

Probate Notes for September 9, 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 Yolo Superior Court is now located at 1000 Main Street, in Woodland. The following probate matters will be heard in **Department Eleven at 9:00 a.m.**

CASE: Conservatorship of Contreras
Case No. CV PC 15-111

The Court notes the following deficiencies:

1. Proof that the citation and amended petition were served on the proposed conservatee at least 15 days before the hearing has not been filed with the Court. (Prob. Code, § 1824, Cal. Rules of Court, rule 7.53(a).)
2. Proof that the notice of hearing has been served on all the relatives listed in paragraph 11 of the amended petition has not been filed with the Court. (Prob. Code, § 1822.)
The Court notes that notice of hearing filed on August 21, 2015, only gives notice to some of the relatives listed in the petition.

CASE: Conservatorship of Pena
Case No. CV PC 15-125

On the Court's own motion, Beatrice Jaurigue's petition for appointment of probate conservator is **CONTINUED** to Monday, September 28, 2015, at 9:00 a.m. in Department 11 to be heard with Daniel Pena, Jr.'s petition for appointment of probate conservator.

CASE: Estate of Orosco
Case No. CV P2 14-130

On the Court's own motion, Arnulfo Orosco's petition for probate of decedent's will is **CONTINUED** to Tuesday, September 22, 2015, at 9:00 a.m. in Department 11.

CASE: Estate of Rye
Case No. CV PB 13-155

It is recommended to grant the petition for final distribution on waiver of accounting and for final distribution and settlement of the estate. (Prob. Code, § 11600 et seq.)

CASE: Estate of Shakir
Case No. CV PB 15-83

The Court notes the following deficiency with the petition for administration: Proof of publication is required for the amended petition for letters of administration. (Cal. Rules of Court, rule 7.53(a), Prob. Code, § 8120 et seq.)

Rahman (Abdul) Shakir's objections to the amended petition for administration are **OVERRULED**. The information asked for at paragraph 3c of the petition assists the Court in fixing the amount of bond, if applicable. (Prob. Code, §§ 8002, 8482.)

The Court notes the following deficiency with the amended spousal property petition: Petitioner has not filed proof that notice of the hearing on the amended spousal property petition was provided as required. The notice of hearing filed with the Court states that it is "for the probate of the estate of Muhammad S. Shakir," rather than for the amended spousal property petition. (Prob. Code, §§ 13655, 1220, Cal. Rules of Court, rule 7.50.)