

## Probate Notes for August 16, 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.**

---

**CASE:            Conservatorship of Sanderson**  
**Case No. CV PC 08-116**

It is recommended to approve the verified first and final account of trustee. (Prob. Code, § 17200, subd. (b)(5).)

The biennial review hearing set for August 17, 2016, is **DROPPED FROM CALENDAR.**

**CASE:            Estate of Johas**  
**Case No. CV PC 16-110/PC 16-117**

The Court notes the following deficiencies with Robert Walker's petition for probate of will and for letters testamentary:

1. Petitioner failed to file proof showing that the *Notice of Petition to Administer Estate* (Judicial Council of California Form DE-121) was served on all of decedent's heirs, or the beneficiaries named in decedent's will. (Prob. Code, § 8110; Estate of Baird (1987) 196 Cal.App.3d 957, 961-962.) The *Notice of Petition to Administer Estate* filed with the Court indicates that only Noah Teener and Benjamin Teener were served.
2. The *Duties and Liabilities of Personal Representative* form must be filed with the Court (Judicial Council of California Form DE-147).

The Court notes the following deficiencies with Kimberli and Austin Brewer's petition for letters of administration with will annexed:

1. Proof of publication must be filed prior to the hearing. (Prob. Code, § 8120 et seq.)
2. Petitioners have failed to file a declination to act by named executor Robert Walker.

Additionally, on the Court's own motion the *Estate of Johas*, case no. CV PB 16-117 is consolidated with the *Estate of Johas*, case No. CV PB 16-110. Case no. CV PC 16-110 shall be designated as the lead case.