

TENTATIVE RULINGS

FOR: February 6, 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. These proceedings include civil law and motion hearings. If counsel want their civil law and motion hearing reported, they must arrange for a private court reporter to be present. 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. F (Criminal Courts Bldg.-1111 Third St.)

Conservatorship of Gregory Militante, Jr.

16PR000176

FIRST ACCOUNT AND REPORT OF CONSERVATOR AND PEITION FOR ALLOWANCE OF FEES TO ATTORNEY FOR CONSERVATOR, AND FOR ORDER FINDING THAT CONSERVATEE IS NOT ABLE TO VOTE

TENTATIVE RULING: The matter is continued to March 6, 2018, at 8:30 a.m. in Dept. F for the conservator to file the following: (1) proof of service on the conservatee’s attorney; (2) either proof of service on the conservator of the person Lynette Militante or a signed verification from her as a signatory to the report; (3) a declaration as to whether the bond is sufficient or should be increased in light of the value of the estate; (4) Notice of Conservatee’s Rights (Judicial Council form GC-341); (5) Determination of Conservatee’s Appropriate Level of Care (GC-355); and (6) form GC-042 to show proof the Inventory and Appraisal was mailed to conservatee, conservatee’s attorney, 1st degree relatives, and if none exist, than to 2nd degree relatives. Moreover, the Court notes the attorney’s accompanying declaration does not fully comply with the provisions regarding fees. (See Prob. Code, § 2642; see Cal. Rules of Court, rules 7.702 [statement of facts required, including various factors], 7.751(b) [petitioners “must comply” with rule 7.702].) Without further information, the Court is unable to determine whether the fees requested are reasonable. A detailed declaration needs to be submitted complying with the applicable code provision and rules of court. Fees may be reduced or denied if the declaration is not sufficient.



Conservatorship of Glenn Earl Luce

16PR000188

ACCOUNTING

TENTATIVE RULING: Hearing on this matter is continued to March 20, 2018 at 8:30 a.m. in Dept. F.

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Estate of Dale Scott Allen

18PR000002

SPOUSAL PROPERTY PETITION

TENTATIVE RULING: GRANT Petition.

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Estate of Allyn Marie Scarborough

18PR000010

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

TENTATIVE RULING: GRANT Petition.

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CIVIL LAW & MOTION CALENDAR – Hon. Diane Price, Dept. F (Criminal Courts Bldg.-1111 Third St.)

Ford Motor Credit Company LLC v. Raul Enriquez Artero

16CV000850

MOTION FOR ORDER COMPELLING RESPONSE TO PLAINTIFF’S REQUEST FOR PRODUCTION OF DOCUMENTS AND FIRST SET OF INTERROGATORIES; AND FOR ORDER DEEMING ADMISSIONS ADMITTED

TENTATIVE RULING: The unopposed Motion is GRANTED as prayed.

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In the Matter of Logan Guy Showley

17CV001368

PETITION FOR CHANGE OF NAME

TENTATIVE RULING: Notice has been properly published and no written objections have been filed. The petition for name change is GRANTED without need for appearance.

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In the Matter of Tyrone Perfecto Garcia

17CV001432

PETITION FOR CHANGE OF NAME

TENTATIVE RULING: The Petition is DENIED pursuant to Code of Civil Procedure section 1279.5, subdivision (d); Petitioner has not shown how the name change would be in the best interest of justice.

PROBATE CALENDAR – Hon. Rodney Stone, Dept. I (Criminal Courts Bldg.-1111 Third St.)

**In the Matter of the R. Dean and
Patricia H. Stahr 1996 Revocable Trust**

18PR000001

PETITION FOR ORDER APPROVING MODIFICATION OF TRUST TERMS

TENTATIVE RULING: GRANT petition.

**CIVIL LAW & MOTION CALENDAR – Hon. Rodney Stone, Dept. I (Criminal
Courts Bldg.-1111 Third St.)**

In the Matter of Maria Diego

17CV001375

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 for name change shall be granted without need for appearance. If no Proof of Publication is filed, the petition shall be denied without prejudice.