

SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY
PR - MARTINEZ-WAKEFIELD TAYLOR COURTHOUSE
COURT CALENDAR FOR MARCH 13, 2025
DEPARTMENT 38
JUDICIAL OFFICER: BARBARA C. HINTON

PROBATE EXAMINER NOTES-SUBJECT TO REVISION AFTER REVIEW BY
THE JUDGE

**Unless the Court directs otherwise, appearances by counsel and parties in
Department 38 may be made as follows:**

- **In Person**
- **Remotely through Zoom Videoconferencing**

Zoom videoconferencing for Department 38, Judge Hinton:

<https://www.zoomgov.com/j/1615175497?pwd=aXQ0em5MT0VGdG5rZ0dHSFFiN1ZRZz09>

IF YOU HAVE MATTERS IN BOTH
DEPARTMENT 30 AND DEPARTMENT 38,
PLEASE NOTIFY THE BAILIFFS
THE MORNING OF YOUR APPEARANCE.

THANK YOU.

SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY
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| 1. 9:00 AM | MSP19-01777 IN RE THE MATTER OF THE JEFFREY P BANTA TRUST HEARING IN RE: PETITION TO MODIFY TRUST FILED BY JACQUILYN BANTA ON 10/31/24 Need appearances |
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SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY
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2A.

9:00 AM

MSP21-01476

ESTATE OF JANN D. JANSEN JAMES

HEARING IN RE: PETITION FOR PROBATE OF LOST WILL AND FOR LETTERS OF ADMINISTRATION WITH
WILL ANNEXED W/ IAEA FILED 6/12/2024 BY DONICE SMITH

Need:

1. Appearances to report status, including mediation ordered 8-27-2024
2. Proof of mailing Notice of Petition to Administer Estate and copy of petition to all heirs and beneficiaries. PrC § 8110; LR 7.151(e)
3. Verified declaration by petitioner to complete petition item # 3.h. (whether petitioner is a resident of California and United States)
4. Verified declaration by petitioner to complete petition item #3.f. (date of will)
5. Verified declaration by petitioner to include Attachment 3.f.(2) (copy of will), not attached as indicated. PrC § 8002
6. Lodge Original Will (w/legal process). PrC § 8200
7. Evidence to overcome presumption of revocation by the fact that the originals cannot be located. PrC § 6124
8. Proof of mailing notice that will is lost. PrC § 1202
9. Proof of Subscribing Witness Form DE-131. PrC § 8220.
10. Proposed Order for Probate Form DE-140 with copy of Will attached, if lost will is to be admitted

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2B.

9:00 AM

MSP21-01476 ESTATE OF JANN D. JANSEN JAMES

HEARING IN RE: AMENDED PETITION FOR PROBATE FILED ON 12/2/21 BY WARNER JENSON (AS REVIVED BY ORDER FILED 4/05/24)

Need appearances to report status, including mediation ordered 8-27-2024

Note: Order Re: Motion to Vacate Orders filed 4-5-2024. Order vacated appointment of Warner Jensen and revoked letters issued.

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2C.

9:00 AM

MSP21-01476

ESTATE OF JANN D. JANSEN JAMES

HEARING IN RE: FOR FINAL DISTRIBUTION, ADMINISTRATOR'S REPORT, REQUEST FOR ATTORNEY'S FEES, ADMINISTRATOR'S FEES BASED ON WAIVER OF ACCOUNTING FILED ON 06/26/23 BY WARNER JANSEN

Need:

