



SUPERIOR COURT OF SAN MATEO COUNTY

Probate - Probate

Courtroom 2H

Hearing Date: 05/15/2024 - 09:00 AM

05/06/2024

8:32 AM

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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 15, 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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PRO112799	CONSERVATORSHIP OF JOSE A. RAMIREZ	Why the matter should not be transferred to Santa Clara County
Line 1	Conservatee: RAMIREZ, JOSE A. (WILKINS, PAUL A.) Conservator: RAMIREZ, RICARDO A. (HUTAR, LISA A.) Conservator: ROMERO, LISA (HUTAR, LISA A.) Conservator: ROMERO, MARIA SOCORRO (HUTAR, LISA A.) Participant: RAMIREZ, JUANA (Pro Se) Brother: RAMIREZ, RICARDO ERNESTO (Pro Se) Court Investigator: Cady, Tamara Father: RAMIREZ, RICARDO A. (HUTAR, LISA A.) Mother: ROMERO, MARIA SOCORRO (HUTAR, LISA A.) Sister: ROMERO, LISA (HUTAR, LISA A.)	Order to Show Cause Hearing
Tentative Ruling: APPEARANCE OPTIONAL The Court intends to order the matter transferred to Santa Clara County and discharge the private defender.		

PRO124481	CONSERVATORSHIP OF ANTHONY JOSEPH CARPIO	
Line 2	Conservatee: CARPIO, ANTHONY JOSEPH (ROWE, JESSICA L.) Conservator: CARPIO, ANTONIO (Pro Se) Conservator: CARPIO, ELAINE (Pro Se) Child: CARPIO, ANTHONY, JR Child: CARPIO, MEILANI Participant: MASANGKAY, EFFREN (Pro Se) Participant: MASANGKAY, TERESITA (Pro Se) Participant: TORRES, EVELYN (Pro Se) Payor: Payor Spouse: CARPIO, KARINA	Conservatorship Review - Biennial
Tentative Ruling: APPEARANCE OPTIONAL The Court intends to discharge all orders to show cause and order that the conservatorship shall continue, that the matter be transferred to San Benito County, and that the private defender be discharged absent cogent objection.		



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21-PRO-00562	IN RE THE RAD FAMILY REVOCABLE TRUST	PETITION TO ENFORCE SETTLEMENT AGREEMENT
Line 3	Petitioner: Leaf, Ellen (SHJEFLO, WALTER E.) Decedent: LEAF, RONNIE L. Objector: Leaf, Amanda (HARRIS, LILY M.)	Petition Hearing
Tentative Ruling: APPEARANCE ORDERED (Zoom allowed) Parties are ordered to appear for trials setting.		

22-PRO-00822	Estate of MARY ELIZABETH MERCURIO	PETITION FOR FINAL DISTRIBUTION ON WAIVER OF ACCOUNTING; WAIVER OF STATUTORY COMMISSION
Line 4	Petitioner: Mercurio, David Christopher (Pro Se) Petitioner: Mercurio, Deanna Jean (Pro Se) Petitioner: Mercurio, Peter Anthony (Pro Se) Decedent: MERCURIO, MARY ELIZABETH Personal Representative: Mercurio, David Christopher Personal Representative: Mercurio, Deanna Jean Personal Representative: Mercurio, Peter Anthony	Petition for Final Distribution
Tentative Ruling: NO APPEARANCE Petition GRANTED absent cogent objection. Formal order required.		



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22-PRO-00883	Estate of Irma Marguerite Compton	FIRST AND FINAL REPORT OF EXECUTOR AND PETITION FOR (1) WAIVER OF ACCOUNT; (2) ALLOWANCE OF ATTORNEY'S ORDINARY STATUTORY FEES AND COSTS; (3) ALLOWANCE OF ATTORNEY'S EXTRAORDINARY FEES; AND (4) FOR FINAL DISTRIBUTION
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Line 5	Petitioner: MACKEY, TERRY (BOBOWSKI, PAMELA C) Decedent: Compton, Irma Marguerite Interested Party: DEPARTMENT OF HEALTH CARE SERVICES Objector: At-Chan, Jean (BENDER, MARC D.) Objector: MACKEY, WALDO (Pro Se) Personal Representative: MACKEY, TERRY (BOBOWSKI, PAMELA C) Claimant: DEPARTMENT OF HEALTH CARE SERVICES	Petition for Final Distribution
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Tentative Ruling:

APPEARANCE OPTIONAL

Petition GRANTED absent cogent objection with extraordinary attorney fees granted in the requested amount of \$62,257.50 in fees and \$1,700 in costs, which totals \$63,957.50. Revised order that contains the correct calculation for the total amount of extraordinary attorney costs and fees is required.

