

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5

January 30, 2026 8:30 am

DA Case #

Date Filed

2 PR12608

Estate of John Jerome Ferles

02/28/2025

Joshua Ferles

Pro Per

OSC Hearing - Contempt/Failure to Comply

As to Joshua Ferles

Review Hearing - Inventory and Appraisal

FURTHER / OSC

02/28/2025 Petition

File Tracking

03/17/2025 High Density

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Letters were never signed.

On 06/13/2025, this Court granted the petition to open probate and appoint petition to serve as the administrator. Although petitioner elected not to appear for the hearing, the order was signed. The Letters, however, were never signed by petition, and remain here in the court file. Nevertheless, an §8800 review hearing was set for this day, and it was assumed that petitioner would begin the process of preparing the Inventory & Appraisal. Therein lies the rub: the I&A is due within four months after letters "are first issued," and letters are not considered to be "issued" until they have been signed, endorsed and filed (see Govt. Code §§ 69843 et seq). See St. John v. Superior Court (1978) 87 Cal.App.3d 30, 39; Tate v. Superior Court (1975) 45 Cal.App.3d 925, 929. Of course, it was over 150 years ago that our Supreme Court made plain that "it is not the duty of the clerk to issue process until it is applied for." Pimental v. City of San Francisco (1863) 21 Cal. 351, 353. Even though petitioner technically applied for letters by virtue of his petition filed back in February, and he did appear for the initial hearing on 04/18/2025, there was a question posed at that time where there were any assets subject to probate. Probate Code §12251(a) provides that "at any time after appointment of a personal representative and whether or not letters have been issued, if it appears there is no property of any kind belonging to the estate and subject to administration, the personal representative may petition for the termination of further proceedings and for discharge of the personal representative." Although this statute conflicts with §8400(a), which provides that "a person has no power to administer the estate until the person is appointed personal representative and the appointment becomes effective [and] appointment of a personal representative becomes effective when the person appointed is issued letters," who cares. If the estate has no assets, and the only other heir agrees, we can go ahead and have the case dismissed. Petitioner to advise.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026	8:30 am	DA Case #	Date Filed
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3	PR12563	Estate of Lona Mae Conley, et al.		12/17/2024
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Dana Ruth Stemig	Attorney: Gary Dambacher
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Lona Mae Conley

Gary P Dambacher	Pro Per
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Terzich and Wilson Funeral Home	Pro Per
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Arnold B. Conley Jr.	Attorney: Carrie McKernan
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Review Hearing - Report - Probate Code 12200

12/17/2024 Petition

File Tracking 02/05/2025 From Court-Probate on Calendar

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This is the §12200 review hearing. There is no petition for distribution or status report on file. Counsel to advise.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026	8:30 am	DA Case #	Date Filed
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4	PR12514	Estate of Mark John Belletto		08/19/2024
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Mark John Belletto

Alex Belletto

Attorney: William
Broderick-Villa

Doctors Medical Center

Pro Per

Discover Bank

Pro Per

Bank of America

Pro Per

Review Hearing - Report - Probate Code 12200

FURTHER

08/19/2024 Petition

File Tracking

11/20/2024 High Density

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This is the §12200 review hearing. There is no petition for distribution or status report on file. Counsel to advise.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026	8:30 am	DA Case #	Date Filed
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6	PR12470	Estate of Sandra Leigh Burman		05/15/2024
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Augustin Eugene Burman-Alston Attorney: Lily Harris

Sandra Leigh Burman

State of California Franchise Tax Board

Review Hearing - Report - Probate Code 12200

FURTHER

05/15/2024 Petition

File Tracking 12/10/2024 High Density

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This probate action was released into the wild on 05/15/2024. Pursuant to Probate Code §§ 12200-12201, petitioner had twelve (12) months from then to file a petition for final distribution or a status report explaining the condition of the estate, the reasons why the estate cannot be distributed and closed, and an estimate of the time needed to close administration of the estate. For those needing to file a status report, this Court has created a very fine local form (TUO-PR-125) to ease the effort. A review of the court file reveals a glaring absence of either the final petition or a status report – for now the second time. Given the modest size of this estate, further delays may expose counsel to a §12205 fee reduction.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5