1. Appearances to report status, including mediation ordered 8-27-2024
2. Verified declaration by petitioner to clarify whether Ernie Mingiana listed at ¶ 18 is the same person as Ernesto Mingiana listed at ¶15.
3. Proof of mailing Inventory and Appraisal to atty. Jeffrey T. Vanderveen, Esq. PrC § 8803
4. Verified declaration by petitioner to include date Creditor's Claim was filed by Doris Slater. PrC § 10900; CRC § 7.403
5. Verified declaration by petitioner to include date and amount of Creditor's Claim filed by Donice Smith
6. Verified declaration by petitioner to state whether notice was given, or needed, to the Director of the California Victim Compensation Board, i.e., does petitioner have any reason to believe any heir is confined, or has previously been confined, in any prison or other correctional facility. PrC §§ 216, 9202(b)
7. Compliance with CRC 7.250 regarding any acts taken under IAEA w/notice of proposed action. (Specifics needed or statement that no action was taken)
8. Authority for preliminary distribution of \$136,912.57 to Nathan James as indicated at ¶ 19
9. Verified declaration by petitioner to show calculation of statutory fee base as required by CRC § 7.705. Specifically, must clarify deduction of preliminary distribution at ¶ 20.
10. Verified declaration by petitioner to specify whether all charges for legal advertising, bond premiums, probate referee's services and costs of administration have been paid. LR 7.317
11. Declaration to state need for reserve in excess of \$2,000.00.
12. Proposed Order

Notes:

- a. Objection filed by Donice Smith 11/08/23.
- b. Per Order filed 04/05/2024, this petition is treated as a status report.

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5A.

P22-01958

ESTATE OF: ARLINE TEDESCHI

9:00 AM

HEARING IN RE: PETITION FOR PROBATE OF WILL & FOR LETTERS TESTAMENTARY WITH IAEA FILED
ON 12/01/22 BY PAULETTE SLATTERY

-- See also Line # 9 --

Need appearances to report status, including discovery

SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY
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5B.

9:00 AM

P22-01958

ESTATE OF: ARLINE TEDESCHI

HEARING IN RE: FIRST AMENDED CONTEST AND GROUNDS OF OBJECTION TO PETITION FOR PROBATE OF WILL AND FOR LETTERS OF ADMINISTRATION WITH AUTHORIZATION TO ADMINISTER UNDER THE INDEPENDENT ADMINISTRATION OF ESTATES ACT; PETITION TO CONTEST TRUST FOR UNDUE INFLUENCE; FOR CONSTRUCTIVE FRAUD; FOR CONSTRUCTIVE TRUST; TO PRECLUDE USE OF TRUST FUNDS; AND FOR ORDER FOR PARTIAL DISTRIBUTION FILED ON 01/16/24 BY GLORIA SCOLARI

Need:

1. Appearances to report status, including discovery
2. Proof of Personal Service of Summons on Robert M. Slattery, Placer County Chapter of the SPCA, and San Francisco Burn Center. PrC §§ 8250, 8271

Notes:

1. Objections by Beneficiaries Leah Slattery, Robert D. Slattery, and Meredith Donahue filed 1-22-2024.
2. Paulette Slattery's Response and Objection filed 3-28-2024.
3. Response and Objection of Paulette Slattery filed 5-13-2024.

