



SUPERIOR COURT OF SAN MATEO COUNTY

04/24/2024

Probate - Probate

7:56 AM

Courtroom 2H

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Hearing Date: 05/02/2024 - 09:00 AM

Judge: Davis, III, Leland

Clerk: Warren, Allie

Reporter: Conde, Wendy

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SAN MATEO

Probate

Department 1

Courtroom 2H

Hon. Leland Davis, III

May 2, 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 Note: 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: 160 844 3738 PASSWORD: 215010	Phone number: 1 (669) 254-5252 Meeting ID: 160 844 3738 PASSWORD: 215010

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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PRO11149	CONSERVATORSHIP OF JAIME N. MATTHIES	
Line 1, 2	Conservatee: MATTHIES, JAIME N. (ROWE, JESSICA L.) Conservator: SAN MATEO COUNTY PUBLIC GUARDIAN (NIBBELIN, JOHN D.) Temporary Conservator: SAN MATEO COUNTY PUBLIC GUARDIAN (NIBBELIN, JOHN D.) Attorney: PRIVATE DEFENDER Brother: MATTHIES, SHAUN D. Father: MATTHIES, DENNIS M. Mother: MATTHIES, ELAINE B. Participant: SAN MATEO COUNTY PUBLIC GUARDIAN (NIBBELIN, JOHN D.) Sister: OWEN, NOELLE (Pro Se)	Conservatorship Review - Biennial Appointment of Conservator for Estate

Tentative Ruling:

APPEARANCE OPTIONAL

The court intends to GRANT the Amended Petition for despite the failure to request specific estate powers under probate code section 1830(b) as required by the Petition at Item 1i. The Petitioner is directed to file an order conforming to the following orders:

1. A conservatorship is the least restrictive alternative to protect the conservatee, the San Mateo County Public Guardian be appointed as the limited conservator of the person and estate,
2. Dennis Matthies and Elaine Matthies are removed the Trustees of the Jaime Matthies Special Needs Trust and the San Mateo County Public Guardian is appointed the Successor Trustee of the Jaime Matthies Special Needs Trust Dated May 25, 2012.
3. The following limited powers of the person are granted to the conservator pursuant to Probate Code §2351.5, and the limited conservatee’s civil and legal rights will be limited in the following areas:
 - 1) to fix the residence or specific dwelling of the limited conservatee;
 - 2) to access confidential records and papers of the limited conservatee;
 - 3) to control the right of the limited conservatee to contract; and
 - 4) to hold the power of the limited conservatee to give or withhold consent to medical treatment.
4. The following limited powers of the estate are granted to the conservator pursuant to Probate Code §1830(b), and the limited conservatee’s civil and legal rights will be limited in the following areas:
 - To pay the debts and expenses of the limited conservatee and the limited conservatorship estate, subject to Probate Code sections 2430-2431, as permitted in Probate Code section 1830 (b)(2).



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- To contract on behalf of the limited conservatee and the limited conservatorship estate, as permitted in Probate Code section 1830 (b)(3),
 - To invest limited conservatorship assets in the manner permitted in Probate Code sections 2570-2574, as permitted in Probate Code section 1830 (b)(5)
5. A nonappearance hearing on the conservator's filing of the following documents be set for October 8, 2024 (90 days):
 - a) Inventory and Appraisal (GC-040)
 - b) Notice of Filing of Inventory and Appraisal and How to Object to the Inventory or the Appraised Value of Property (GC-042)
 6. Pursuant to Probate Code Section 1830, the conservator file a proof of mailing of the Notice of Conservatee's Rights within thirty (30) days of appointment.
 7. The request to pay the conservatee a monthly allowance not to exceed \$500.00 is approved.
 8. The statutory fees of \$500.00 for the cost of the Public Guardian's investigation is granted to be paid from either the conservatorship or the trust.
 9. Absent a judicial finding of hardship, this matter is subject to present and future assessments for the cost of the investigation, pursuant to Probate Code §1851.5.
 10. Payment of \$850.00 for the cost of the court investigation is ordered to be paid from the conservatorship estate to the Superior Court of San Mateo County within ninety (90) days.
 11. The limited conservatorship of the person and estate of Jaime Matthies will be reviewed in one (1) year.
 12. The Private Defender is discharged.



