

10-28-24
Dept. 9
Probate Tentative Rulings

1.	23PR0169	ESTATE OF BEALL
Status		

Letters of Administration were issued on December 18, 2023.

A Partial Inventory and Appraisal was filed on January 5, 2024. At the time the inventory and appraisal was filed, the 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, was not filed.

There is no Petition for Final Distribution on file with the court.

TENTATIVE RULING #1:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 28, 2024, 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.	PP20150216	ESTATE OF WALLACE
Status		

TENTATIVE RULING #2:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 28, 2024, 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.

3.	PP20190129	ESTATE OF FURNISS
Status & Final Distribution		

Letters of Administration were issued on September 4, 2019, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on December 26, 2019. 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.

Proof of Service of Notice of the hearing on the Petition was filed on October 2, 2024. No one has filed a request for special notice in this proceeding. The proposed distribution of the estate includes full distribution to Petitioner.

The Petition requests:

1. The administration of the Estate be brought to a close and the First and Final Account be approved and allowed;
2. All acts and proceedings of the Administrator be confirmed and approved;
3. The Administrator be authorized to pay statutory attorney fees in the amount of \$9,873.38, plus \$1,591.35 for costs advanced to the estate;
4. The Administrator be authorized to pay herself \$9,873.38 in statutory compensation;
5. Approval of distribution of the estate to the persons entitled to it pursuant to the Petition for Final Distribution; and,
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 #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)

AN ORDER FOR FINAL DISTRIBUTION HAVING BEEN ENTERED BY THE COURT OCTOBER 28, 2024, THE MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, OCTOBER 27, 2025, IN DEPARTMENT NINE, BY WHICH TIME THE COURT EXPECTS RECEIPTS AND AN EX PARTE PETITION FOR FINAL DISCHARGE (JUDICIAL COUNCIL FORM DE-295) TO BE FILED 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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4.	21PR0046	ESTATE OF WHEELER
Status		

Receipts of Distribution have been filed. At the time the final distribution was approved, the Court authorized the Administrator to withhold \$4,500.00 in reserves.

There is no ex parte Petition for Final Discharge (Judicial Council Form DE-295) on file with the court.

TENTATIVE RULING #4:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 28, 2024, 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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5.	22PR0097	ESTATE OF BONSER
Status		

An Order for Final Distribution was signed on October 4, 2024.

There are no Receipts of Distribution on file with the court.

TENTATIVE RULING #5:

THIS HEARING IS DROPPED FROM CALENDAR.

AN ORDER FOR FINAL DISTRIBUTION HAVING BEEN ENTERED BY THE COURT ON OCTOBER 4, 2024, THE MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY AUGUST 18, 2025, IN DEPARTMENT NINE, BY WHICH TIME THE COURT EXPECTS RECEIPTS AND AN EX PARTE PETITION FOR FINAL DISCHARGE (JUDICIAL COUNCIL FORM DE-295) TO BE FILED 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.	23PR0037	ESTATE OF BUCKLEY
Final Distribution		

Letters Testamentary were issued on May 22, 2023, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on February 26, 2024. Waivers of Account were executed by all the heirs entitled to distributions under the estate.

It is unclear from the Petition whether the distribution of the estate is to equal between Petitioner and Quince Buckley, and whether Petitioner is waiving his statutory compensation. There was no Notice filed and no proposed Order.

The Petition requests:

1. The administration of the estate be brought to a close without the requirement of an accounting;
2. All acts and proceedings of the Executor be confirmed and approved;
3. 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 #6:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 28, 2024, 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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7.	24PR0084	VISMAN FAMILY RECOVERABLE TRUST
Status on Mediation		

TENTATIVE RULING #7:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 28, 2024, 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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8.	24PR0144	PLANJE LIVING TRUST
Petition to Determine Rights, Titles, and Interest		

Case was heard on September 23, 2024, and continued to October 28, 2024, regarding the status of the Voya account.

TENTATIVE RULING #8:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 28, 2024, 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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9.	24PR0137	HIGHTOWER LIVING TRUST
Petition for Instructions, etc.		

At the hearing on September 9, 2024, the parties updated the Court regarding the status of settlement and requested a continuance.

TENTATIVE RULING #9:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, OCTOBER 28, 2024, IN DEPARTMENT NINE.

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10.	24PR0210	MATTER OF RUSING
Succession to Real Property		

Decedent died on April 7, 2023, as a resident of Arizona, but owning real property in California. Proceedings have been commenced in Arizona. He died testate and a copy of the will was attached to the Petition.

No Inventory and Appraisal was filed with the Petition.

Probate Code § 13152(e) requires that Form DE300 also be attached to the Petition, *see* Petition paragraph 8(b). That form is not included with the Petition.

Decedent is survived by two adult children, who are the Petitioners.

Attachment 11 contains the legal description and APN of the real property. It does not indicate whether Petitioners are claiming an ownership interest or if they are claiming an ownership interest on behalf of the trust. Decedent's will gifts his entire estate to the trust.

There is no attachment 14 containing the he names, relationships to decedent, ages, and residence/ mailing addresses, as far as known to or reasonably ascertainable by petitioner, of all persons named or checked in items 1, 9, and 10, all other persons who may be entitled to inherit decedent's property in the absence of a will, and all persons designated in the will to receive any property.

There is no notice filed with the Petition.

At the hearing on September 30, 2024, there were no appearances. Counsel for Petitioner requests a continuance.

TENTATIVE RULING #10:

HEARING CONTINUED TO MONDAY, DECEMBER 2, 2024, AT 8:30 AM IN DEPARTMENT NINE AT WHICH TIME THE COURT EXPECTS THE ABOVE-MENTIONED DEFICIENCIES TO BE CURED.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.