

TENTATIVE RULINGS

FOR: March 29, 2019

The Court may exercise its discretion to **disregard** a late filed paper in law and motion matters. (Cal. Rules of Court, rule 3.1300(d).)

Unlawful Detainer Cases – Pursuant to the restrictions in Code of Civil Procedure section 1161.2, no tentative rulings are posted for unlawful detainer cases and appearances are required.

Court Reporting Services – The Court does not provide official court reporters in proceedings for which such services are not legally mandated. Parties are responsible for either making the appropriate request in advance or arranging for their own private court reporter. Go to <http://napacountybar.org/court-reporting-services/> for information about local private court reporters. Attorneys or parties must confer with each other to avoid having more than one court reporter present for the same hearing.

PROBATE CALENDAR – Hon. Victoria Wood, Dept. A (Historic Courthouse) at 8:30 a.m.

In the Matter of the David Bernard Tilton Revocable Trust

18PR000276

PETITION FOR AN ORDER TO CONFIRM VALIDITY OF TRUST; CONFIRM TRUSTEE;
AND CONFIRM ASSETS TO REVOCABLE TRUST

TENTATIVE RULING: GRANT petition.

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Conservatorship of Gatlin, Jason Miles

26-21334

REVIEW HEARING

TENTATIVE RULING: After a review of the matter, the Court finds the Conservator is acting in the best interest of the Conservatee. Thus, the case is set for a biennial review hearing in two years, on March 19, 2021 at 8:30 a.m. in Dept. A. The court investigator shall prepare a biennial investigator report for the next hearing date. The clerk is directed to send notice to the parties.

PROBATE CALENDAR – Hon. Monique Langhorne, Dept. B (Historic Courthouse) at 8:30 a.m.

Conservatorship of Hannah Drescher

17PR000235

REVIEW HEARING/STATUS REVIEW OF JUDICIAL COUNCIL FORM

TENTATIVE RULING: On January 17, 2019, the Court ordered the conservator to file, within 60 calendar days, the Notice of Conservatee’s Rights (Judicial Council form GC-341). The form has not been filed. A status review as to the filing of the form is set for May 3, 2019, at 8:30 a.m. in Dept. B. If the form is filed, the status review will be taken off-calendar with no need for appearance. If the form is not filed, the Court may take additional steps to compel compliance. The clerk is directed to send notice to the conservator.

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Estate of Ireneo Ochoa

19PR000033

PETITION FOR LETTERS OF ADMINISTRATION AND AUTHORIZATION TO ADMINISTER UNDER THE INDEPENDENT ADMINISTRATION OF ESTATES ACT

TENTATIVE RULING: On March 8, 2019, the Court continued the matter at petitioner’s request because: (1) the proof of publication did not provide proper notice of the hearing; (2) the proposed bond amount of \$10,000 was too low; and (3) the proposed order (DE-140) and letters (DE-150) were not on file. Petitioner filed a proof of publication for the March 29, 2019 hearing date. However, there is no proof of service on file indicating each person who is entitled to notice received notice of the March 29, 2019 hearing date. The matter is continued to April 16, 2019, at 8:30 a.m. in Dept. B to allow petitioner to serve and file a proper proof of service. The proof of publication is sufficient. Petitioner shall file the proposed order (DE-140) and letters (DE-150) before the next hearing date and be prepared to obtain a bond in the amount of \$359,000.

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Conservatorship of Michael Comini

26-67313

SECOND ACCOUNT AND REPORT OF CONSERVATOR; PETITION FOR ALLOWANCE OF FEES TO CONSERVATOR OF PERSON AND ESTATE AND ATTORNEY FOR CONSERVATOR

TENTATIVE RULING: The petition is GRANTED IN PART AND DENIED IN PART. The petition is denied as to the request for paralegal Nina Jack’s fees for failure to comply with California Rules of Court, rules 7.754 and 7.703. The request for attorney’s fees in the amount of \$395.25 is denied. The declaration and timesheet only support attorney’s fees in the amount of \$87.50 (0.5 hours of work x \$175 per hour). In all other respects, the petition is granted. The Court deems the notice provided is sufficient.

After a review of the matter, the Court finds the conservator is acting in the best interest of the conservatee. Thus, the matter is set for a biennial review hearing and an accounting in two years on March 19, 2021, at 8:30 a.m. in Dept. B. All accounting documents must be filed at least 30 days prior to the hearing. The court investigator shall prepare a biennial investigator report for the next hearing date. The clerk is directed to send notice to the parties.