

Superior Court of California, County of Tuolumne**Consolidated Calendar****Commissioner Steven Streger****Department 5****January 23, 2026 8:30 am****DA Case #****Date Filed**

1	PR12679	Estate of Arnie Michael Jardine	07/23/2025
		Maranda Gertz	Pro Per
		Arnie Michael Jardine	
		Lothert Law	Pro Per
		Review Hearing - Inventory and Appraisal	
		Inventory and Appraisal	

07/23/2025 Petition**File Tracking**

07/24/2025 High Density

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No appearance is necessary.

This is the four-month review hearing to confirm compliance with the obligation set forth in Probate Code §8800 to complete a final Inventory & Appraisal. Due to delays with petitioner's submission of a proposed order and signed Letters, this hearing is actually premature by more than a month. Court intends to continue this hearing to March 6, 2026 at 8:30 a.m.

Superior Court of California, County of Tuolumne**Consolidated Calendar****Commissioner Steven Streger****Department 5****January 23, 2026 8:30 am****DA Case #****Date Filed**

2	PR12715	Estate of Gertrude Rose Fueg	10/09/2025
		Mark Olson	Attorney: Jennifer Lothert
		Gertrude Rose Fueg	
		Letters of Administration	
10/09/2025	Petition		File Tracking 12/05/2025 High Density

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This is a petition to admit a holographic will to probate, and to issue Letters of Administration to a local professional who has graciously offered to assist this family (which resides mostly overseas). The previous notice issue has been resolved. The request for forego hunting for nieces in France and England based on the fact that their specific gift has already lapsed is reasonable and granted.

A holographic will is considered presumptively valid if: the testator is at least 18 years of age (§6100(a)); the testator was of sound mind when the will was written (§6100(a)); the signature and material provisions of the will are in the testator's handwriting (§6111(a)); the will is dated (§6111(b)); there was present testamentary intent; there is identifiable property to be devised (§6101); there are identifiable devisees (§6102); and the testator was not acting under duress, menace, fraud, or undue influence (§6104). See also Lintz v. Lintz (2014) 222 Cal.App.4th 1346, 1355; Estate of Ben-Ali (2013) 216 Cal.App.4th 1026, 1036-1038; Estate of Williams (2007) 155 Cal.App.4th 197, 212-213; Estate of Burdette (2000) 81 Cal.App.4th 938, 946. While some of the eight elements are self-proving from the will itself, without a supporting declaration from anyone, this Court is entirely in the dark as to whether this is decedent's holographic will. The supplement does not provide this Court with any additional information from which to permit at least a basic finding. Surely someone can attest to the decedent's writing/intent?

There is also the issue of a bond. The petition indicates that "all heirs at law" have waived bond, but this is not an intestate estate where the heirs are the only interested parties. When dealing with a testate estate, either the will must affirmatively waive bond (which this one does not expressly do for anyone other than nominated executors) or every devisee must waive bond – and that list (see above) is lengthy. However, before petitioner starts working on more waivers, §8481(b) provides that "notwithstanding the waiver of a bond by a will or by all the beneficiaries, the court may for good cause require that a bond be given," and when a professional fiduciary steps in to serve as personal representative – especially with a testamentary instrument vesting the fiduciary with significant discretion regarding the distribution plan – a bond will be required either way. The petitioner requested at the last hearing a chance to discuss the bond issue, but nothing was filed since the last hearing.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Commissioner Steven Streger

Department 5	January 23, 2026 8:30 am	DA Case #	Date Filed
3 PR12627	Estate of Michelle Cordero		04/07/2025
	Joseph Batto	Attorney: Rodney Augustine	
	Review Hearing		
	FURTHER trial setting		
04/07/2025 Petition		File Tracking 04/14/2025 High Density	

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Brother action.

See #4

This action is slated for dismissal

Superior Court of California, County of Tuolumne**Consolidated Calendar****Commissioner Steven Streger****Department 5****January 23, 2026 8:30 am****DA Case #****Date Filed**

4	PR12629	Estate of Michelle Elam	04/08/2025
		Danielle Tilbury	Attorney: Gary Dambacher
		Review Hearing	
		FURTHER trial setting	

04/08/2025 Petition

File Tracking

04/14/2025 High Density

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Step-daughter action.

