



**SUPERIOR COURT OF SAN MATEO COUNTY**

**Probate - Probate**

**Courtroom 2H**

**Hearing Date: 05/16/2024 - 09:00 AM**

05/08/2024

8:29 AM

Page 1

**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 16, 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.**

<b>Zoom Video/Audio Information</b>	<b>Zoom Phone-Audio Only Information</b> <b>Please Note: You must join by dialing in from a telephone; credentials will not work from a tablet or PC</b>
<a href="#"><u>Click on this link to join the Zoom meeting (no meeting ID or passcode required):</u></a> <b>Meeting ID: 160 844 3738</b> <b>PASSWORD: 215010</b>	<b>Phone number: 1 (669) 254-5252</b> <b>Meeting ID: 160 844 3738</b> <b>PASSWORD: 215010</b>

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](mailto: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.



# SUPERIOR COURT OF SAN MATEO COUNTY

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05/08/2024

8:29 AM

Page 2

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PRO079665	<b>CONSERVATORSHIP OF ATHANASIO COURCOUMELIS</b>	
Line 1	Conservatee: COURCOUMELIS, ATHANASIOS Conservator: COURCOUMELIS, CONSTANTINOS ( Pro Se) Conservator: COURCOUMELIS, ELAINE ( Pro Se) Conservator: COURCOUMELIS, NICK ( Pro Se)	Conservatorship Review - Biennial
<b>Tentative Ruling:</b>  APPEARANCE ORDERED (Zoom allowed)  The Conservator is ordered to appear and explain why he has failed to file the mandatory compliance forms PR-1 and PR-19 and an amended Order Appointing Conservator and Letters of Conservatorship omitting the name of deceased co-conservator Elaine Constantinos. The assessment amount of \$850 for the cost of the Court's investigation is ordered and deferred until the Court determines sufficient funds exist.		

PRO063996-A	<b>Conservatorship of JUDITH MICHELLE JENKINS</b>	
Line 2	Proposed Conservatee: JENKINS, JUDITH MICHELLE Petitioner: JENKINS - PRESCOTT, CHERYL LYNNE ( Pro Se) Petitioner: PRESCOTT, MICHAEL R. ( Pro Se) Conservatee: JENKIS, JUDITH MICHELLE Conservator: JENKINS-PRESCOTT, CHERYL LYNNE ( Pro Se) Conservator: PRESCOTT, MICHAEL R. ( Pro Se)	Conservatorship Review - Biennial
<b>Tentative Ruling:</b>  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.		



# SUPERIOR COURT OF SAN MATEO COUNTY

Probate - Probate

Courtroom 2H

Hearing Date: 05/16/2024 - 09:00 AM

05/08/2024

8:29 AM

Page 3

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<b>20-PRO-01398</b>	<b>Estate of Patricia Louise French</b>	PETITION TO SUSPEND POWERS AND REMOVE ADMINISTRATOR, AND FOR APPOINTMENT OF A SPECIAL ADMINISTRATOR
<b>Line 3</b>	Petitioner: Crenshaw, Peggy ( CAIN, THOMAS W) Petitioner: San Mateo County Public Administrator ( CRUZ, PETER H) Petitioner: Webster-Cox, Dionne Elizabeth ( Pro Se) Decedent: French, Patricia Louise Interested Party: French, Kirk A. Interested Party: My Inheritance Cash, LLC ( Pro Se) Interested Party: STATE OF CALIFORNIA FRANCHISE TAX BOARD Interested Party: Waddles, Kevin Personal Representative: Webster-Cox, Dionne Elizabeth Proposed Personal Representative: Webster-Cox, Dionne Elizabeth Other: AMERICAN RESEARCH BUREAU	Petition Hearing

## Tentative Ruling:

APPEARANCE ORDERED (Zoom allowed)

The Court suspends the powers of Dionne Webster-Cox as Administrator and appoints Karyn Stiles as Special Administrator of the estate, pending appointment of a successor personal representative. Appear for trial setting on removal.



