

Probate Notes for December 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: 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 August 7, 2015 will does not satisfy the requirements to be admitted as a holographic will because the material portions 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. A typed copy of the holographic will executed on August 7, 2015, was not attached to the petition. (Prob. Code, § 8002, subd. (b)(1).)
4. 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).