

DEPARTMENT TEN
JUDGE CHRISTINE DONOVAN
707-207-7310

TENTATIVE RULINGS
AND
PROBATE PREGRANTS

CALENDAR DATE: May 3, 2024

ADVISEMENTS

Probate Notes: Probate notes are available in individual cases and are not posted on the public website. For more information on how to access case information through the court's public portal, please visit <https://portal.solano.courts.ca.gov>.

Civil Tentative Rulings and Probate Pregrants: Current procedures to advise the court of appearances and nonappearances in response to tentative rulings and pregrants remain unchanged. Probate pregrants and tentative rulings are not posted for conservatorships, guardianships, or any ex parte matters.

Appearances by Zoom: Remote appearances by Zoom are permitted except for MSCs, TMCs, trials or evidentiary hearings, or cases in which in-person appearances have been ordered. Persons appearing by Zoom are to be in appropriate attire. They are also to be in a quiet place where they can speak without interruption and clearly hear the proceedings.

Zoom Meeting ID: 161 313 3097

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1(669) 254-5252 (US English line, based in San Jose)

**PREGRANTS AND TENTATIVE RULINGS
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9:00 CALENDAR

LINE

1

**IN THE MATTER OF THE G E MEIN REVOCABLE TRUST
FPR051784**

Motion to Be Relieved as Counsel (Filed by Attorney David G. Knitter)

PREGRANT ORDER

The court finds all notices have been given as required by law. The motion to be relieved as counsel is granted as prayed.

LINE

2

**IN RE THE ESTATE OF NANCY A. MUNOZ, DECEASED
PR24-00185**

Petition for Letters of Administration

PREGRANT ORDER

The court on its own motion continues this hearing to June 5, 2024, at 9:00 a.m. in Department 10. Pending the continued hearing, the petitioner shall resolve the following issues:

1. Caption: The petition on item 2.c. seeks full authorization to administer the estate, but the caption does not. The petitioner shall clarify if she is seeking full authority or not.
2. Petition, item 2.d(2): The amount of bond was blank.
3. Petition, item 3.d: The petition states on item (2) that the estate consists of annual income from real property, but no estimated value for real property was listed on item (4). The petitioner shall clarify.
4. Petition, item 5.a: Either (1) or (2), and either (3) or (4), and either (7) or (8) must be marked.
5. Petition, item 8: The relationship to the decedent for each person was not listed. The petitioner shall provide the missing information.
6. There is no completed Duties and Liabilities of Personal Representative form on file. (Prob. Code § 8404.)

LINE

3

**IN RE THE ESTATE OF JAMES DARRELL TURLA RIVERA, DECEASED
PR24-00188**

Petition for Letters of Administration and for Authorization to Administer Under the Independent Administration of Estates Act

PREGRANT ORDER

The court on its own motion continues this hearing to June 5, 2024, at 9:00 a.m. in Department

10. Pending the continued hearing, the petitioner shall resolve the following issues:

1. The Duties and Liabilities of Personal Representative form on file is missing the address and phone number for the proposed personal representative. The petitioner may file an amended form with the missing information.
2. Petition, item 3.d: It is unclear why the petitioner seeks to administer an estate with minimal assets or why this proceeding is appropriate. The Probate Code provides alternate proceedings for collection of small estates and other types of collection of decedent's property. The petitioner shall explain.
3. Petition, item 3.e: There are no bond waivers on file for anyone.
4. Petition, item 6: This item was not answered and is required since the decedent was not survived by a spouse or issue.
5. Petition, item 8: The persons listed include names with no address and possibly deceased relatives with no date of death. The petitioner must provide the missing information. It is also unclear how the petitioner is related to the decedent. The petitioner must include herself, her relationship to the decedent, address and indicate whether she is an adult or a minor.
6. The proof of service on file does not show that proper notice has been given. The petition listed beneficiaries that reside in the Philippines and in Canada. Notice of the hearing must be given to the appropriate Canadian and Philippines embassy or consulate per Probate Code section 8113.

LINE

4

IN RE ESTATE OF JACK MONTGOMERY KING, JR., DECEASED
PR23-00189

Petition for Letters of Administration and for Authorization to Administer Under the Independent Administration of Estates Act

PREGRANT ORDER

The court on its own motion continues this hearing to June 6, 2024, at 9:00 a.m. in Department

10. Pending the continued hearing, the petitioner shall resolve the following issues:

1. The Duties and Liabilities Form DE-147 attached to the petition is for a different case number not before the court. The petitioner shall file a corrected Duties and Liabilities Form DE-147 with the correct information.
2. There is no proof of publication on file. (Prob. Code § 8124.)
3. Petition, item 3.c: The decedent's address at the time of death was not provided.

