

TENTATIVE RULINGS

FOR: January 8, 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.

Conservatorship of William C. Whitt

17PR000135

PETITION FOR AUTHORITY TO SELL CONSERVATEE’S RESIDENCE

TENTATIVE RULING: The matter is CONTINUED to January 11, 2019, at 8:30 a.m. in Dept. A.

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Estate of John Lund

17PR000261

PETITION FOR APPROVAL OF PAYMENT IN ACCORDANCE WITH TERMS OF SETTLEMENT AGREEMENT AND FOR PAYMENT OF ATTORNEY’S EXTRAORDINARY COMPENSATION

TENTATIVE RULING: GRANT petition.

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Estate of Benjamin J. Gross

18PR000138

FIRST AND FINAL REPORT OF EXECUTOR AND PETITION FOR ITS SETTLEMENT ON WAIVER OF ACCOUNT, FOR ALLOWANCE OF COMPENSATION FOR ORDINARY SERVICES AND FOR FINAL DISTRIBUTION

TENTATIVE RULING: GRANT petition, including fees as prayed.

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Estate of Barbara Ann Wright

18PR000280

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

TENTATIVE RULING: The matter is CONTINUED to February 5, 2019, at 8:30 a.m. in Dept. A in order for Petitioner to address the following:

- 1) Vern Wright is identified as husband and primary beneficiary under the Will but is omitted from Petition and Notice.
- 2) There is no proposed order, letters, or proof of publication on file.
- 3) Proof of publication to be filed prior to hearing.
- 4) Petition fails to identify the relationships of the heirs, beneficiaries, and executors.

Petitioner to correct defects in Petition and ensure that all required documents are on file.

CIVIL LAW & MOTION CALENDAR – Hon. Victoria Wood, Dept. A (Historic Courthouse) at 8:30 a.m.

In the Matter of Angelique R. Avila

18CV001567

PETITION FOR CHANGE OF NAME

TENTATIVE RULING: There is no proof of publication in the court file. If one is filed before the hearing, the petition will be GRANTED without need for appearance. If no proof of publication is filed, the petition will be DENIED without prejudice.

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David P. Abreu, et al. v. Michael Ru Bello, et al.

26-67606

DEFAULT JUDGMENT PROVE-UP HEARING

TENTATIVE RULING: The Court intends to drop the prove-up hearing. It appears the court lacks jurisdiction to issue a judgment in any amount because the operative complaint fails to indicate any amount for damages. (See Code Civ. Proc., § 580, subd. (a); *Dhawan v. Biring* (2015) 241 Cal.App.4th 963, 968.)