January 30, 2026 8:30 am

DA Case #

Date Filed

8 PR12351 In the Matter of Alice C. Hardin Trust 10/30/2023

James Hardin Pro Per
Ariane H. Matschullat Attorney: Joseph Doherty
Rowena H. Garon Attorney: Joseph Doherty
Alice C. Hardin
Jon Hardin Attorney: Leighton Burrey
Dambacher, Trujillo & Russell, APLC
Debra Hardin Attorney: John Minton
Debra Hardin Attorney: Asher Anderson
Review Hearing

12/13/2023 Accounting: Other

File Tracking 06/25/2025 High Density

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The Court, having received and reviewed the Trustees' status report, the Receiver's Sixth report, and the Petitioner's objection to the proposed insider sale and legal fees, provides the following indication:

- **The objection vis-à-vis the legal fees is premature, as the fees incurred could be for ordinary administration and not necessarily “defense” of fiduciary duty claims; the matter must be reserved for Phase 2.**
- **All the other properties have been approved for sale as proposed, and are expected to close within the next 15 days – clearing the way for resolution of the cabin permit.**
- **Although 85 Hope Lane remains reasonably valued at \$700,000, a third-party sale in its current condition comes with considerable long-term risk/exposure. Based on the existing circumstances, the trustees present request to sell 85 Hope Lane will be allowed as follows:**
 - Ariana, Rowena and Jeanette shall each deposit \$210,000 into escrow for a total of \$630,000;
 - Ariana, Rowena and Jeanette shall expressly waive contingencies and execute an assumption of risk with an express indemnification agreement, prepared by the Receiver, in favor of the four non-participating beneficiaries relating to conditions/disclosures for the residence.
 - The previous listing brokerage shall be entitled to a commission of 2.75%; there is no buyer's agent with this transaction; but if the listing agent wishes to assume dual agency, that brokerage may receive an additional 0.75% commission;
 - The net seller proceeds after commission, transaction and closing costs shall be distributed out of escrow directly to each of the four non-participating beneficiaries in equal amounts.
 - To prove liability against the trustees, a non-participating beneficiary will be required to demonstrate that but for a breach of the fiduciary duty, he or she would have received a higher distributive share from the sale of 85 Hope Lane. Although this Court makes no prediction as to the outcome of such a claim, and allowing the sale does not sanitize a breach, trustees have a sometimes-conflicting duty to both preserve (§16006) and make productive (§16007) trust assets. In general, so long as the trustee acts with reasonable care, skill, and caution under the circumstances (§16040), avoids conflicts of interest (§16004), maintains loyalty (§16002) and impartiality (§16003), and communicates with beneficiaries (§16060), the trustee may decide when retention or disposition of trust assets should occur, “even though it includes property in which the trustee is personally interested” (§16220). In other words, the fact that a trustee has a personal desire to own a trust asset does not obligate the trustee to make extra effort to unload it. As noted, selling imperfect real property to strangers carries serious financial and litigation risk that is only warranted when no other option exists.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5

January 30, 2026 8:30 am

DA Case #

Date Filed

11 PR12681

The Estate of Asterio Navarro

07/29/2025

Celia Navarro

Pro Per

Asterio Navarro

OSC Hearing - Contempt/Failure to Comply

As to Celia Navarro FURTHER - ZOOM APPROVED
Letters of Administration

07/29/2025 Petition

File Tracking

07/30/2025 High Density

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This is the continued hearing on a probate petition. Although petitioner is a self-represented individual, the number of errors and omissions with this petition make it difficult to navigate. To start, on Page 1 the petition indicates probate of a will, and a request for appointment as executor, but on Page 2 decedent is said to have died without a will, and a request is made for appointment as administrator. No will is attached. Other concerns include, but are not limited to, the following: there is no accurate proof of publication, it running in the Union Democrat in December but listing a hearing date in October; there is no proffer or waiver of bond; paragraph 8 does not describe how the others are related to decedent; there is no indication whether this is a primary or ancillary probate, and if the former why a by-pass was not considered; there is no non-resident statement; petitioner did not supply the required duties confirmation; there is no notice or proof of service accompanying the petition; and no proposed orders or letters lodged.