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| 7. 9:00 AM | P23-00335 ESTATE OF: SHIV GURUNG HEARING IN RE: FIRST AND FINAL REPORT OF ADMINISTRATOR ON WAIVER OF ACCOUNT AND PETITION FOR ALLOWANCE OF STATUTORY COMPENSATION TO ADMINISTRATOR AND ATTORNEY, AND FOR FINAL DISTRIBUTION FILED ON 06/21/24 BY PUNAM GURUNG Need: <ol style="list-style-type: none">1. Appearances2. Proof of mailing to Consular of Nepal. PrC § 81133. Declaration addressing creditor claim filed by Franchise Tax Board on 11-7-2023 for \$13,823.90. PrC § 10900; CRC § 7.403.4. Declaration addressing creditor claim filed by Franchise Tax Board on 5-20-2024 for \$9,755.64. PrC § 10900; CRC § 7.403.5. Declaration to state when action under IAEA (with Notice of Proposed Action) was taken, when and to whom notice was given, whether notice was waived by anyone and whether any objections were received. CRC § 7.2506. Verified declaration by petitioner to clarify plan of distribution of reserve and any after-discovered property. Petition proposes distribution to petitioner; however, it appears distribution of these assets should be to parents of decedent.7. Authority for holding funds as "Cryptocurrency held with Coinbase Account" as indicated in schedule of assets on hand at page 34.8. Verified declaration by petitioner to include sale price of each asset sold so court can determine whether there were any losses on sale that should be included in statutory fee calculation.9. Verified declaration by petitioner to show calculation of statutory fee base as required by CRC § 7.705. Specifically, must state any loss on sale as relates to maximum statutory fees allowable, if any.10. Declaration to state need for reserve in excess of \$2,000.00.11. Revised, proposed Order as needed in resolution of above |
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SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY
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| 8. 9:00 AM | P23-00642 ESTATE OF: PAUL TAVARES HEARING IN RE: PETITION TO CLOSE THE ESTATE FILED BY MICHELLE C BLANSON ON 11/7/24 SUBSEQUENT PETITION FILED Petitioner, mother of heir, still must do the following: <ol style="list-style-type: none">1. Appear at the hearing2. File a verified declaration by petitioner to state names, current addresses and relationships of all persons entitled to receive notice. LR 7.1123. Have a Judicial Council Form Notice of Hearing and copy of petition mailed to all persons entitled to receive notice, including surety, and file a Proof of Service with court. PrC § 12024. Submit a proposed Order Notes: <ol style="list-style-type: none">1. Order Appointing Administrator filed 8-30-2023; however, Letters of Special Administration were issued to petitioner 10-13-2023. Need general letters issued.2. Bond is fixed at \$100,000.00.3. Need Inventory and Appraisal filed. |
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9A.

9:00 AM

P23-01338

MATTER OF: TEDESCHI FAMILY TRUST DATED JULY 15, 2015

HEARING IN RE: SECOND AMENDED PETITION TO CONTEST TRUST FOR UNDUE INFLUENCE; FOR FINANCIAL ELDER ABUSE; CONTEST AND GROUNDS OF OBJECTION TO PETITION FOR PROBATE OF WILL AND FOR LETTERS OF ADMINISTRATION WITH AUTHORIZATION TO ADMINISTER UNDER THE INDEPENDENT ADMINISTRATION OF ESTATES ACT; FOR A FINDING OF VIOLATION OF NO CONTEST CLAUSE; FOR CONSTRUCTIVE FRAUD; FOR CONSTRUCTIVE TRUST; TO PRECLUDE USE OF TRUST FUNDS FILED ON 10/31/2024 BY GLORIA SCOLARI

-- See also Line # 5 --

Need:

1. Appearances
2. Proof of mailing Judicial Council Form Notice of Hearing with correct date of hearing to all persons entitled to receive notice. PrC § 17203
3. Proposed Order

Notes:

1. Caption includes "Contest and Grounds of Objection to Petition for Probate of Will..."
2. This file was opened as an trust case. This estate would have to be filed in its own case number as a separate *in rem* proceeding.

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| 9B. 9:00 AM | P23-01338 HEARING IN RE: DEMURRER TO COMPLAINT FILED ON 02/03/2025 BY PAULETTE SLATTERY | MATTER OF: TEDESCHI FAMILY TRUST DATED JULY 15, 2015 Need appearances |
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10.

9:00 AM

P23-01425

ESTATE OF: LYNETTE RAKOW

HEARING IN RE: PETITION FOR FINAL DISTRIBUTION ON WAIVER OF ACCOUNTING AND
COMPENSATION TO ATTORNEY FILED ON 10/24/24 BY KRISTYNA RAKOW

Petition Approved
Proposed Order Submitted
No Appearance Required

SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY
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11A.

9:00 AM

P23-01491

MATTER OF: THE LEROY JAMES FRANKLIN, SR. LIVING TRUST

HEARING IN RE: PETITION FOR APPROVAL OF FIRST TRUST ACCOUNT FILED BY SHAWN KING ON
11/1/24

Need:

1. Appearances to report status, including 2-11-2025 order to meet and confer
2. Fair Market Value Schedule at the ending of the account period pursuant to Pr
Code § 1063(a).
3. Verified declaration by petitioner to include total receipts
4. Proposed Order

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11B.

