decedent (Cal. Probate Code § 5021)

Filed By: Dori Valentine-Freitas

Objections: Response to Petition to Set Aside Nonprobate Transfer(s) of Community Property by Decedent

Filed On: August 13, 2014

Filed By: Aidan Casserly-Hollman, Colin Casserly-Hollman, Kyle Casserly-Hollman, Madison Veggian

Reviewed By: C. Donovan, Staff Attorney

Date of Review: October 15, 2015

No probate notes needed for this type of petition, motion, or hearing.

No defects identified.

DEFECTS OR ISSUES IDENTIFIED:

(1) Counsel ordered on February 5, 2015 to file status report concerning the civil matter prior to continued hearing. No status report is on file.

(2) Petition filed in FPR047326 appears to raise similar—if not identical—relief sought in the instant case. It is unclear why the petition filed under case number FPR047326 was not filed in FPR046279.

Comments: Matter trailing civil matter pending in FCS043405.

PROBATE NOTES

Case Name: In re the Estate of Bill W. Cunningham, Deceased
Case Number: FPR046409

Calendar Date: Thursday, October 22, 2015
Prior Calendar History:

Petition(s) or Motion(s): First and Final Report of Administrator on Waiver of Account, and Petition for Final Distribution, for Allowance of Compensation to Administrator and to Attorneys for Ordinary and Extraordinary Services

Filed By: Gary Walker

Objections: None

Filed On:

Filed By:

Reviewed By: C. Donovan, Staff Attorney

Date of Review: October 15, 2015

No probate notes needed for this type of petition, motion, or hearing.

No defects identified.

DEFECTS OR ISSUES IDENTIFIED:

Comments: Recommend for approval.

PROBATE NOTES

Case Name: In re the Estate of Loretta Lorene Murray, Deceased
Case Number: FPR046884

Calendar Date: Thursday, October 22, 2015
Prior Calendar History: October 14, 2015; August 27, 2015

Petition(s) or Motion(s): Petition for Final Distribution on Waiver of Accounting, Allowance of Statutory Commissions, Reimbursement of Costs and Payment of Attorney Fees
Filed By: Cathleen Rene Hofman

Objections: No written objections; oral objections made at October 14 hearing
Filed On:
Filed By:

Reviewed By: C. Donovan, Staff Attorney
Date of Review: October 15, 2015

No probate notes needed for this type of petition, motion, or hearing.

No defects identified.

DEFECTS OR ISSUES IDENTIFIED:

(1) Randolph Murray made verbal objections at the October 14, 2015 hearing but has not yet filed written objections.

Comments: Grant petition as amended on September 16, 2015 unless written objections are on file prior to the hearing.

PROBATE NOTES

Case Name: In re the Estate of Lillian Robinson, Deceased
Case Number: FPR047041

Calendar Date: Thursday, October 22, 2015
Prior Calendar History:

Petition(s) or Motion(s): Amended Petition for Order Accepting Resignation of Co-Personal Representative and for Issuance of Amended Letters to Remaining Personal Representative
Filed By: Jeffery Rose

Objections:
Filed On:
Filed By:

Reviewed By: C. Donovan, Staff Attorney
Date of Review: October 15, 2015

- No probate notes needed for this type of petition, motion, or hearing.
 No defects identified.
 DEFECTS OR ISSUES IDENTIFIED:

Comments: Recommend for approval.

PROBATE NOTES

Case Name: In re the Estate of Earl L. Conley, Deceased
Case Number: FPR047097

Calendar Date: Thursday, October 22, 2015
Prior Calendar History: July 9, 2015; June 8, 2015

Petition(s) or Motion(s): Amended Petition for Probate of Will and for Letters Testamentary and for Authorization to Administer Under the Independent Administration of Estates Act

Filed On: May 1, 2015
Filed By: Curtis Bloom

Objections: Carol Coy Objection to Curtis Bloom Petition to Administer Estate and Amended Petition to Administer Estate

Filed On: July 6, 2015
Filed By: Carol Coy

Petition(s) or Motion(s): Petition for Probate of Will and for Letters Testamentary and for Authorization to Administer Under the Independent Administration of Estates Act

Filed On: May 11, 2015
Filed By: Carol Coy

Objections: Opposition to Petition for Probate of Will and for Letters Testamentary and for Authorization to Administer Under the Independent Administration of Estate Act Filed by Carol Coy

Filed On: July 7, 2015
Filed By: Linda Bloom, Jennifer Conley, Casey Bem, Earl L. Conley III, and Mark Conley

Reviewed By: C. Donovan, Staff Attorney

Date of Review: October 15, 2015

No probate notes needed for this type of petition, motion, or hearing.

No defects identified.

DEFECTS OR ISSUES IDENTIFIED:

Comments: Matter on calendar for status conference. Four-part request for judicial notice of documents on calendar for November 10, 2015.

PROBATE NOTES

Case Name: In re the Estate of Carlos Carter, Deceased

Case Number: FPR047336

Calendar Date: Thursday, October 22, 2015

Prior Calendar History:

Petition(s) or Motion(s): Petition for Letters of Administration and for Authorization to Administer Under the Independent Administration of Estates Act

Filed By: David Bell

Objections:

Filed On:

Filed By:

Reviewed By: C. Donovan, Staff Attorney

Date of Review: October 15, 2015

No probate notes needed for this type of petition, motion, or hearing.

No defects identified.

DEFECTS OR ISSUES IDENTIFIED:

(1) There is no waiver of bond on file from Eric Bell. Without waivers from all heirs, the court will require a bond.

(2) There is no affidavit of publication on file as required by Probate Code section 8124.

(3) There is no proof of service showing that all persons entitled to notice of the petition received said notice.

Comments: Recommend denial without prejudice unless all issues are resolved prior to hearing.

PROBATE NOTES

Case Name: In re the Dorothy V. Rhone Trust
Case Number: FPR047142

Calendar Date: Thursday, October 22, 2015
Prior Calendar History: August 24, 2015; June 22, 2015

Petition(s) or Motion(s): Petition to Appoint Successor Trustee
Filed By: Josephine Rhone

Objections: Successor Trustee's Response re: Petition to Appoint Successor Trustee
Filed On: June 16, 2015
Filed By: Patricia Rhone

Reviewed By: C. Donovan, Staff Attorney

Date of Review: June 15, 2015; updated June 16, 2015; updated August 17, 2015; updated October 15, 2015

No probate notes needed for this type of petition, motion, or hearing.

No procedural defects identified.

DEFECTS OR ISSUES IDENTIFIED:

Comments: Mediation was pending for September 19. Matter continued to October 22, 2015 with parties required to file updated case management conference statements. No statements are on file.

Parties to file CMC statements as ordered and to appear at hearing and advise re: status of mediation. Parties should be prepared to set settlement conference, trial management conference, and trial dates if matter has not settled in its entirety.