

SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY  
PR - MARTINEZ-WAKEFIELD TAYLOR COURTHOUSE  
COURT CALENDAR FOR JULY 24, 2025  
DEPARTMENT 38  
JUDICIAL OFFICER: BARBARA C. HINTON

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

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**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>

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

THANK YOU.

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<b>1.</b> 9:00 AM	<b>MSP21-01326     ESTATE OF ROBERT LAVERGNE</b> HEARING IN RE: PETITION FOR FINAL DISTRIBUTION FILED BY BRITNE C LAMBERT ON 3/17/2025 SUBSEQUENT PETITION FILED  Petitioner, daughter, still must do the following:  <ol style="list-style-type: none"><li>1. Appear at the hearing</li><li>2. File a verified declaration to include evidence of payment of filing fee</li><li>3. File a verified declaration to clarify whether 2020 taxes have been paid. ¶ 11 indicates taxes have not been paid.</li><li>4. Verify petition under penalty of perjury. PrC § 1021. CCP § 2015.5. CRC 7.103</li><li>5. File a verified declaration to include exhibits, not attached as indicated</li><li>6. File a verified declaration by petitioner to state names, current addresses and relationships of all persons entitled to receive notice. LR 7.112</li><li>7. Have a Judicial Council Form Notice of Hearing and copy of petition mailed to all persons entitled to receive notice, including Probate Referee Franza Giffen who requested special notice, and file a Proof of Service with court.</li><li>8. File Waivers of Accounting by all heirs or Accounting that complies with PrC § 1060 <i>et seq.</i></li><li>9. File a verified declaration to include a list of assets on hand for distribution, and plan of distribution. LR 7.301</li><li>10. File a verified declaration to clarify request to hold a \$5,000.00 ¶ 21 indicates there is no cash on hand.</li><li>11. Submit a proposed Order</li></ol>
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**2.** **P23-01158** **ESTATE OF: GARRY NICHOLAS**  
9:00 AM HEARING IN RE: MOTION TO ENFORCE SETTLEMENT AGREEMENT FILED ON 3-12-25 BY NICHOLAS KRAIG

Need appearances to report status of settlement

Notes:

1. Petition for Removal of Mary Walsh as Administrator and Petition for Probate of Will filed by Kraig Nicholas are set for hearing 10-2-2025.
2. Receipt and Acknowledgment of Settlement Funds filed 6-10-2025.

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| <b>3.</b>   | <b>P23-01455</b>  | <b>RE LUCAS BOWN, MINOR-<br/>LUCAS BOWN SETTLEMENT TRUST</b> |
| 9:00 AM   | HEARING IN RE: 8TH & FINAL ACCOUNT &REPORT OF TRUSTEE; PETITION TO SETTLE ACCOUNT;<br>EXONERATE BOND; FEES & COST FILED ON 3-10-25 BY HERB THOMAS |  |
| Need:   |   |  |
| <ol style="list-style-type: none"><li>1. Verified declaration by petitioner to include schedule of assets on hand at end of 7<sup>th</sup> account period so court can confirm beginning balance of 8<sup>th</sup> account.<br/>Petition re: 7<sup>th</sup> account is not available for review at this time.</li><li>2. Verified declaration by petitioner to clarify discrepancy between Summary of Account on Judicial Council Form and Summary attached to petition. Account periods and beginning balances differ.</li></ol> |   |  |

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**4A.**

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. PrC § 1063(a).
3. Verified declaration by petitioner to include total receipts
4. Proposed Order

Note: Objections to Trustee's Accounting filed by Terrance Franklin 2-26-2025.

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**4B.**

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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**4C.**

9:00 AM

**P23-01491**

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

HEARING IN RE: PETITION FOR INSTRUCTIONS FOR SUSPENSION OF POWERS, REMOVAL AND APPOINTMENT OF TRUSTEE; SURCHARGE; BREACH OF FIDUCIARY DUTY; PUNITIVE DAMAGES FILED ON 02/26/25 BY TERRANCE FRANKLIN

Need:

1. Appearances
2. Proof of service in the manner provided in CCP § 415.10 (30 days personal service) or CCP § 415.30 (30 days proof of mailing with Notice and Acknowledgment of Receipt) on each person having title to or possession of, the property. PrC § 851(a)(2)
3. Proposed Order

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6.