Mediation resolved the differences.

Parties stipulate to this petition being granted.

Home reportedly sold.

Superior Court of California, County of Tuolumne**Consolidated Calendar****Commissioner Steven Streger****Department 5****January 23, 2026 8:30 am****DA Case #****Date Filed**

5	PR12734	Estate of Richard Dean Jackson	11/26/2025
		Richard Dean Jackson	
		Mardi Jackson	Pro Per
		Letters of Administration	

File Tracking

12/05/2025 High Density

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This is the initial hearing on a petition to admit a will to probate and for the appointment of the alternate nominated executor to serve as the personal representative of the estate. The petition cannot be granted just yet for the following reasons:

- There is no proof of publication yet;
- The petition is not filled out accurately (see Para 3.d. and 3.f.)
- There is no proof of service/notice to the sole devisee

Court expects to continue the matter for at least one month.

Superior Court of California, County of Tuolumne

Consolidated Calendar

Commissioner Steven Streger

Department 5

January 23, 2026 8:30 am

DA Case #

Date Filed

6 PR12328

Estate of Stephen T. Higgins

10/23/2023

Stephen T. Higgins

Kolby Paige Higgins

Attorney: David Song

State of California Franchise Tax

Board REMOVED 7/8/25

Review Hearing - Report - Probate Code 12200

FURTHER / Orders

10/01/2025 Final Distribution

File Tracking

11/20/2024 High Density

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matter set for hearing in Department 5 are presumptively assigned to that department for all purposes. Parties retain the right under Cal. Const. art VI §21 to decline consent to the Commissioner serving as a Judge Pro Tem. By participating in the first hearing, or electing not to attend after due notice thereof, parties are deemed to have stipulated to the Commissioner serving as a Judge Pro Tem for the entire case. See CRC 2.816.

This is a petition for final distribution. After the last hearing this Court was expecting a supplement from counsel with a proposed order implementing this Court's brilliant plan to bypass the testamentary quasi-spendthrift trust. Per the will, petitioner is arguably already entitled to \$25,000 in living expenses for 2023, 2024, 2025, and 2026 so long as she was receiving "education" on a part time basis. Since decedent did not define "education" as enrollment in any formal institution of higher learning, petitioner is free to make the argument that she has been educating herself on a part-time basis since her father's passing, and is thus immediately entitled to \$100,000 plus "education costs" in the form of statutory legal fees owing to Attorney Song, for a grant total of nearly \$115,000. She is also entitled to another "one-third" which this Court estimated to be \$140,000, giving petitioner a current entitlement of \$255,000. When decedent established this testamentary will process, he believed that either his brother or his best friend would agree to serve as executor. As it turns out, both of them declined to serve, which gave petitioner immediate priority to assume the personal representative role. See Probate Code §8441(b). Since the decedent did not forget to nominate petitioner (§8421), or authorize his nominees to select another (§8422), this will has no executor, and as such there is no person appointed to serve as settlor for a testamentary trust. Without a settlor for a trust, there is no devisee, which causes the gift to transfer "in the manner provided in Section 240." §21110(a). That would send the gift via intestacy, which appears to be petitioner. §6402. Alternatively, someone could petition this Court for appointment to fill the vacancy as trustee (§15660(d)), but nobody has. It seems petitioner would most likely nominate herself to serve as trustee over anyone else. In addition, the testamentary trust decedent envisioned was "revocable," which means petitioner could set it up and knock it right down. §15402. Moreover, decedent did not require a spend thrift clause (§15301), so the purpose of this particular delay trust is unclear. Pursuant to Family Code §§ 7502 and 7505(c), "the parent has no control over the property of the child" and "the authority of a parent ceases on the child attaining the age of majority." Although it appears that both petitioner and Attorney Song might be willing to delay receipt of their funds, there is no equity in that. As such, assuming petitioner appears at the hearing and responds to this Court's inquiry appropriately, the distribution from the estate shall be to petitioner directly, which shall include the immediate right to liquidate the assets as she sees fit. Petitioner will remain personally responsible to pay Attorney Song.

