



SUPERIOR COURT OF SAN MATEO COUNTY

10/29/2024

Probate - Probate

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Courtroom 2D

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Hearing Date: 11/07/2024 - 09:00 AM

Judge: Brown, Gilbert

Clerk: Warren, Allie

Reporter: Conde, Wendy

*** Effective October 21, 2024, the probate calendar will be heard at the Southern Branch of the Superior Court of California, County of San Mateo

The Southern Branch is located at 400 County Center Redwood City, CA 94063***

Probate

Department 44

Courtroom 8A

Hon. Gilbert T. Brown

November 7, 2024 - 9:00 AM

If an appearance by Zoom is allowed, parties must appear through Zoom Video.

Zoom Audio is only to be used if Zoom Video is unavailable.

Please check in with the clerk by 8:45 AM.

Zoom Video/Audio Information	Zoom Phone-Audio Only Information Please Tentative Ruling: You must join by dialing in from a telephone; credentials will not work from a tablet or PC
<u>Click on this link to join the Zoom meeting (no meeting ID or passcode required):</u> Meeting ID: 161 809 3162 PASSWORD: 355238	Phone number: 1 (669) 254-5252 Meeting ID: 160 401 3224 PASSWORD: 653706

If a tentative ruling contains "APPEARANCE ORDERED (Zoom allowed/not allowed)", failure to appear may cause the Petition to be denied or Opposition stricken. If Zoom is not allowed, an in-person appearance is required.

If a tentative ruling contains "APPEARANCE OPTIONAL", failure to appear is a waiver of oral argument and the Court may issue orders differing from the tentative ruling. Zoom is allowed for all optional appearances.

If a tentative ruling contains "NO APPEARANCE", an appearance is not required, as the matter has been pre-approved, continued, or dropped, as described.

You must notify the probate clerk at dept1@sanmateocourt.org if you wish to be heard in response to the tentative ruling. Any interested party who wishes to be heard in opposition to a petition must notify all other parties of the intent to appear. Both notifications must be completed no later than 4:30 p.m. on the court day immediately preceding the day of the hearing. Unless notification has been given as provided above, the tentative ruling shall become the rulings of the Court.



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18-PRO-01405	IN RE: THE LEONARD S. PETERSEN REVOCABLE TRUST	NOTICE OF MOTION AND MOTION TO ENFORCE SETTLEMENT AGREEMENT
Line 1	Petitioner: PETERSEN, CATHLYN D. (MILLSTEIN, DAVID J. FREEMAN, M. COLBY WHEELER, KATELYN MILEY CANNATA, THERESE Y) Respondent: Petersen Loza, Elaine (BARULICH, PAUL J. DOYLE, TERENCE DANIEL CUMMINS, JAMES R. REICHARD, MEGAN REBEKAH ZEPEDA, JESSICA GABRIELA MARTINEZ) Respondent: Petersen, Fred C. (BARULICH, PAUL J. DOYLE, TERENCE DANIEL CUMMINS, JAMES R. REICHARD, MEGAN REBEKAH ZEPEDA, JESSICA GABRIELA MARTINEZ) Respondent: Petersen, Neal J. (BARULICH, PAUL J. DOYLE, TERENCE DANIEL CUMMINS, JAMES R. REICHARD, MEGAN REBEKAH ZEPEDA, JESSICA GABRIELA MARTINEZ) Decedent: PETERSEN, LEONARD S. Trustee: PETERSEN, NEAL J. (SOLOMON, MARK J.)	Motion to Enforce the Parties Settlement Agreement

Tentative Ruling:

APPEARANCE OPTIONAL

The Responding Party is order to respond to the Reply within 30 days. Matter CONTINUED to May 15, 2025. The Court is inclined to either set this matter for an evidentiary hearing, send the dispute to mediation, or set this matter back on the MSC calendar.



