

**TENTATIVE RULINGS**

**FOR: September 28, 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. Victoria Wood, Dept. C (Historic Courthouse) at 2:00 p.m.**

**Estate of Wallace Eugene Platner**

**17PR000276**

REPORT OF SALE AND PETITION FOR ORDER CONFIRMING SALE OF REAL PROPERTY

**TENTATIVE RULING:** The appraisal values the property at \$94,000. Under Probate Code section 10309, subdivision (a)(3), the sum offered for the property must be at least 90 percent of the appraised value of the property as determined by the appraisal, which in this case is \$84,600 (\$94,000 x 90%). The offer price, however, is \$74,000. Because the \$74,000 offered for the property is not at least 90 percent of the \$94,000 appraised value of the property, the Court cannot confirm the sale of real property. (Prob. Code, § 10309, subd. (a).) The petition is DENIED WITHOUT PREJUDICE.

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**Estate of Edith Shipper**

**18PR000210**

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

**TENTATIVE RULING:** GRANT petition. Although the caption does not seek IAEA powers, the petition and the proof of publication indicate petitioner is seeking full authority under the IAEA. Petitioner shall file the proposed order (Judicial Council form DE-150) conforming to the petition.

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**Conservatorship of Shirley Lee**

**26-56706**

REVIEW HEARING

**TENTATIVE RULING:** After a review of the matter, the Court finds the conservator is acting in the best interest of the conservatee. Thus, the case is set for a biennial review hearing in two years, on September 29, 2020, at 8:30 a.m. in Dept. C. The court investigator shall prepare a biennial investigator report for the next hearing date. The clerk is directed to send notice to the parties.

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**Conservatorship of Richard Douglas Royer**

**26-66054**

REVIEW HEARING

**APPEARANCE REQUIRED**

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**The Estate of Michael Tselentis**

**26-67620**

FIRST AND FINAL REPORT OF EXECUTOR ON WAIVER OF ACCOUNT AND PETITION FOR ITS SETTLEMENT, FOR ALLOWANCE OF COMPENSATION FOR ORDINARY AND EXTRAORDINARY SERVICES, AND FOR FINAL DISTRIBUTION

**TENTATIVE RULING:** GRANT petition, including fees as prayed.

**CIVIL LAW & MOTION CALENDAR – Hon. Victoria Wood, Dept. C (Historic Courthouse) at 2:00 p.m.**

**Farmers Insurance Exchange v. Juventino Torres Pimental, et al.**

**17CV001138**

MOTION TO VACATE DISMISSAL

**TENTATIVE RULING:** The Notice of Motion does not provide notice of the Court's tentative ruling system as required by Local Rule 2.9. Plaintiff's counsel is directed to contact Defendant forthwith and advise Defendant of Local Rule 2.9 and the Court's tentative ruling procedure. If Plaintiff's counsel is unable to contact Defendant prior to the hearing, Plaintiff's counsel shall be available at the hearing, in person or by telephone, in the event Defendant appears without following the procedures set forth in Local Rule 2.9.

Plaintiff's unopposed Motion is GRANTED.

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**In the Matter of Leticia G. Taniegra**

**18CV000992**

PETITION FOR CHANGE OF NAME

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

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

**Estate of Antonio Visoso Castro**

**18PR000161**

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

**APPEARANCE REQUIRED**

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

**Jamar Farmer v. Cooks Collision, Inc.**

**17CV000969**

MOTION FOR APPROVAL OF PRIVATE ATTORNEYS GENERAL ACT SETTLEMENT AGREEMENT AND AWARD OF ATTORNEY'S FEES, LITIGATION COSTS, AND GENERAL RELEASE FEE

**TENTATIVE RULING:** The motion is GRANTED. Defendant does not oppose the motion.