Superior Court of California, County of Tuolumne**Consolidated Calendar****Commissioner Steven Streger****Department 5****January 23, 2026 8:30 am****DA Case #****Date Filed**

7	PR12722	In Matter of Marcia M Perdue Revocable Trust	10/21/2025
		Keith Lunney	Attorney: Jason Pink
		Petition Hearing	
		FURTHER - confirm trust assets	File Tracking 12/05/2025 High Density

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Before the Court this day is the continued hearing on a petition to declare a one-half interest in APN 021-030-005-000 an asset of the Marcia M. Perdue Revocable Trust dtd 10/28/19. A trial court may make a transfer of assets into an irrevocable trust beyond the life of the surviving settlor, pursuant to §856, if the settlor(s) presently own(s) the asset in question, the settlor(s) created a trust with themselves as trustor, and there exists sufficient evidence to find by a preponderance of the evidence that the settlor(s) intended said property to be held in that trust but failed to make a legal record transfer by mistake, surprise, excusable neglect or innocent omission. See, e.g., *Carne v. Worthington* (2016) 246 Cal.App.4th 548, 558-560; *Ukkestad v. RBS Asset Finance, Inc.* (2015) 235 Cal.App.4th 156, 160-161; *Estate of Powell* (2000) 83 Cal.App.4th 1434, 1443; *Estate of Heggstad* (1993) 16 Cal.App.4th 943, 950-951.

Here, settlor created and funded an inter vivos revocable trust in 2019 with shares of corporate stock, two bank accounts, and "any and all other real and personal property belonging to the Trustor not specifically described herein, excluding those assets for which beneficiary designations have been created as part of the Trustor's estate plan." At the time she created this trust, she owned the subject property with Kirk Kuykendall "as joint tenants." Because joint tenancy includes a right of survivorship (see §§ 683, 683.2), it would qualify as an asset already burdened by a beneficiary designation and not amenable to a transfer here. However, on 04/21/2025, a grant deed was recorded transferring Kirk's interest from himself to his own inter vivos trust, with a notation that the deed was intended to "break that joint tenancy." Although simply recording a deed does not itself sever a joint tenancy (see §683.2(c)(1) and (2)), all interested parties here have now signed stipulations agreeing that the severance was effective to preserve the trustor's 50% interest therein. In so doing, Ryan and Patrick have effectively waived any claim they have to the property, and surrender such to Mark and Matthew. With that, this Court is amenable to entering the order as prayed.

Superior Court of California, County of Tuolumne**Consolidated Calendar****Commissioner Steven Streger**

Department 5	January 23, 2026 8:30 am	DA Case #	Date Filed
8 PR12687	In the Matter of The Bogan Trust dated October 1, 2004		08/12/2025
	Kristi A. Horwitz	Attorney: Yet Not Entered	
	Petition Hearing		
	FURTHER for Accounting		
08/12/2025 Petition		File Tracking 08/14/2025 High Density	

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This is the continued initial hearing on a petition seeking to compel an accounting and other information from the acting trustee. Service has been made, triggering the trustee's obligation to file a written objection or response thereto. See CRC 7.801. If no response is forthcoming, it is this Court's usual process to install a limited-purpose receiver and reserve surcharges for another day. See CCP §564(b)(9); Probate Code §17206. Although the trustees indicated that they had all "the paperwork" needed to respond to the request, there is nothing in the court file since the last hearing showing compliance or whether judicial intervention is still needed.