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**Probate - Probate**

**Courtroom 2H**

**Hearing Date: 05/16/2024 - 09:00 AM**

05/08/2024

8:29 AM

Page 4

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<b>21-PRO-00493</b>	<b>Estate of LES MCDONALD</b>	FIRST AND FINAL ACCOUNT AND REPORT OF EXECUTOR; PETITION FOR FINAL DISTRIBUTION; AND PETITION FOR ALLOWANCE OF WAIVER OF ACCOUNTING
<b>Line 4</b>	Petitioner: MCDONALD, MICHAEL ( STECHER, MICHAEL J.) Decedent: MCDONALD, LES Personal Representative: MCDONALD, MICHAEL Proposed Personal Representative: MCDONALD, MICHAEL	Petition for Final Distribution

**Tentative Ruling:**

NO APPEARANCE

Petition GRANTED absent cogent objection.

**SUPERIOR COURT OF SAN MATEO COUNTY****Probate - Probate****Courtroom 2H****Hearing Date: 05/16/2024 - 09:00 AM**

05/08/2024

8:29 AM

Page 5

**Judge:** Davis, III, Leland**Clerk:** Warren, Allie**Reporter:** Conde, Wendy

<b>21-PRO-00746</b>	<b>Estate of David Sherman Myers</b>	<b>PETITION TO DETERMINE HEIRSHIP</b>
<b>Line 5</b>	<p>Petitioner: San Mateo County Public Administrator ( Ellard, Jan E.) Decedent: Myers, David Sherman Interested Party: CLARK, DIANE ( LOEW, JEFFREY R.) Interested Party: COSNER, ALLEN DALE ( LOEW, JEFFREY R.) Interested Party: COSNER, JACK ( LOEW, JEFFREY R.) Interested Party: COSNER, RALPH ( LOEW, JEFFREY R.) Interested Party: COSNER, ROLLA ( LOEW, JEFFREY R.) Interested Party: FERRICK, BONNIE ( LOEW, JEFFREY R.) Interested Party: FITZGERALD, JAMES ( LOEW, JEFFREY R.) Interested Party: FITZGERALD, WILLIAM ( LOEW, JEFFREY R.) Interested Party: GOOD, JULIET ( LOEW, JEFFREY R.) Interested Party: HOMUTH, CHARLENE ( LOEW, JEFFREY R.) Interested Party: KIRKSEY, TERILYN ( LOEW, JEFFREY R.) Interested Party: KULINSKI, CHRISTINE ( LOEW, JEFFREY R.) Interested Party: LOWRIE, BILLY JEFF ( LOEW, JEFFREY R.) Interested Party: MCKEE, KAREN ( LOEW, JEFFREY R.) Interested Party: MCNAMARA, CATHRYN J. ( LOEW, JEFFREY R.) Interested Party: MILLER, MARSHA ( LOEW, JEFFREY R.) Interested Party: Noonan, Cindy ( ACH, DAVID;LOEW, JEFFREY R.) Interested Party: PARTLOW, CAROLE ( LOEW, JEFFREY R.) Interested Party: PATKOWSKI, DONNA ( LOEW, JEFFREY R.) Interested Party: POTTS, DONNA ( LOEW, JEFFREY R.) Interested Party: POTTS, GARY ( LOEW, JEFFREY R.) Interested Party: POTTS, RONALD ( LOEW, JEFFREY R.) Interested Party: POWER, AUBURN ( LOEW, JEFFREY R.) Interested Party: RONALD, POTTS ( LOEW, JEFFREY R.) Interested Party: RYAN, MICHAEL ( LOEW, JEFFREY R.) Interested Party: RYAN, TERRELL ( LOEW, JEFFREY R.) Interested Party: SCOTT, KARLA JO ( LOEW, JEFFREY R.) Interested Party: SCRUGGS, VERONICA ( LOEW, JEFFREY R.) Interested Party: SEEKAMP, CLAYTON B. ( LOEW, JEFFREY R.) Interested Party: WEICHERT, WILLIAM ( LOEW, JEFFREY R.) Interested Party: WOODS, BARBARA ( LOEW, JEFFREY R.) Interested Party: WOODS, BARRY G. ( LOEW, JEFFREY R.) Interested Party: WOODS, BRAD D. ( LOEW, JEFFREY R.) Interested Party: WOODS, BRIAN L. ( LOEW, JEFFREY R.) Interested Party: WOODS, ROGER ( LOEW, JEFFREY R.) Interested Party: WOODS, STEVE ( LOEW, JEFFREY R.) Interested Party: WOODS, TERRY ( LOEW, JEFFREY R.) Personal Rep: San Mateo County Public Administrator ( Ellard, JAN E.)</p>	<b>Petition Hearing</b>
<b>Tentative Ruling:</b>  <b>NO APPEARANCE</b>  Petition GRANTED absent cogent objection.		