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21-PRO-00893	Conservatorship of Anthony Martin Vallez-Kelly	
Line 2	Proposed Conservatee: Vallez-Kelly, Anthony Martin (STREET, MALORIE M) Petitioner: Vallez-Kelly, Patrick Gerard Petitioner: Vallez-Kelly, Theresa Angela Proposed Conservator: Vallez-Kelly, Patrick Gerard (Pro Se) Proposed Conservator: Vallez-Kelly, Theresa Angela (Pro Se) Conservator: Vallez-Kelly, Patrick Gerard (Pro Se) Conservator: Vallez-Kelly, Theresa Angela (Pro Se)	Conservatorship Review - Biennial
<p>Tentative Ruling:</p> <p>NO APPEARANCE</p> <p>The Conservatorship shall continue and be reviewed in two (2) years; The assessment amount of \$850 for the cost of the Court's investigation is ordered and deferred until the Court determines sufficient funds exist. The private defender is discharged.</p>		

21-PRO-00917	Conservatorship of Jarel Nicholas Revita Menrige	
Line 3	Proposed Conservatee: Menrige, Jarel Nicholas Revita (WILKINS, PAUL A.) Petitioner: MENRIGE, CHRISTY ANNE REVITA (Pro Se) Proposed Conservator: Menrige, Christy Anne Revita Proposed Conservator: Menrige, Joseph Randy Batoon Conservatee: Menrige, Jarel Nicholas Revita (WILKINS, PAUL A.) Conservator: Menrige, Christy Anne Revita Conservator: Menrige, Joseph Randy Batoon	Conservatorship Review - Biennial
<p>Tentative Ruling:</p> <p>NO APPEARANCE</p> <p>The Conservatorship shall continue and be reviewed in two (2) years; The assessment amount of \$850 for the cost of the Court's investigation is ordered and deferred until the Court determines sufficient funds exist. The Private Defender is discharged.</p>		



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21-PRO-00980	CONSERVATORSHIP OF CARMEN TERESA ANDERSON	
Line 4	Proposed Conservatee: ANDERSON, CARMEN TERESA Proposed Conservator: JOHNSON, CARMEN IVETTE (Pro Se) Conservator: JOHNSON, CARMEN IVETTE (Pro Se) Attorney: PRIVATE DEFENDER Brother: DE JESUS, CARLOS FLORENCIO Brother: DE JESUS, EDWEEN Brother: DE JESUS, VICTOR ANGEL Sister: DE JESUS-BRUNO, DIANA TERESA	Conservatorship Review - Biennial

Tentative Ruling:

NO APPEARANCE

The Conservatorship shall continue and be reviewed in two (2) years; The assessment amount of \$850 for the cost of the Court's investigation is ordered and deferred until the Court determines sufficient funds exist. This matter is set on May 16, 2025, for an Order to Show cause for termination of the conservatorship due to the conservatee has established residence in Florida. Counsel is appointed to represent the conservatee pursuant to probate code section 1471.

23-PRO-00456	IN THE MATTER OF THE PEGGY BORT JONES IRREVOCABLE LIFE INSURANCE TRUST ("ILIT")	Mediation update and trial setting conference
Line 5	Petitioner: Jones, James Bort (MALCOUN, STEVEN A) Decedent: JONES, PEGGY BORT Respondent: Barulich, Paul (WINTERS, AMY S.)	Status Hearing

Tentative Ruling:

APPEARANCE OPTIONAL

Matter CONTINUED to April 8, 2024.



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23-PRO-00469	PATRIZIA DeLUCA BASUALDO vs. JULIO DeLUCA	PETITIONER PATRIZIA DE LUCA BASUALDO'S RE-NOTICE OF MOTION AND MOTION FOR AN ORDER AWARDING ATTORNEYS' FEES AND COSTS
Line 6	Petitioner: DeLUCA BASUALDO, PATRIZIA (CROWLEY, JOHN K.) Real Party In Interest: DeLUCA, CLOTILDE Respondent: DeLUCA, JULIO (Pro Se) Non-Party: San Mateo County District Attorney's Office	Motion for Attorney Fees

Tentative Ruling:

APPEARANCE OPTIONAL

Motion for Attorney's Fees and Costs is CONTINUED to May 16, 2025, to be heard by Judge Davis, who handled the restraining order hearing.

23-PRO-01410	IN THE MATTER OF THE JAMES HAROLD JONES MARITAL TRUST III	Mediation update and trial setting conference
Line 7	Petitioner: Jones, James Bort (MALCOUN, STEVEN A) Respondent: Barulich, Paul J. (DESMARAIS, MICHAEL G. WINTERS, AMY S.) Decedent: JONES, JAMES HAROLD	Status Hearing

Tentative Ruling:

APPEARANCE OPTIONAL

Matter CONTINUED to April 8, 2024.