Superior Court of California, County of Tuolumne**Consolidated Calendar****Commissioner Steven Streger****Department 5****January 23, 2026 8:30 am****DA Case #****Date Filed**

9	PR12601	The Estate of Laurie Ann Rock	02/19/2025
		Laurie Rock	
		Robert G. Rock	Attorney: Timothy Trujillo
		Final Distribution Hearing	
02/19/2025	Petition		File Tracking 03/17/2025 High Density

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This is the initial hearing on a petition to settle the account and approve the proposed distribution of the estate. If no objection is made before or at the hearing by decedent's adult children, this Court will proceed to approve the petition even though the following anomalies are noted for the record:

- The fee basis is overstated by \$5,000 because a "seller credit" on the sale of the real property is the equivalent of a further loss on the sale;
- Without assessing the propriety of the amount sought as extraordinary fees, those fees should be borne by petitioner alone because those fees are not "to the advantage of the estate [or] in the best interests of the persons who are interested in the estate." Probate Code §10811(c)(3). It is also not credible that petitioner planned to run a spousal petition and quit claim his interest to the children (giving them each \$35,000) when he is seeking his own statutory fee here for no real effort. There was nothing stopping him from running the spousal petition in the first instance.

As noted, if the heirs are not concerned enough to appear, the petition may nevertheless be approved.

Superior Court of California, County of Tuolumne**Consolidated Calendar****Commissioner Steven Streger****Department 5****January 23, 2026 10:00 am****DA Case #****Date Filed**

10	PR12114	Conservatorship of Julio C Acosta, Jr	05/11/2022
	Julio C Acosta	Pro Per	
	Julio C Acosta	Pro Per	
	Review Hearing - Investigator Report - PR Code 1850		
05/11/2022 Petition		File Tracking 02/11/2025 High Density	

This is the annual review of the general conservatorship over the person and estate. Previous VMRC reports have been requested to determine the conservatee's qualifications for a promotion to a limited conservatorship, but the court file does not reflect receipt of any such report. Court will await updated investigator report.

Superior Court of California, County of Tuolumne

Consolidated Calendar

Commissioner Steven Streger

Department 5	January 23, 2026 10:00 am	DA Case #	Date Filed
11 PR12180	Guardianship of Dominic De la Rosa, et. al. Jessica Hendrickson Dominic De la Rosa Sophia De la Rosa Anthony De la Rosa Jinee Deschler Review Hearing - Guardian Rept-Probate Code 1513.2		10/07/2022

10/07/2022 Petition

File Tracking

01/29/2025 From Court-Civil on Calendar

No appearance is necessary.

The Court, having received and reviewed the GC-251 with attachments for all three wards, concludes by a preponderance of the evidence that the guardianship remains necessary and/or convenient for all three wards, and that the guardian continues to meet the wards' best interests. Court intends to set an annual review date, and to start aligning Dominic's with the natural termination of his guardianship in May of 2028.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Commissioner Steven Streger

Department 5	January 23, 2026 10:00 am	DA Case #	Date Filed
12 PR11524	Guardianship of Elishia Towler, et al		02/16/2018
	Naome St Germane	Pro Per	
	Elishia Towler		
	Kylee Towler		
	Darlene Martinez		
	Review Hearing		
	ConfirmTermination		
02/16/2018 Petition		File Tracking 10/25/2024 High Density	

No appearance is necessary.

There being no petition on file to extend the guardianship beyond the ward's 18th birthday, this guardianship has terminated by operation of law. This case may now be closed.

Superior Court of California, County of Tuolumne**Consolidated Calendar****Commissioner Steven Streger****Department 5****January 23, 2026 10:00 am****DA Case #****Date Filed**

13	PR11794	Guardianship of Leila Rose Klaverweiden	02/21/2020
		Curtis Cashen	
		Carol Cashen	
		Leila Rose Klaverweiden	
		Carol Ann Cashen	Pro Per
		Curtis James Cashen	Pro Per
		Leila Rose Klaverweiden	
		Review Hearing - Guardian Rept-Probate Code 1513.2	

11/09/2022 Petition

File Tracking

01/30/2025 High Density

Other Cases
PR11527

No appearance is necessary.

The Court, having received and reviewed the GC-251 with attachments, concludes by a preponderance of the evidence that the guardianship remains necessary and/or convenient, and that the guardians continue to meet the ward's best interests. Court intends to set an annual review date.

If the guardians do appear, Court intends to inquire regarding the ancillary issues raised relating to the ward's sibling Valen and whether a proposed guardianship and/or a CWS referral pursuant to Probate Code §1513(b) is warranted.