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**Probate - Probate**

**Courtroom 2H**

**Hearing Date: 05/16/2024 - 09:00 AM**

05/08/2024

8:29 AM

Page 6

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**Reporter:** Conde, Wendy

<b>21-PRO-01105</b>	<b>IN RE THE MATTER OF THE IDA R. CROSARIOL TRUST DATED MARCH 30, 2012</b>	
<b>Line 6, 7</b>	Petitioner: Crosariol, Steven ( THIRKELL, EDWARD D.) Petitioner: Rasnick, John ( RAMSEYER, RYAN A.) Petitioner: Thornton, LeAnn ( THIRKELL, EDWARD D.) Decedent: CROSARIOL, IDA R. Respondent: Crosariol, Steven Respondent: Thornton, LeAnn Other: Stiles, Karyn C.	Status Hearing  Petition Hearing
<b>Tentative Ruling:</b>  APPEARANCE OPTIONAL  CONTINUED to October 29, 2024 for status, with status reports due 10 days before the next hearing. An Order to Show Cause shall issue to LeAnn Thornton and Steven Crosariol, as to why they should not be sanctioned for failure to abide by the Court's lawful orders.		

<b>21-PRO-01453</b>	<b>Conservatorship of Beatrice Carder</b>	PETITION OF INDEPENDENT COUNSEL OF COMPENSATION AND DISCHARGE why the Petitioner should not be suspended for repeated failure to file a General Plan and Inventory and Appraisal.
<b>Line 8, 9</b>	Proposed Conservatee: Carder, Beatrice ( GALLI, JEROME O.) Petitioner: Carder, Virginia ( BRODERICK-VILLA, WILLIAM) Conservatee: Carder, Beatrice ( GALLI, JEROME O.) Conservator: Carder, Virginia	Petition Hearing  Order to Show Cause Hearing
<b>Tentative Ruling:</b>  NO APPEARANCE  The court intends to make the following orders 1) the Order to Show Cause for the failure to file General Plan and I&A is discharged, 2) this matter is set on 6/14/24 for status of the First account which is currently overdue. Failure to file a first account may result in suspension or removal of the conservator and appointment of a private fiduciary. 3) Independent Counsel's request for fees is		



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Probate - Probate

Courtroom 2H

Hearing Date: 05/16/2024 - 09:00 AM

05/08/2024

8:29 AM

Page 7

**Judge:** Davis, III, Leland

**Clerk:** Warren, Allie

**Reporter:** Conde, Wendy

granted in the amount requested, 4) Independent counsel's request for discharge is denied pending resolution of the first annual review and account.

23-PRO-00057	John C. Martin Trust dated January 6, 2017, as amended and restated	CO-TRUSTEES MARGARET MARTIN AND JOHN MARTIN'S: (1) NOTICE OF DEMURRER AND DEMURRER TO LILLIAN LIEN-LI LOU'S PETITION AND COMPLAINT; (2) MEMORANDUM IN SUPPORT THEREOF; AND (3) DECLARATION OF TOMASENE A. KNIGHT
Line 10	Petitioner: Martin, John D. ( BRACCINI, STEVEN P. MCCORMICK, MEGHAN K.) Petitioner: Martin, Margaret ( BRACCINI, STEVEN P. MCCORMICK, MEGHAN K.) Decedent: MARTIN, JOHN C. Beneficiary: Lien-Li Lou, Lillian ( DANITZ, BRIAN) Beneficiary: Lien-Li Lou, Lillian Defendant: Golden, John P. ( HUGHES, JONATHAN W)	Hearing on Demurrer

## Tentative Ruling:

APPEARANCE OPTIONAL

Demurrer SUSTAINED IN PART, with leave to amend, as to declaratory relief, which is not available in a trust proceeding and unjust enrichment, which is not a stand-alone cause of action. Demurrer otherwise OVERRULED.