4. Petition, item 3.d: There are no values for personal and real property provided. The petitioner shall provide the missing information.
5. Petition, item 3.e: The bond waivers attached to the petition are for a different case number not before the court. The petitioner shall file corrected bond waivers with the correct case number information.
6. Petition, item 8: The petitioner did not list her relationship to the decedent.
7. There is no proof of service on file to show that proper notice has been given to all persons entitled to notice.

LINE

5

IN RE THE ESTATE OF ALICE MARIE HORKEY, DECEASED
PR24-00190

Petition for Letters of Administration

PREGRANT ORDER

The court on its own motion continues this hearing to June 6, 2024, at 9:00 a.m. in Department 10. Pending the continued hearing, the petitioner shall resolve the following issues:

1. The phone number is missing from the Duties and Liabilities Form DE-147.
2. There is no proof of publication on file. (Prob. Code § 8124.)
3. Petition, item 2.c: The petitioner seeks full authority on the petition, but the caption does not. The petitioner shall clarify if he is seeking full authority or not.
4. Petition, item 3.d: The petitioner did not provide additional details about the wrongful death case number, case name and location of where it is filed.

LINE

6

IN RE MATTER OF THE PETITION OF GRACE HARTMAN
PR24-00244

Petition to Establish Fact, Date and Place of Marriage

PREGRANT ORDER

The court on its own motion continues this hearing to June 7, 2024, at 9:00 a.m. in Department 10. Pending the continued hearing, the petitioner shall resolve the following issues:

1. Declaration, item 5: None of the witness statements attached are signed under oath in an affidavit sworn before a Notary Public or with the statement above the signature stating: "I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct".

2. Declaration, item 5.a: There was no copy of the marriage license referenced attached to the petition or declaration. The petitioner shall explain if they both went in person to obtain a marriage license from the County Clerk's office prior to the ceremony and provide a copy for the court's review. Also, the petitioner shall clarify if blood tests were obtained prior to obtaining a marriage license.
 3. Declaration, item 6: The petition indicates the petition is submitted on behalf of both the petitioner and on behalf of Joseph Hartman. However, neither the declaration or the petition are signed by him. Will Joseph Hartman be providing a written statement under oath in support of this petition?
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10:00 CALENDAR

LINE

7

**IN THE MATTER OF THE WILLIE J. BURNS & JULIE P. BURNS TRUST
FPR051670**

Petition:

- 1) For Order Compelling Trustee to Provide Information [§§16061 & 17200(a)(7)(B)]
 - 2) For Order Suspending and Removing Successor Trustee [Probate Code §17200(b)(10)]
 - 3) For Order Appointing Temporary Trustee and Successor Trustee [Probate Code § 17200(b)(10)]
 - 4) For Disallowance of Trustee Compensation [Probate Code § 16420]
 - 5) For Order Compelling Redress for Breach of Trust [Probate Code § 17200(b)(12)]
 - 6) For Attorneys Fees and Costs
- (Filed by Eleanora Burns)

Response to Petition:

- 1) For Order Compelling Trustee to Provide Information [§§16061 & 17200(a)(7)(B)]
 - 2) For Order Suspending and Removing Successor Trustee [Probate Code §17200(b)(10)]
 - 3) For Order Appointing Temporary Trustee and Successor Trustee [Probate Code § 17200(b)(10)]
 - 4) For Disallowance of Trustee Compensation [Probate Code § 16420]
 - 5) For Order Compelling Redress for Breach of Trust [Probate Code § 17200(b)(12)]
 - 6) For Attorneys Fees and Costs
- (Filed by Rhonda Lofton)

Petition to Approve the Accounting of the Trustee (filed by Rhonda Lofton)

Objections to Petition to Approve the Accounting of the Trustee (filed by Eleanora Burns)

Further Status Review Hearing

PREGRANT ORDER

Counsel and parties to appear. Remote appearances are approved.

LINE

8

IN RE THE ESTATE OF ORVAL OWEN ONSTOTT., DECEASED
PR24-00078

Petition for Letters of Administration and Authorization to Administer Under the Independent Administration of Estates Act

PREGRANT ORDER

This matter was continued from March 15, 2024 to allow the petitioner to address the issues with the petition. The court has read and considered the declaration filed on April 17, 2024 which was not verified by the petitioner and resolved only some issues.

The court on its own motion continues this hearing to June 12, 2024 at 10:00 a.m. in Department 10. Pending the continued hearing, the petitioner shall resolve the following unresolved issues:

1. Unresolved - Notice of Petition, item 1: The name of the petitioner is listed instead of the decedent. The petitioner shall file an amended Notice of Petition and re-serve on all interested persons.
 2. Unresolved – While the proof of publication was filed on April 30, 2024, it has the incorrect address for the court.
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