Superior Court of California, County of Tuolumne**Consolidated Calendar****Commissioner Steven Streger**

Department 5	January 23, 2026 10:00 am	DA Case #	Date Filed
14 PR11470	Guardianship of Sergio R. De La Rosa		08/11/2017
	Jessica C Robles	Pro Per	
	Sergio R De La Rosa		
	Ruben De La Rosa		
	Review Hearing		
	Home Study		
08/15/2017 Petition: Other		File Tracking 01/14/2025 From Court Legal Document 5	
<u>Other Cases</u> JV7497			

This is an established guardianship in which the guardian has recently permitted a family member with behavioral and criminal red flags to occupy the same residence – representing a potentially unsafe situation for the ward. The issues relating to this individual were not voluntarily disclosed on the GC-251 filed 12/29/2025 and only came to light as part of the court investigator's home study. That individual has prior (JV7936) and pending (CRF78534) charges relating to inappropriate behavior directed at minors – which augments the risk to an impressionable minor in the home.

When a guardian is appointed, he or she cannot be removed except for cause provided by statute. *Guardianship of Davis* (1967) 253 Cal.App.2d 754, 760. Pursuant to Probate Code §2650, a guardian may be removed for a variety of reasons, including but not limited to failing to perform duties suitably, gross immorality, "having such an interest adverse to the faithful performance of duties that there is an unreasonable risk that the guardian or conservator will fail faithfully to perform duties," and "in any other case in which the court in its discretion determines that removal is in the best interests of the ward." Although the guardian here is certainly entitled to an evidentiary hearing, the harboring of a potentially dangerous individual in the residence of the ward is *prima facie* evidence of both gross immorality and a conflict of interest.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Commissioner Steven Streger

Department 5	January 23, 2026 10:00 am	DA Case #	Date Filed
15 FL15007	Ryan Royce and Erika Royce		08/16/2017
	Ryan Royce	Pro Per	
	Erika Royce	Attorney: Jessie Castellano	
	Review Hearing - Visitation		
	Special Set, due to fathers schedule		
05/15/2018 OSC Application		File Tracking 07/18/2025 Archives-File Imaged	

Review hearing to see how Father's supervised visits on Thurs evenings have been going and whether the parties can agree to any step-up plan at this time.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Commissioner Steven Streger

Department 5	January 23, 2026 10:00 am	DA Case #	Date Filed
16 CV67798	Petition of Mark A. Villasenor Mark A. Villasenor Pro Per County of Tuolumne William Vanderheiden Tuolumne County Board of Supervisors Jaron E. Brandon Tuolumne County Health and Human Services Agency Annie Hockett Review Hearing Status of housing		11/03/2025

File Tracking
12/05/2025 High Density

Review hearing to confirm that the conservatee is properly housed.

Superior Court of California, County of Tuolumne

Consolidated Calendar

Commissioner Steven Streger

Department 5	January 23, 2026	1:30 pm	DA Case #	Date Filed
17 FL13717	Theodore G. Baca and Trina M. Baca			08/14/2015
	Theodore G Baca	Pro Per		
	Trina M Baca			
	Hearing: Other			
	Restoration of Former Name			
08/14/2015 Petition			File Tracking	
			06/09/2021 Archives	

Application filed 10/20/2025

Judgment entered 12/08/2015 (?!)

Petition filed 08/14/2015 – no request made

Superior Court of California, County of Tuolumne
Consolidated Calendar
Commissioner Steven Streger

Department 5	January 23, 2026 1:30 pm	DA Case #	Date Filed
18 FL13935	Eveleen Sheehan-Smith and Kevin Smith Evelyn Sheehan Smith Attorney: Jameson Adame Kevin L Smith Attorney: Sally Chenault Department of Child Support Service Attorney: Dept. of Child Support Services City of Fremont CALPERS Court Trial: Short Cause Day 2 Est. Duration: 4.00 Hours		12/04/2015

File Tracking
10/14/2022 Family Law Division

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Day 2 if needed ...