

TENTATIVE RULINGS

FOR: November 27, 2018

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. Diane Price, Dept. I (Criminal Courts Bldg.-1111 Third St.) at 2:00 p.m.

Conservatorship of Mable Pettengill

18MH000091

PETITION FOR APPOINTMENT OF LPS CONSERVATOR

APPEARANCE REQUIRED

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In the Matter of the Debra Miller Miracle Endowment Fund

18PR000243

PETITION FOR ORDER APPROVING MODIFICATION OF TRUST TERMS

TENTATIVE RULING: GRANT petition.

CIVIL LAW & MOTION CALENDAR – Hon. Diane Price, Dept. I (Criminal Courts Bldg.-1111 Third St.) at 2:00 p.m.

Daniel Culverwell v. Shane Joseph Scheu, et al.

16CV001173

MOTION TO SUBSTITUTE DANIEL CULVERWELL IN PLACE OF DECEASED PLAINTIFF

TENTATIVE RULING: Plaintiff Daniel Culverwell’s (father) motion to substitute himself in the place of plaintiff/decedent Daniel Culverwell (son) is GRANTED. (Code Civ. Proc., §§ 377.31-377.32; Culverwell Decl., ¶¶ 2-7.) The motion is unopposed.

PROBATE CALENDAR – Hon. Francisca P. Tisher, Dept. JAR (Historic Courthouse) at 2:00 p.m.

Conservatorship of Michael John McCormick

18PR000092

HEARING TO CONFIRM RECEIPT OF TRANSFER

TENTATIVE RULING: The Court made a reasonable inquiry into the status of the matter. The case transfer was rejected because there was no filing fee or fee waiver accompanying the case.

The conservator's attorney is instructed to contact the Civil Filing Division at the Napa County Superior Court to pay, subject to any applicable fee waiver, the: (1) transfer fees from the Napa County Superior Court; and (2) the filing fee for the El Dorado County Superior Court.

If the conservator seeks to have any fees waived in the El Dorado County Superior Court, she must submit to the Civil Filing Division at the Napa County Superior Court a new completed fee waiver application for transmittal.

The clerk is directed to transmit to the clerk of the court in El Dorado County a certified or exemplified copy of this order, together with all papers in the proceeding on file. The clerk is directed to send notice to the parties.

The review hearing is continued to January 29, 2019, at 8:30 a.m. in Dept. A at the Napa County Superior Court to confirm receipt of the notification from the El Dorado County Superior Court that it has received the transferred case. The matter will remain on Napa Court's calendar until the transfer notification is received.

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Estate of Anita May Gheno

18PR000136

FIRST AND FINAL REPORT OF ADMINISTRATOR ON WAIVER OF ACCOUNT AND PETITION FOR ALLOWANCE OF STATUTORY COMPENSATION TO ATTORNEYS AND FOR FINAL DISTRIBUTION

TENTATIVE RULING: GRANT petition, including fees as prayed.

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Conservatorship of Marco Hernandez

18PR000236

PETITION FOR APPOINTMENT OF PROBATE CONSERVATOR OF THE PERSON – LIMITED CONSERVATORSHIP

APPEARANCE REQUIRED. The proposed conservatee need not appear.

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The Frances A. Wignall Living Trust of 2003

18PR000238

PETITION FOR ORDER DETERMINING TITLE

TENTATIVE RULING: Petitioner shall serve the Public Guardian, attorney Susan Altman, and attorney Jack Bange with the petition and a copy of this ruling. The matter is continued to January 11, 2019, at 8:30 a.m. in Dept. A. Any party may file a response to the petition.

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Conservatorship of Donna Brown

26-50972

REVIEW HEARING

APPEARANCE REQUIRED

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In the Matter of The Leonardo Survivor's Trust

26-62877

SEVENTH ACCOUNT AND REPORT OF TRUSTEE AND PETITION FOR SETTLEMENT OF ACCOUNT AND FOR APPROVAL OF TRUSTEE FEES

TENTATIVE RULING: GRANT petition, including fees as prayed.