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PRO124443	CONSERVATORSHIP OF JONATHAN HORN	
Line 3	Conservatee: HORN, JONATHAN Conservator: HORN, JAN (Pro Se) Conservator: WESTON, JANE (Pro Se) Father: HORN, JAN (Pro Se) Grandparent: HORN, VERA (Pro Se) Grandparent: WESTON, GEORGE (Pro Se) Grandparent: WESTON, GLADYS (Pro Se) Mother: WESTON, JANE (Pro Se) Payor: Payor Sister: HORN, JENNIFER (Pro Se)	Conservatorship Review - Biennial
<p>Tentative Ruling:</p> <p>NO APPEARANCE</p> <p>Continued to June 17, 2024 for the Court Investigator to complete and file her report.</p>		

16-PRO-00510	Conservatorship of NASEEF NADER MUSLEH	
Line 4	Proposed Conservatee: MUSLEH, NASEEF NADER Petitioner: MUSLEH, MICHAEL (ROYCE, GARY) Petitioner: MUSLEH, SAMAR (ROYCE, GARY) Conservatee: MUSLEH, NASEEF NADER Conservator: MUSLEH, MICHAEL (ROYCE, GARY) Conservator: MUSLEH, SAMAR (ROYCE, GARY) Father: MUSLEH, MICHAEL (ROYCE, GARY) Mother: MUSLEH, SAMAR (ROYCE, GARY)	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.</p>		



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16-PRO-00617	Conservatorship of JACOB CLEMENTE ROSADO	
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Line 5	Conservatee: ROSADO, JACOB CLEMENTE Proposed Conservator: ROSADO, DYPHINA Proposed Conservator: ROSADO, JOSHUA RUBEN Proposed Conservator: ROSADO, MARIA Y (TILLINGHAST, MARGARET S.) Proposed Conservator: ROSADO, MARIA Y. (TILLINGHAST, MARGARET S.) Conservator: ROSADO, DYPHINA Conservator: ROSADO, MARIA Y. (TILLINGHAST, MARGARET S.) Conservator: ROSADO, RICHARD (TILLINGHAST, MARGARET S.) Father: ROSADO, RICHARD (TILLINGHAST, MARGARET S.) Mother: ROSADO, MARIA Y. (TILLINGHAST, MARGARET S.) Sister: ROSADO, DYPHINA	Conservatorship Review - Biennial
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Tentative Ruling:

NO APPEARANCE

The waiver of the estate is granted. 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.

16-PRO-00650	Conservatorship of CHARCORA EDVONNE THARP	
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Line 6	Proposed Conservatee: THARP, CHARCORA EDVONNE Petitioner: JACKSON, ANGELA (Pro Se) Conservatee: THARP, CHARCORA EDVONNE Conservator: JACKSON, ANGELA (Pro Se) Brother: NORTON, II, DWIGHT RONALD Brother: REESE, CHRISTOPHER Brother: THARP, JR., CHARLES E. Father: THARP, SR., CHARLES E. Mother: JACKSON, ANGELA (Pro Se)	Conservatorship Review - Biennial
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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.



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22-PRO-00823	Estate of ARLENE GIBLIN	WAIVER OF ACCOUNT AND REPORT OF ADMINISTRATOR, PETITION FOR ALLOWANCE OF STATUTORY FEES TO PERSONAL REPRESENTATIVE AND ATTORNEY, AND FOR FINAL DISTRIBUTION
Line 7	Petitioner: GIBLIN, TRUDY KAY (GRECH, MATTHEW G.) Decedent: GIBLIN, ARLENE Proposed Personal Representative: GIBLIN, TRUDY KAY	Petition for Final Distribution

Tentative Ruling:

NO APPEARANCE

Petition GRANTED absent cogent objection.

23-PRO-01452	IN THE MATTER OF THE D&M HOOD INTER VIVOS TRUST, CREATED UDT DATED JUNE 7, 2007, AS AMENDED	VERIFIED PETITION FOR ORDER CONFIRMING TRUST ASSET
Line 8	Petitioner: HOOD, MARLEEN A. (CREIGHTON, JAMES B.) Petitioner: Mader, Anthony D. (CREIGHTON, JAMES B.)	Petition to Confirm Trust Assets (Heggstad)

Tentative Ruling:

NO APPEARANCE

Petition Granted absent cogent objection.



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23-PRO-01452-A	ESTATE OF HALEY MARIE HOOD	
Line 9	Petitioner: Hood, Marleen A. (CREIGHTON, JAMES B.) Minor: Hood, Haley Marie	Appointment of Guardian Ad Litem
Tentative Ruling: NO APPEARANCE Petition Granted absent cogent objection.		

23-PRO-01452-B	ESTATE OF KAIUS WILLEM APOLLO MADER	
Line 10	Petitioner: Hood, Marleen A. (CREIGHTON, JAMES B.) Minor: Mader, Kaius Willem Apollo	Appointment of Guardian Ad Litem
Tentative Ruling: NO APPEARANCE Petition Granted absent cogent objection.		