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23-PRO-01514	Guardianship of Aldo Dario Ramos Ardiano	
Line 8, 9	Petitioner: Ramos Bautista, Francisco Exiquel (FINIGAN, JAMES) Ward: Ramos Ardiano, Aldo Dario Proposed Guardian: Ramos Bautista, Francisco Exiquel	Appointment of Guardian for Person of the Minor Petition for Special Immigrant Juvenile Findings
Tentative Ruling: APPEARANCE ORDERED (Zoom not allowed) The court intends to GRANT both petitions and make findings of neglect and abandonment.		

24-PRO-00493	Estate of Thomas J. Venezia	
Line 10	Petitioner: Reineke, Karen A. (DRESSLER, MIRANDA) Decedent: Venezia, Thomas J. Proposed Personal Representative: Reineke, Karen A.	Probate of Will and Letters Testamentary Hearing
Tentative Ruling: NO APPEARANCE Petition GRANTED absent cogent objection.		



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24-PRO-00614	Guardianship of Carlos Josue Chitay Top	
Line 11, 12	Petitioner: Chitay Top, Carlos Josue (TYLER, CYNTHIA A.) Ward: Chitay Top, Carlos Josue (TYLER, CYNTHIA A.) Proposed Guardian: Boch Chitay, Eliseo	Petition for Special Immigrant Juvenile Findings Appointment of Guardian for Person of the Minor

Tentative Ruling:

APPEARANCE ORDERED (Zoom not allowed)

The court intends to GRANT both petitions and make findings of neglect and abandonment only. Petitioner to file an amended SIJF order conforming to this ruling.

24-PRO-00627	Conservatorship of Jose Chavez	LIMITED
Line 13	Proposed Conservatee: Chavez, Jose (STREET, MALORIE M) Petitioner: Murillo, Petra (LANE, JACK) Proposed Conservator: Murillo, Petra	Appointment of Conservator for Person

Tentative Ruling:

APPEARANCE ORDERED (Zoom allowed)

The court intends to GRANT the petition and make the following orders:

1. A conservatorship is the least restrictive alternative to protect the conservatee, Petra Murillo is appointed limited conservator of the person of Jose Chavez.

2. The following limited powers are granted to the limited conservator pursuant to Probate Code §2351.5 and the limited conservatee's civil and legal rights will be limited in the following areas:

- To fix the residence or specific dwelling of the limited conservatee;
- Access to the confidential records and papers of the limited conservatee;
- The right to contract;
- The power to give or withhold medical consent;
- Decisions concerning the education of the limited conservatee.



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3. A nonappearance hearing on the limited conservator’s filing of the following documents be set for February 21, 2024:
 - “Determination of Conservatee’s Appropriate Level of Care” (GC-355) – to be filed within 60 days of appointment;
 - Level of Care Confidential General Plan (PR-22);
4. Pursuant to Probate Code §1830, the limited conservator file a proof of mailing of the Notice of Conservatee’s Rights within thirty (30) days of appointment.
5. The limited conservator’s requirement to attend conservator education classes be deferred until such time that the class is offered in Spanish.
6. The assessment amount of \$850.00 for the cost of this investigation is ordered and deferred until the court determines sufficient funds exist.
7. The limited conservatorship be reviewed in one (1) year.
8. The Private Defender is discharged.

24-PRO-00667	IN RE THE MATTER OF THE LORNO O. BARRERA TRUST AS RESTATED ON FEBRUARY 9, 2023	FIRST REPORT AND ACCOUNT OF TRUSTEE; PETITION FOR FOR ITS SETTLEMENT
Line 14	Petitioner: Agaloos-Bagaoisan, Joy O. (TAHENY, KEVIN A.)	Petition Hearing

Tentative Ruling:

APPEARANCE OPTIONAL

Matter CONTINUED to May 16, 2025 for filing of a Proof of Service.



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24-PRO-01258	Estate of Ronald K. Garbez	
Line 15	Petitioner: Garbez, Kenneth D. (FENTON, KRISTINA A.) Decedent: Garbez, Ronald K. Proposed Personal Representative: Loebner, Gary E.	Letters of Administration Hearing with ATA
Tentative Ruling: APPEARANCE OPTIONAL Petition DENIED without prejudice for failure to file proof of publication. If the aforementioned documents have been filed before the hearing, Counsel may appear in-person with a copy to request that the Court reconsider its tentative ruling.		

Hearings Total: 15