

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

Department 5	April 10, 2026	8:30 am	DA Case #	Date Filed
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1	PR12562	Estate of James Thomas Thrall		12/09/2024
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Andrew T. Thrall

Attorney: Kimberly Sullivan
Gray

James Thomas Thrall

Review Hearing - Report - Probate Code 12200

03/18/2026 Final Distribution

File Tracking 02/20/2025 High Density

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No appearance is necessary. The §12200 review hearing is moot as there is presently on file a petition to approve a plan for final distribution set for hearing in early May.

Superior Court of California, County of Tuolumne
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2	PR12560	Estate of Robert Clinton Smitheman	
		Clinton Muir Smitheman	Pro Per
		Tartanya Marie Smitheman	Pro Per
		Review Hearing - Report - Probate Code 12200	

12/05/2024 Petition

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

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No appearance is necessary. The Court, having received and reviewed the TUO-PR-125, intends to find good cause to extend the period of administration and to re-set the §12200 review hearing to August 14, 2026, at 8:30 a.m.

Superior Court of California, County of Tuolumne
Consolidated Calendar
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Department 5

April 10, 2026

8:30 am

DA Case #

Date Filed

4 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
 Status Update

12/13/2023 Accounting: Other

File Tracking 06/25/2025 High Density

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The Court has received and reviewed the recent status reports from the trustees and the receiver. There appears to be some disconnect regarding how to “equalize” distributions. The participating beneficiaries are actually each owed \$2,625 from the sale of Hope due to the notably reduced broker commission, but otherwise the following chart should help explain how “equalization” works with insider sales when the operative trust instrument directs that beneficiaries are to receive “equal shares” or “shares equal to” one another, and not a fixed percentage of the value of the estate (see Art. 6.A.):

Beneficiary	Distribution	x9392	x4473	Cabin	Quarry	TT	Hope
Debra	\$250,000 (cash)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> cash
Corinne	\$250,000 (cash)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> cash
James	\$250,000 (cash)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> cash
Jon	\$250,000 (cash)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> cash
Jeanette	\$250,000 (cash)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> equity
Rowena	\$285,000 (Oakside)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> equity
Ariane	\$100,000 (cash)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	-----	-----	<input checked="" type="checkbox"/> equity
	Still needs balancing	To do	To do	To do	To do	To do	Complete

With the exception of the \$2,625 owed to Jeanette, Rowena and Ariane, the entire Hope transaction has been allocated into equal shares and is complete. Quarry and Tuttle town will be allocated amongst six persons and deemed complete. The two bank accounts, after legal fees and receiver fees, will then be split into seven equal shares, at which time Ariane’s initial lower distribution and Rowena’s higher value will need to be accounted for – *without discussing the fiduciary surcharge concern.*

Superior Court of California, County of Tuolumne
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5	PR12754	In the Matter of Virginia Mae Carlson	02/06/2026
		Donald Carlson	Pro Per
		Virginia Mae Carlson	
		Matthew Carlson	Pro Per
		Determine Succ to Real Property	

02/06/2026 Petition

File Tracking 02/24/2026 High Density

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This is a by-pass petition to determine succession to decedent's primary residence. A review of the petition satisfies this Court that succession without formal probate is appropriate, and that the property shall vest in both petitioners as joint tenants with right of survivorship. Petitioners shall prepare and submit the necessary order.

Superior Court of California, County of Tuolumne
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7	PR12564	The Re William Rebero and Madiline L. Rebero 1991 Trust	12/19/2024
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Margaret Johnson

Attorney: Yet Not Entered

Diane Rock

Attorney: Anthony Johnston

Petition Hearing - Other

FURTHER status review/ trial setting - dismissal on file?

12/19/2024 Petition

File Tracking

02/20/2025 High Density

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This is a petition for a trust accounting, to contest the validity of a trust restatement, and to confirm pre-existing iterations of the subject trust from 2011 and 2014. The trustee has responded and objected. Since then, the parties have apparently been working toward a resolution. Parties to advise whether this matter can be resolved using the summary dispute resolution procedures (§§ 1022, 1046, 9620) with ordinary briefing (CCP §§ 437c, 1010, 1005(b), 1005.5, and CRC 3.1306). See *Dunlap v. Mayer* (2021) 63 Cal.App.5th 419, 426. Parties to advise anticipated scope/duration of discovery and when the matter will be ready for trial. Parties have advised that settlement appears to be in the works.

**Superior Court of California, County of Tuolumne
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Department 5	April 10, 2026 10:00 am	DA Case #	Date Filed
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8	PR12114	Conservatorship of Julio C Acosta, Jr		05/11/2022
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Julio C Acosta Pro Per

Julio C Acosta Pro Per

Review Hearing - Investigator Report - PR Code 1850

FURTHER

05/11/2022 Petition

File Tracking 02/11/2025 High Density

This is a general conservatorship of a person with a reasonable degree of function/independence. Court is awaiting the investigator's report to determine whether general remains the least restrictive alternative for the conservatee's protection.

**Superior Court of California, County of Tuolumne
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Department 5	April 10, 2026 10:00 am	DA Case #	Date Filed
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10	PR11847	Guardianship of Carson James Green	09/14/2020
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James Althouse	Pro Per
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Lisa Althouse	Pro Per
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Carson James Green	Pro Per
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Breanna Althouse	Pro Per
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Review Hearing - Visitation

FURTHER

06/20/2025 Termination of Guardianship

File Tracking 01/14/2025 From Court Legal Document 5
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Bio mother's visits at issue. Overnights temporarily suspended due to housing uncertainty. Awaiting investigator home study report.