22-PRO-01075	Conservatorship of Victor Hugo Hernandez	
Line 6	Proposed Conservatee: Hernandez, Victor Hugo (STREET, MALORIE M) Petitioner: Hernandez, Victor M. (Pro Se) Petitioner: Hernandez, Yolanda Torres de (Pro Se) Conservatee: Hernandez, Victor Hugo (STREET, MALORIE M) Conservator: Hernandez, Victor M. Conservator: Hernandez, Yolanda Torres de	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.

23-PRO-00109	Estate of William Knapp Seger	PETITION FOR FINAL DISTRIBUTION AND WAIVER OF ACCOUNTING
Line 7	Petitioner: Seger, Samantha Vivienne (Pro Se) Decedent: Seger, William Knapp Personal Representative: Seger, Samantha Vivienne	Petition for Final Distribution

Tentative Ruling:

APPEARANCE OPTIONAL

Petition DENIED without prejudice for failure to file a decree of distribution that specifically states how the estate is to be distributed including the specific amounts and manner of distribution as required by Local Rule 4.56. If the aforementioned documents have been filed before the hearing, Petitioner may appear in-person with a copy to request that the Court reconsider its tentative ruling.



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23-PRO-00251	Conservatorship of LAURIN GWEN JACOBS KIMEL	
Line 8	Proposed Conservatee: KIMEL, LAURIN GWEN JACOBS Petitioner: KIMEL, HOWARD J. (MALKIN, DEBORAH A) Conservatee: KIMEL, LAURIN GWEN JACOBS (AULENTA, MATTHEW JAMES) Conservator: KIMEL, HOWARD J.	Conservatorship Review - Biennial
Tentative Ruling: NO APPEARANCE The request to waive the final account is granted. The review of the conservatorship is dropped due to the death of the conservatee. The conservator is discharged as conservator of the estate.		

23-PRO-01023	Conservatorship of BENNETT WILSEY	
Line 9	Proposed Conservatee: WILSEY, BENNETT (WILKINS, PAUL A.) Petitioner: WILSEY, KAREN (Pro Se) Petitioner: WILSEY, PETER (Pro Se) Proposed Conservator: WILSEY, KAREN Proposed Conservator: WILSEY, PETER	Appointment of Conservator for Person
Tentative Ruling: APPEARANCE OPTIONAL (Zoom allowed) Matter DISMISSED without prejudice due to Petitioners' request for dismissal.		



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23-PRO-01530	ESTATE OF LINDA K. BOSTROM	
Line 10	Petitioner: Bostrom, David A. (TUNGPAGASIT, V. WINNIE) Decedent: Bostrom, Linda K.	Spousal/Domestic Partner Property Petition

Tentative Ruling:

APPEARANCE OPTIONAL

Spousal Property Petition is DENIED for failure to provide legal authority supporting the request to confirm real property outside of California without an ancillary probate.

23-PRO-01533	IN RE: LANCE E. MCDERMOTT AND CRISTINE B. MCDERMOTT 1990 REVOCABLE INTER-VIVOS TRUST.	PETITION TO MODIFY TRUST
Line 11	Petitioner: McDermott, Cristine (MADDEN, ROSS M.) Decedent: MCDERMOTT, LANCE E.	Petition Hearing

Tentative Ruling:

APPEARANCE OPTIONAL

Petition to Modify Trust is DENIED without prejudice for: (1) Failure to provide why venue in San Mateo County is proper; and (2) Failure to provide any support for, or consents to, the following requested modification: "Settlers hereby authorize the ROSS MADDEN ESTATE PLANNING CENTER and/or the Law Offices of Ross McLauran Madden to petition for said replacement, and to act as attorney for the trust in all matters."

24-PRO-00217	WEBSTER LOUDD vs. AYINDE LOUDD	
Line 12	Petitioner: LOUDD, WEBSTER (ANI, JENNIFER) Respondent: LOUDD, AYINDE	Request for Orders to Stop Elder or Dependent Adult Abuse



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Tentative Ruling:

APPEARANCE ORDERED (Zoom not allowed)

No proof of service filed.

24-PRO-00471	HOWARD ATKINS vs. MARK NAVELLI	
Line 13	Petitioner: ATKINS, HOWARD Respondent: NAVELLI, MARK	Request for Orders to Stop Elder or Dependent Adult Abuse
Tentative Ruling: APPEARANCE ORDERED (Zoom not allowed) No proof of service filed.		

Hearings Total: 13