

Probate Notes for October 20, 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: Estate of Stuart
Case No. CV PB 15-170**

The Court notes the following deficiencies:

1. The petition fails to indicate whether it is for letters of administration or for letters of special administration. To the extent letters of special administration are requested, the petition fails to set forth the grounds for the request. (Petition, ¶ 3(f)(3).)
2. A nomination of personal representative is not attached to the petition as required. (Petition, ¶ 3(f)(1)(c).)
3. To the extent petitioner requests authority under the Independent Administration of Estates Act, paragraph 2(c) of the petition is blank.
4. Proof of publication must be filed prior to the hearing. (Prob. Code, § 8120 et seq.)
5. Petitioner failed to file a written bond waiver for John Stuart Smeltzer, as alleged in paragraph 3(d) of the petition. (Prob. Code, § 8481.)

**CASE: Estate of Whiteneck
Case No. CV PB 15-167**

The Court notes the following deficiency: Proof of publication must be filed prior to the hearing. (Prob. Code, § 8120 et seq.)