

## Probate Notes for February 1, 2016

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: Estate of Guerra  
Case No. CV PB 15-145**

It is recommended to deny Ruth Corejo Guerra's petition to appoint her as sole executor of the estate and to assign a probate administrator on the following grounds:

1. Petitioner fails to cite any legal authority to support her request.
2. Petitioner has failed to provide notice of the hearing as required. (Prob. Code, ¶ 1200 et seq.)
3. The proof of service petitioner filed does not comply with Code of Civil Procedure section 1013a. Petitioner served the motion and she is a party to the action.

**CASE: In the Matter of the Clary Revocable Family Trust  
Case No. CV P2 15-235**

The Court notes the following deficiency: Proof that notice of hearing and a copy of the petition were been served on the required parties has not been filed with the Court. (Prob. Code, § 851.) Additionally, petitioner is directed to submit a proposed order prior to the date of the hearing.