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Department 5	April 10, 2026 10:00 am	DA Case #	Date Filed
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12 PR12699	Guardianship Of Ivy Rose Griffin, et. al		09/17/2025
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Rosemary Griffin	Pro Per
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Appoint Guardian

Long Term

09/17/2025 Petition

File Tracking 09/19/2025 High Density

This is the continued hearing on the maternal grandmother’s petition to establish a guardianship for two young children – with the consent of the biological mother. According to petitioner, the proposed wards have been residing with her for two months, and that the biological father is presently unfit to parent. The court investigator has been appointed, and is working her way through the backgrounds. Biological father objects to the guardianship. Father lives in Alameda County. Maternal grandmother resides in Groveland with children. Father apparently has full legal and full physical custody of children via a custody case in Alameda County – which this Court has requested Father provide copies of. Petitioner informs the Court that a CPS worker in Alameda County instructed her to apply for guardianship here in Tuolumne County. Jurisdiction to be decided. Temporary guardianship already granted at last hearing based on investigator recommendation – Father was not present for hearing to object further.

Superior Court of California, County of Tuolumne
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Department 5	April 10, 2026 10:00 am	DA Case #	Date Filed
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13 PR12748	Guardianship of Jeremy Twofeather Kerr		01/23/2026
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Sandra Aguilar Pro Per

Jeremy Twofeather Kerr Pro Per

Frank Aguilar-PRIOR PETITIONER

John Aguilar Pro Per

Petition Hearing

FURTHER - Appointment of Guardian ICWA

Appoint Guardian - Person

FURTHER

01/23/2026 Petition

File Tracking

03/19/2026 High Density

This is the 4th hearing on a petition to establish a guardianship over one child who presently resides part-time with great grandfather, and part-time with uncle/aunt who have separately sought guardianship.

The child appears to be a member of a federally-recognized tribe, triggered ICWA protections. Formal notice requirements of W&I Code §224.3 apply. See In re D.S. (2020) 46 Cal.App.5th 1041, 1052. Also, before appointing a temporary guardian of the person for an Indian child over the objection of a parent, tribe, or Indian custodian, the court must: (1) advise the parent or Indian custodian that if they cannot afford counsel, the court will appoint counsel for them under section 1912(b) of the Indian Child Welfare Act; and (2) find, in addition to facts in the petition establishing good cause for the appointment and any other showing the court may require under Probate Code section 2250(b), that the appointment is necessary to prevent imminent physical damage or harm to the child.

Uncle/aunt were supposed to secure bio mom's consent by visiting her in jail, but the court file does not include the consent. Bio mother expected to be released in six weeks. Bio father has now been presumptively identified but no contact yet. Petitioner's home study did not pass.

Q: Appoint Kelly Bentley office to represent bio parent with tribe descent

Q: Appoint minor's counsel to work with investigator to find options

Superior Court of California, County of Tuolumne
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Department 5	April 10, 2026 10:00 am	DA Case #	Date Filed
14 PR12717	Guardianship of Mia Ellyana Faith O'Connor Bonnie Ellen O'Connor Pro Per Faith O'Connor Pro Per Mia Ellyana Faith O'Connor Pro Per Appoint Guardian - Person FURTHER - long term		10/14/2025
10/14/2025	Petition	File Tracking	
10/14/2025	Petition	10/23/2025 High Density	

This is the continued hearing on a pending temporary guardianship, awaiting graduation to permeances, but delayed as a result of guardian recalcitrance. Some of the issues include:

- o School tardiness – seemingly better
- o Lack of awareness of transgressions by others in home – petitioner states that all others have been evicted
- o Allowing Joe, Katie, Michelle, to use as crashpad – no more
- o Drug paraphernalia
- o Pending CWS inquiry
- o Family Code §3041.5: “In any guardianship proceeding, the court may order any person who is seeking custody of, or visitation with, a child to undergo testing for the illegal use of substances and the use of alcohol.”

Petitioners were directed to submit to testing before guardianship would be moved into permanent status.

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15 PR11572	Guardianship of Nevaeh L. Sanchez		07/18/2018
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Denise Byrd Cognetti Attorney: Timothy Trujillo

Nevaeh Lee Sanchez

Review Hearing - Guardian Rept-Probate Code 1513.2

Terminate Guardianship

07/18/2018 Petition

File Tracking 09/11/2024 High Density

Other Cases
PR11411

No appearance is necessary. There being no petition to extend the guardianship on file, and the minor having now reached the age of majority, this guardianship has terminated by operation of law.

**Superior Court of California, County of Tuolumne
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Department 5	April 10, 2026 10:00 am	DA Case #	Date Filed
16 PR10450	LPS Conservatorship of Leisa Aydelott		04/08/2009
	Tuolumne County Public Guardian	Attorney: County Counsel	
	Leisa Aydelott	Attorney: Contract Counsel Level I	
	Accounting Hearing		
	13th		
05/17/2024 Reappointment			
05/17/2024 Reappointment			

File Tracking 04/08/2025 Civil Division

No appearance is needed. The accounting is approved.

**Superior Court of California, County of Tuolumne
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Department 5	April 10, 2026	1:30 pm	DA Case #	Date Filed
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17	CV67081	Teresa Houston vs. Ann Taylor		03/18/2025
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Teresa Houston

Attorney: Hal Channell

Ann Taylor

Attorney: Timothy Trujillo

Settlement Conference

03/18/2025 Complaint

File Tracking

04/09/2025 High Density