9:00 AM

**P23-02187**

**MATTER OF: HOM-KIERNAN FAMILY 1997 TRUST**

HEARING IN RE: PETITION FOR (1) APPROVAL OF SETTLEMENT AGREEMENT AND (2) AN ORDER  
CONFIRMING ASSETS ARE TRUST PROPERTY FILED BY ANNALEE BALDWIN ON 12/11/24

Drop.

Note: Order re: Approval of Settlement Agreement filed 6-26-2025.



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| <b>7.</b><br>9:00 AM | <b>P24-01046      ESTATE OF: CARMEN NICK</b><br>HEARING IN RE: PETITION FOR ORDER TO APPROVE FINAL REPORT & DISTRIBUTION UPON WAIVER<br>ACCOUNT & ALLOWANCE OF STATUTORY FEES & COSTS TO PETITIONER'S ATTORNEY ON 3-12-25 BY<br>LISA SCOTT<br><br>Need:<br><ol style="list-style-type: none"><li>1. Verified declaration by petitioner to clarify statutory fee calculation. Fee base is<br/>\$275,533.35, not \$275,524.35 as indicated at ¶ 25.</li><li>2. Revised, proposed Order to include list of assets on hand for distribution. LR<br/>7.101; 7.307</li></ol> |
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**8.** **P24-01466** **ESTATE OF: ROBERT BARNARD**  
9:00 AM HEARING IN RE: FIRST AND FINAL REPORT OF EXECUTOR; FOR FINAL DISTRIBUTION ON WAIVER OF  
ACCOUNTING FILED ON 3-10-25 BY LAUREN BURGOYNE

Need:

1. Verified declaration by petitioner to state names, current addresses and relationships of all persons entitled to receive notice so court can confirm mailing. LR 7.112
2. Revised, proposed Order revised to state no final discharge will be granted until resolution of estate taxes, e.g. IRS closing letter.

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<b>9.</b> 9:00 AM	<b>P24-01569</b> HEARING IN RE: PETITION FOR AN ORDER CONFIRMING PROPERTY AS TRUST ASSET FILED ON 3-7-25 BY NANCU M BRYDEN	<b>MATTER OF: IN RE THE MATTER OF HAROLD GEORGE MILLER REVOCABLE TRUST</b>
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Petition Approved  
Proposed Order Submitted  
No Appearance Required

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**10.**

9:00 AM

**P24-01596**

**ESTATE OF: DONNA BROWN**

HEARING IN RE: PETITION TO APPROVE 1ST & FINAL ACCOUNT & REPORT OF EXECUTOR & PETITION FOR ITS SETTLEMENT ALLOWANCE, PETITION FOR FINAL DISTRIBUTION FILED ON 3-13-25 BY THOMAS BROWN

Need:

Verified declaration of petitioner showing compliance with Probate Code § 11005

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**11.**

9:00 AM

**P25-00392**

**MATTER OF: ARNOLD CHACHERE 93 OBRA TRUST**

HEARING IN RE: CORRECTED PETITION FOR INSTRUCTIONS RE CAREGIVING EXPENSES & TO FIX & ALLOW STATUTORY FEES & COSTS FILED ON 3-11-25 BY HEATHER FISHER

Need:

1. Appearances
2. Verified declaration by petitioner to include an itemized list of expenses of \$57,601.00 to be reimbursed to Katherine Kelly, including date and amount of each

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**12.**

9:00 AM

**P25-00445**

**MATTER OF: THE SPINALE FAMILY TRUST, DATED 11/18/05**

HEARING IN RE: PETITION TO COMPEL TRUSTEE TO ACCOUNT; TO REMOVE TRUSTEE & APPOINT SUCCESSOR TRUSTEE; RETURN OF TRUST ASSETS & SURCHARGE FILED ON 3-13-25 BY MARY ELLEN SPINALE

Need:

1. Appearances
2. Verified declaration by petitioner to state names, current addresses and relationships of all persons entitled to receive notice. LR 7.112
3. Proof of service in the manner provided in CCP § 415.10 (30 days personal service) or CCP § 415.30 (30 days proof of mailing with Notice and Acknowledgment of Receipt) on each person having title to or possession of, the property. PrC § 851(a)(2)
4. Evidence of written demand for accounting as required by PrC §17200(b)(7).
5. Consent to act by Jose Montano filed
6. Proposed Order

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<b>13.</b> 1:30 PM	<b>MSP13-00106      CONSERVATORSHIP OF DWAYNE ALLEN COUNTRYMAN, JR</b> COURT TRIAL HEARING  Need appearances
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