Petitioner will be strongly encouraged to retain counsel.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026 10:00 am	DA Case #	Date Filed
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12	FL12701	Krystal Anderson and Dominick Anderson	04/07/2014
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Dominick Anderson	Pro Per
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Krystal Anderson	Pro Per
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Victoria Anderson	Attorney: Jennifer Lothert
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Dominick Anderson	Pro Per
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Krystal Anderson

Motion Hearing - Child Custody/Visitation

FURTHER

05/23/2023 OSC Application

File Tracking 12/22/2025 High Density

Other Cases
CRM45312

See #26

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026 10:00 am	DA Case #	Date Filed
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14 PR11200	Conservatorship of Jennifer Harris		06/24/2015
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Celeste Harris	Attorney: Jennifer Lothert
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Jennifer Harris

Randy Harris	Attorney: Jennifer Lothert
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Review Hearing - Investigator Report - PR Code 1850

FURTHER

06/24/2015 Petition

File Tracking 12/10/2024 High Density

Other Cases

CV59601

CV59602

This is the continued review hearing to permit counsel to discuss with the family the potential for graduating the conservatee to a limited conservatorship.

Superior Court of California, County of Tuolumne
Consolidated Calendar
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Department 5	January 30, 2026 10:00 am	DA Case #	Date Filed
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15 PR9787	Conservatorship of Jonathan Martinez		04/05/2005
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Denise Stephens	Attorney: Jennifer Lothert
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Jonathan Martinez

Westamerica Bank	Attorney: Randolph Sharon
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Review Hearing - Investigator Report - PR Code 1850

04/10/2024 Accounting: Other

04/10/2024 Petition

File Tracking

11/20/2024 From Court-Probate on Calendar

Court is awaiting updated investigator report.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026 10:00 am	DA Case #	Date Filed
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16 PR11963	Conservatorship of Lawrence Randolph Lail		07/19/2021
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Lawrence Randolph Lail

Claudette de Carbonel Attorney: Jeff Bean

Petition Hearing

FURTHER for substituted judgment to create a revocable trust

Review Hearing

FURTHER 4th accounting

07/19/2021 Transfer In

File Tracking 07/17/2024 High Density

The Court has received the summary accounting and finds that it is satisfactory for present purposes.

As for the substituted judgment trust instrument, the following adjustments need to be made to the proposed trust:

1. The instrument must provide for successor trustees beyond petitioner to avoid any potential lapses during the conservatee's lifetime. Selecting Sean, Jason and Ryan to serve as co-trustees is acceptable, as they can decide amongst themselves who would accept the appointment should it come to pass.
2. Unless the assets in the conservatee's estate are community property subject to Family Code §761 and Probate Code §104.5, the dispositive provisions of the trust customarily mirror those of Probate Code §6401(c)(3), to wit: 1/3 to petitioner and the balance split equally amongst the adult children per stirpes.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026 10:00 am	DA Case #	Date Filed
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18	PR11109	Conservatorship of Sinclair E. Darr	09/09/2014
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Shawn Darr	Attorney: Jennifer Lothert
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Kimberly Darr	Attorney: Jennifer Lothert
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Sinclair E Darr

Review Hearing - Investigator Report - PR Code 1850

09/09/2014 Petition

File Tracking 11/27/2024 High Density

No appearance is necessary.

The Court, having received and reviewed the investigator's report, intends to find by clear and convincing evidence that the conservatee continues to qualify for a limited conservatorship of the person, that a limited conservatorship remains the least restrictive alternative while protecting the conservatee, and that the acting conservatees are serving the conservatee's best interests.

Court intends to set an annual review date.