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**Hearing Date: 05/16/2024 - 09:00 AM**

05/08/2024

8:29 AM

Page 8

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**Clerk:** Warren, Allie

**Reporter:** Conde, Wendy

<b>23-PRO-01539</b>	<b>IN THE MATTER OF THE FREEMAN - ZINK FAMILY TRUST UNDER REVOCABLE TRUST AGREEMENT DATED JULY 7, 2022</b>	PETITION FOR ORDER CONFIRMING CHARACTER OF TRUST ASSETS
<b>Line 11</b>	Petitioner: FREEMAN, THERESE ANNE ( STIKKER, THOMAS J) Decedent: ZINK, ROY ALLEN	Petition to Confirm Trust Assets (Heggstad)

**Tentative Ruling:**

APPEARANCE OPTIONAL

Petition GRANTED absent cogent objection.

<b>23-PRO-01541</b>	<b>Conservatorship of Raquel Getsemani Bautista</b>	
<b>Line 12</b>	Proposed Conservatee: Bautista, Raquel Getsemani ( STREET, MALORIE M) Petitioner: Bautista Mayorga, Nelson Arturo ( LAHATTE, GABRIELLE) Petitioner: Garcia Hernandez, Yelin Arcely ( LAHATTE, GABRIELLE) Proposed Conservator: Bautista Mayorga, Nelson Arturo Proposed Conservator: Garcia Hernandez, Yelin Arcely	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 limited conservatorship is the least restrictive alternative to protect the conservatee and Yelin Arcely Garcia Hernandez and Nelson and Arturo Bautista Mayorga are appointed as limited co- conservators of the person.
2. The following limited powers are granted to the limited co-conservators 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;
  - To consent or withhold consent to the marriage of, or entrance into a registered domestic partnership by the limited conservatee;





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**Courtroom 2H**

**Hearing Date: 05/16/2024 - 09:00 AM**

05/08/2024

8:29 AM

Page 9

**Judge:** Davis, III, Leland

**Clerk:** Warren, Allie

**Reporter:** Conde, Wendy

- The right to contract;
  - The power to give or withhold medical consent;
  - The right to control the limited conservatee's social and sexual contacts and relationships; and
  - Decisions concerning the education of the limited conservatee.
3. A nonappearance hearing on the limited co-conservators' filing of the following documents be set for August 30, 2024:
    - a) "Determination of Conservatee's Appropriate Level of Care" (GC-355) – to be filed within 60 days of appointment
    - b) Level of Care Confidential General Plan (PR-22)
  4. Pursuant to Probate Code Section 1830, the limited co-conservators file a proof of mailing of the Notice of Conservatee's Rights within thirty (30) days of appointment.
  5. The limited co-conservators' requirement to attend conservator education classes and file a Proof of Completion with the Court within six (6) months of being appointed as limited co-conservators be waived until the classes are offered in Spanish.
  6. The assessment amount of \$850.00 for the cost of this investigation be ordered and deferred at this time.
  7. The conservatorship be reviewed in one (1) year.
  8. The private defender is discharged.

<b>23-PRO-01542</b>	<b>IN THE MATTER OF MARGARET A. COMPAGNO FAMILY TRUST DATED JULY 17, 2013</b>	
<b>Line 13</b>	Petitioner: Compagno, Dino ( BUCKLEY, MEEGHAN) Decedent: COMPAGNO, MARGARET A.	Petition to Confirm Trust Assets (Heggstad)
<b>Tentative Ruling:</b>  NO APPEARANCE  Petition GRANTED absent cogent objection.		



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**Courtroom 2H**

**Hearing Date: 05/16/2024 - 09:00 AM**

05/08/2024

8:29 AM

Page 10

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<b>23-PRO-00625-A</b>	<b>Estate of GLADYS M. BUNN</b>	
<b>Line 14</b>	Petitioner: POPOVICH, PERRY D ( POPOVICH, PERRY D.) Decedent: BUNN, GLADYS M.	Letters of Special Administration Hearing
<b>Tentative Ruling:</b>  NO APPEARANCE  Petition GRANTED absent cogent objection.		

<b>24-PRO-00490</b>	<b>MARTIN SANDOVAL vs. JOSEPH LUCERO</b>	
<b>Line 15</b>	Petitioner: SANDOVAL, MARTIN ( COTTER, MARK) Respondent: LUCERO, JOSEPH	Request for Orders to Stop Elder or Dependent Adult Abuse
<b>Tentative Ruling:</b>  APPEARANCE ORDERED (Zoom not allowed)  No Proof of Service on file.		

**Hearings Total: 15**