

Superior Court of California County of Yuba

Probate Notes for June 8, 2020

The 9:00 Calendar will be heard in Department 4 and the 11:00 Calendar will be heard in Department 1

The probate notes represent staff's recommendations to the Court, and are not tentative rulings. If the probate notes indicate that a petition should be granted, no appearance is required at the hearing. The matter will be deemed submitted on the papers. If the Court does not follow staff recommendation, appropriate instructions will be issued.

Frequently, the only defect to a probate petition is the absence of the Proof of Publication, in such instance, if the Proof of Publication is filed by 12:00 p.m. on the Friday before the hearing, the recommendation will be deemed to have been changed to a recommendation that the petition be granted.

If the moving party would like to continue the matter to cure defects showing in the probate notes, he or she may do so by sending an email to probate@yubacourts.org no later than 12:00 the Friday before the hearing. The email is to state the case name and number, and indicate a Monday date to which the continuance is requested. If such an email request is timely made, no appearance is required at the hearing and the matter will be continued unless the probate notes indicate that the Court has directed otherwise.

9:00 Calendar

Case Name: Estate of Mae Yau Wong

Case #: CV PB 1987

Motion for: 1st and final report and account of personal representative and petition for its settlement, for attorney's fees and for final distribution

Recommended Ruling:

Grant

Case Name: Estate of John Leslie Leeper

Case #: PR PB 20 34

Motion for: Petition to administer estate

Recommended Ruling:

Proof of publication for a hearing date when the court was closed is insufficient. Probate Code 8120 and 8122 require notice by publication. Notice by publication must be accomplished for the actual hearing date.

Case Name: Rushing
Case #: CV PB 19 109
Motion for: Will contest

Recommended Ruling:

Continued to 7/6/20 to determine if this matter is at issue and may at that time be set for an evidentiary hearing. Contestant to file status report with the court 9 court days before the hearing.