

## Probate Notes for November 18, 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.**

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**CASE:            Conservatorship of Barth**  
**Case No. CV PC 14-192**

The parties are **DIRECTED TO APPEAR** as ordered by the Court on October 14, 2015.

**CASE:            Conservatorship of Barth**  
**Case No. CV PC 15-165**

The Court notes the following deficiency with Jordanne Young's petition for appointment of probate conservator of the estate: Petitioner failed to file a proposed Order Appointing Court Investigator (form GC-330). (Petition, ¶ 13.)

Additionally, on the Court's own motion the *Conservatorship of Barth*, case no. CV PC-15-165 is consolidated with the *Conservatorship of Barth*, case No. CV PC 14-192. Case no. CV PC 14-192 shall be designated as the lead case.

**CASE:            Estate of Mosier**  
**Case No. CV PB 15-191**

It is recommended to deny Tasha Commick's petition for probate of will and for letters testamentary. The material portions of the will dated August 7, 2015, are not in the decedent's handwriting. (Prob. Code, § 6111.)

Additionally, the Court notes the following deficiencies:

1. Proof that the notice of hearing has been served on the required parties has not been filed with the Court. (Prob. Code, § 8110.)
2. The *Duties and Liabilities of Personal Representative* form must be filed with the Court (Judicial Council of California Form DE-147).
3. Proof of publication must be filed prior to the hearing. (Prob. Code, § 8120 et seq.)
4. A typed copy of the holographic will executed on August 7, 2015, was not attached to the petition. (Prob. Code, § 8002, subd. (b)(1).)
5. A proof of holographic instrument must be filed with the Court for the Will executed on August 7, 2015. (Judicial Council of California Form DE-135).