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23-PRO-01452-C	ESTATE OF MILES MCCOY HOOD	
Line 11	Petitioner: Hood, Marleen A. (CREIGHTON, JAMES B.) Minor: Hood, Miles McCoy	Appointment of Guardian Ad Litem
Tentative Ruling: NO APPEARANCE Petition Granted absent cogent objection.		

23-PRO-01452-D	ESTATE OF TRAJAN ARTHUR ZEDRIC MADER	
Line 12	Petitioner: Hood, Marleen A. (CREIGHTON, JAMES B.) Minor: Mader, Trajan Arthur Zedric	Appointment of Guardian Ad Litem
Tentative Ruling: NO APPEARANCE Petition Granted absent cogent objection.		



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23-PRO-01458	IN THE MATTER OF, THE LISA L. DUFFELL GST EXEMPT TRUST ESTABLISHED UNDER THE EILEEN DENARI LUDWIG TRUST DATED NOVEMBER 11, 1988, AS AMENDED. TRUSTEES: CHRISTINE C. O'NEILL AND LISA L. DUFFELL	PETITION FOR ORDER MODIFYING TRUST PROVISIONS (PROBATE CODE 15403, 15409 & 17200) (Case Initiation)
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Line 13	Petitioner: Christine C. O'Neill and Lisa L. Duffell, Co-Trustees Petitioner: DUFFELL, LISA L. (COFFINO-GREENBERG, ELI) Petitioner: O'NEILL, CHRISTINE C. (COFFINO-GREENBERG, ELI) Decedent: The Lisa L. Duffel GST Exempt Trust established under the Eileen Denari Ludwig	Petition Hearing
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Tentative Ruling:

NO APPEARANCE

Petition Granted absent cogent objection.

23-PRO-01459	Conservatorship of Carol Rider	
Line 14	Proposed Conservatee: Rider, Carol (STREET, MALORIE M) Petitioner: Rider, Richard (HAAS, ELLEN B.) Proposed Conservator: Rider, Richard	Appointment of Conservator for Person and Estate

Tentative Ruling:

APPEARANCE ORDERED (Zoom allowed)

The court intends to appoint Petitioner Temporary conservator of the person and estate and set the matter on October 8, 2024 for the following 1) for Petitioner to file an amended Petition requesting appointment of the co-conservator, 2) for an updated capacity declaration. Petitioner is directed to file orders and letters conforming to this ruling.



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23-PRO-01463	IN RE THE MATTER OF THE: THE RICHARD ROBERT BAKER LIVING TRUST DATED APRIL 5, 2004	PETITION FOR ORDER DETERMINING TRUST'S TITLE TO REAL AND PERSONAL PROPERTY (HEGGSTAD PETITION)
Line 15	Petitioner: Morgan, Stacey (SMITH, BRANDON J.) Decedent: BAKER, RICHARD ROBERT	Petition Hearing

Tentative Ruling:

NO APPEARANCE

Matter dismissed at request of Petitioner.

24-PRO-00331	Conservatorship of VERDIE THOMPSON	
Line 16	Proposed Conservatee: THOMPSON, VERDIE Petitioner: George, Iyesha (ARNOLD, SHAUNE B.) Petitioner: SAN MATEO COUNTY PUBLIC GUARDIAN (NIBBELIN, JOHN D.) Petitioner: Thompson Edge, Gloria (ARNOLD, SHAUNE B.) Proposed Conservator: George, Iyesha Proposed Conservator: SAN MATEO COUNTY PUBLIC GUARDIAN (NIBBELIN, JOHN D.) Proposed Conservator: Thompson Edge, Gloria	Appointment of Temporary Conservator for Person and Estate

Tentative Ruling:

APPEARANCE OPTIONAL

Petition DENIED without prejudice for failure to file proof of personal service to conservatee as required by 2250(e).



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24-PRO-00389	Estate of Andrew Zoen Hou Lam	
Line 17	Petitioner: Lam, TinWai David (BRESLER, PETER H.) Decedent: Lam, Andrew Zoen Hou Proposed Personal Representative: Lam, TinWai David	Letters of Administration Hearing with ATA
Tentative Ruling: APPEARANCE OPTIONAL Petition DENIED without prejudice for failure to lodge proof of publication and proof of service. 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.		

24-PRO-00390	Estate of Gene Dresselhaus	
Line 18	Petitioner: Cooper, Marianne Dresselhaus (Pro Se) Decedent: Dresselhaus, Gene Proposed Personal Representative: Cooper, Marianne Dresselhaus	Probate of Will and Letters Testamentary Hearing w/ ATA
Tentative Ruling: APPEARANCE OPTIONAL Petition DENIED without prejudice for failure to lodge original will. 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: 18