Superior Court of California, County of Tuolumne
Consolidated Calendar
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Department 5	January 30, 2026 10:00 am	DA Case #	Date Filed
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19 PR12440	Guardianship of Bear Arlington Chagoya Millis, et al		03/28/2024
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Debra L. Shaw

Pro Per

Bear Arlington Chagoya Millis

Attorney: Jennifer Lothert

Leo Rod Robert Millis

Attorney: Jennifer Lothert

Review Hearing

Report re: housing

03/28/2024 Petition

03/28/2024 Petition

File Tracking

09/30/2024 High Density

Court appointed investigator to perform home study to ensure that accommodations were appropriate.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026 10:00 am	DA Case #	Date Filed
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21	PR10715	Guardianship of Connor Jacob Stacy	05/06/2011
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Carole Kohler-Crowe	Attorney: Jennifer Lothert
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Cheryl Kohler-Crowe	Attorney: Jennifer Lothert
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Connor Jacob Stacy

Review Hearing - Guardian Rept-Probate Code 1513.2

05/06/2011 Petition

File Tracking 01/03/2025 High Density

Other Cases
PR10759
FL12717

This is a guardianship involving one minor child (though part of a much larger probate family). Pursuant to Probate Code §1513.2(a), every year the guardian shall complete and return to the court a status report (GC-251). The court clerk is required to provide a reminder to the guardian, along with a blank GC-251, which did occur herein on 10/15/2025. There is no report on file, which requires an appearance by the guardian.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026 10:00 am	DA Case #	Date Filed
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22 PR10773	Guardianship of Freddie Adams Harrelson		10/20/2011
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Debra L Jorge Pro Per

James L Jorge Pro Per

Freddie Lynn Adams Harrelson

Misti L. Harrelson

Herron A. Adams

Review Hearing - Guardian Rept-Probate Code 1513.2

03/28/2013 Termination of Guardianship

File Tracking

01/14/2025 From Court Legal Document 5
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No appearance is necessary.

The Court, having received and reviewed the GC-251 with attachments, intends to find by a preponderance of the evidence that the guardianship remains necessary/convenient and that the guardians continue to serve the ward's best interests. The Court will set the annual review hearing, noting that the ward will be aging out in under two years.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026 10:00 am	DA Case #	Date Filed
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23	PR12486	Guardianship of Hailey Rose Violet	06/12/2024
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Tamara Snell	Pro Per
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Hailey Rose Violet	Pro Per
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Review Hearing - Guardian Rept-Probate Code 1513.2

FURTHER

06/12/2024 Petition

06/12/2024 Petition

File Tracking

09/04/2024 High Density

This is the continued hearing on a de facto oral petition by the guardian herself to terminate her own guardianship and permit the ward to return to the care of her adoptive father – who not long ago went seriously downhill. See CRM75700 and CRM56310. The family has since reunited and relocated to questionable facilities, and a CWS investigation for neglect and animal cruelty remains open. Nevertheless, the court investigator recommends terminating the guardianship, which is echoed by the family. Since the guardian is free to resign with the barest of notice to the court, and no other individual has come forward indicating any desire to assume the role of guardian for this ward, the Court sees little option but to permit the guardianship to lapse. The Court declines to make any finding that termination is in the ward’s best interest, and instead finds that no adult is willing to serve as guardian for this child.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026 10:00 am	DA Case #	Date Filed
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24	PR12697	Guardianship of Imani Athena Mathiesen	09/05/2025
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Lloyd Mathiesen	Pro Per
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Whitney Mathiesen	Pro Per
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Imani Athena Mathiesen

Appoint Guardian

FURTHER

09/05/2025 Petition

File Tracking 09/08/2025 High Density

This was a “placeholder” petition to establish a guardianship while the parents were incarcerated, but in the interim the parents were released and the prospective ward reportedly resides with mother out of county. If there is no effort to advance this petition, it will be dismissed.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 30, 2026	1:30 pm	DA Case #	Date Filed
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31	CV67201	Petition of Elliot James Smithers		04/25/2025
		Kiley Smithers	Pro Per	
		Elliot James Smithers		
		OSC Hearing - Name Change		

04/25/2025 Petition

File Tracking 09/09/2025 High Density

Nonconfidential petition to change name of minor; parentage confirmed at prior proceeding; both parents consent but requested continuance; publication is complete.