9:00 AM

P23-01491

MATTER OF: THE LEROY JAMES FRANKLIN, SR. LIVING TRUST

HEARING IN RE: PETITION OF INSTRUCTIONS FOR SUSPENSION OF POWERS AND REMOVAL OF
SHAWN KING FILED ON 8/24/23 BY LEROY J. FRANKLIN JR.

Need appearances to report status, including 2-11-2025 order to meet and confer

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13.

9:00 AM

P23-01548

ESTATE OF: VERLA THORN

HEARING IN RE: PETITION FOR ORDER DIRECTING PERSONAL REPRESENTATIVE TO PAY MEDI-CAL CREDITOR'S CLAIM; MEMORANDUM OF POINTS AND AUTHORITIES FILED ON 6/10/2024 BY CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES

Need appearances

Notes:

1. Letters Testamentary issued to son Paul D. Thorn 2-20-2024. Need Inventory and Appraisal filed.
2. Objection filed by Paul D. Thordn 10-28-2024.
3. Reply filed 2-21-2025.
4. If granted, court will set a review hearing for filing of Status Report and/or Petition for Final Distribution.
5. Notice of Motion and Motion to be Relieved as Counsel filed by atty. Shari L. Allen-Garibaldi, counsel for Paul D. Thorn, is set for hearing 5-27-2025.

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14.

9:00 AM

P23-01550

ESTATE OF JOHN ANTHONY MARTINEZ

HEARING IN RE: PETITION FOR FINAL DISTRIBUTION; FEES AND COSTS FILED ON 11/01/24 BY
CYNTHIA ANN ARENIVAR

Need:

1. Verified declaration by petitioner to clarify whether any Creditor's Claims were received and/or filed between 11-1-2024 and 2-1-2025. Petition was filed 11-1-2024; however, Creditor's Claim period ended 2-1-2025.
2. Declaration to state when action under IAEA (with Notice of Proposed Action) was taken, when and to whom notice was given, whether notice was waived by anyone and whether any objections were received. CRC § 7.250

Note: Court has revised proposed Order at page 8, line 1 to reflect "Disposition" of Property, not "Deposition."

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15.

9:00 AM

P23-01999

ESTATE OF: VIDA BLUE

HEARING IN RE: PETITION FOR ORDER UNDER PROBATE CODE SECTION 850 (A)(2)(D); 1) AUTHORIZING AND DIRECTING CONVEYANCE OR TRANSFER OF PERSONAL PROPERTY TO ESTATE; 2) CLAIM FOR CONCEALMENT UNDER PROBATE CODE SECTION 859 3) FRAUD 4) ACCOUNTING 4) IMPOSITION OF INVOLUNTARY TRUST UNDER CIVIL CODE SECTION 2224 6) BREACH OF CONTRACT 7) NEGLIGENCE FILED ON 11/02/2024 BY SALLIE MOITOZA

Need:

1. Appearances
2. Proof of mailing to all persons entitled to receive notice, except Derrick Blue and JPM Chase who were personally served
3. Proposed Order

Note: Respondent JPMorgan Chase Bank, N.A.'s Notice of Demurrer filed 1-29-2025 is set for hearing 6-3-2025.

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16.

P24-01976

ESTATE OF: JOHN MCGINNIS

9:00 AM

HEARING IN RE: SPOUSAL PROPERTY PETITION FILED BY GUGU R MCGINNIS ON 11/01/24

Need:

1. Appearances
2. Verified declaration by petitioner to address petition Item # 5.a.(2) (whether decedent is survived by issue of a predeceased child)
3. Verified declaration by petitioner to include alternate executors in Item # 10.
4. Proof of mailing to all persons entitled to receive notice. PrC § 13655
5. Revised, proposed Order to remove statement at Item # 9. If petitioner seeks an order against Mechanics Bank, court would require personal service on them (PrC § 851(a)(2)).