

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

Department 5	July 31, 2026	8:30 am	DA Case #	Date Filed
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1 PR12773	Estate of Charles Clifford Collins, Jr		03/19/2026
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Christopher Corbett

Attorney: Jennifer Lothert

Charles Clifford Collins

Letters of Administration

FURTHER

03/19/2026 Petition

File Tracking

03/24/2026 High Density

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This is the continued hearing on a petition to admit a foreign will to probate, and to issue Letters of Testamentary for the petitioning personal representative. At the earlier hearing, this Court surmised from a number of recitals contained within the testamentary instrument that the decedent intended for the law of South Carolina to control – and as such certain requirements must be met for this will to be considered self-proving under that law. See CA Probate Code §21103 and SC Probate Code 62-2-503. Since that time, counsel has secured a notarized statement (not drawn under penalty of perjury under the laws of the State of California) that the will is original and was properly witnessed by the attorney responsible for its drafting. Under the circumstances, this Court sees no issue with making the preliminary finding that there is sufficient evidence to permit its admission to probate – subject of course to any collateral attack by interested persons (ie, David). Notice to David is insufficient. Per Probate Code §8110, David was entitled to at least 15 days' notice before the initial hearing, but only received notice (via mail and email) 9 days' prior. There is no POS regarding the continued hearing date, or attached to the supplemental papers. This is particularly troubling given the false representation made by Attorney Zalenski in the Michigan case that this Court had already admitted the will and issued Letters.

What is the status of the Michigan action?

Superior Court of California, County of Tuolumne
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2 PR12644	Estate of Christian Douglas Pomeroy		05/08/2025
	Suzanne Koerner	Pro Per	
	Final Distribution Hearing		

05/18/2026 Final Distribution

File Tracking 05/09/2025 High Density

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No appearance is necessary. This is the initial hearing on a petition to approve a proposed plan for final distribution. There being only one devisee, the proposed plan for distribution is quite elemental and easily approved – though this Court notes that the plan made no reference to decedent’s Bank of America account (no doubt an oversight).

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3 PR12205	Estate of Malcolm Sawin Kincaid			07/25/2022
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Devin Evans	Attorney: Tyler Dahl
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Malcolm Sawin Kincaid

Carla Korda	Attorney: Tyler Dahl
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Review Hearing

Final Distribution confirmation from David.

08/30/2023 Report on Status of Administration

File Tracking 02/11/2025 High Density

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No appearance is necessary. The Court, having considered counsel's response to the previous notes, intends to approve the petition as prayed.

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4	FL19157	Veronica Garza vs. Jeremiah Graff		08/11/2025
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Veronica Garza	Pro Per
Jeremiah Graff	Attorney: Juley Salkeld
Klayton Graff	Attorney: Christine Parraz
Dalton Graff	Attorney: Christine Parraz
Maddox Graff	Attorney: Christine Parraz

Review Hearing - Visitation
Visitation Update / Moms Step

08/11/2025 **Petition**

File Tracking 08/14/2025 High Density

Other Cases
FL19150

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Concerns:

1. "I have completed 157 Soberlink tests. All 157 tests were negative, and I have had no missed tests and no violations."
2. "I respectfully request that the same 2-2-5-5 schedule be implemented for my older sons so that all of the children may have a consistent schedule with both parents." On 03/16/2026, this Court issued an order on the DVROs granting Mother joint physical custody – which means she is entitled to continuing and frequent contact.
3. "Father does not provide me with information regarding who is caring for the children when he is at work."
4. On 03/16/2026, this Court issued an order on the DVROs and included "standard FI-341 conditions." The actual forms were not included, but a standard FL-341 condition is to advise who is watching the children. See FL-341(D) Para 3.b.

Superior Court of California, County of Tuolumne
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5	PR12719	In the Matter of the Coelho Living Trust Dated October 21, 1993	10/16/2025
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Veronica L Hemphill	Attorney: Alex Newsum
Alan Coelho	Attorney: Cory Chartrand
Anne Coelho	Pro Per
Christopher Coelho	Pro Per
Stephen D Coelho	Pro Per
Allison Brasil	Pro Per
Natalie Hermanson	Pro Per

Petition Hearing

Further: approval of settlement agreement

10/16/2025 Transfer In

File Tracking 11/14/2025 High Density

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This is a petition to claw-back funds distributed to beneficiaries, allegedly in error. The math error stems from the sale of 130 acres in Hilmar, California, owned in part by the trust (having one defined set of beneficiaries) and in part by an LLC (with a similar, but not identical, set of members). According to the trustee, the trust beneficiaries received a little too much money because the escrow folks did not catch the fact that the trust's 35% only attached to 58% of the 130 acres (ie, APN 045-091-017, not 045-091-017 + 045-091-018). In other words, the LLC members should have received a larger slice of the pie. The only person deeply impacted by this math error are Allison and Natalie (Dom's kids), because they were only trust beneficiaries and not LLC members. Alan – who is being asked to refund \$1,914.06 – filed objections to the petition, as well as his own petition accusing the acting trustee (Veronica) of mismanagement and conflicts of interest in the manner in which she administered the trust. Litigation was commenced in both Merced and Stanislaus Counties, even though it appears that a significant part of the trust administration was taking place here in Tuolumne County.

Although this Court was not involved in the underlying litigation, or the settlement conference, the parties have adequately explained the propriety of the agreement and – barring objection from the recent notice – the agreement will be approved.

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6	PR12740	The Estate of Martin A. Sample		01/06/2026
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Amber Sanfeliz

Attorney: Brandon Meyer

Martin Sample

Review Hearing - Inventory and Appraisal

01/06/2026 Petition

File Tracking

03/18/2026 High Density

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No appearance is necessary. This was to be the §8800 review hearing confirming compliance with the requirement to have on file a final I&A, and there is indeed a final I&A already on file.

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Department 5	July 31, 2026 10:00 am	DA Case #	Date Filed
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7	PR10510	Conservatorship of Carol A. Egan	10/02/2009
		Reginald Chisholm	Attorney: Jennifer Lothert
		Diane Egan-Dies	
		Carol A. Egan	Pro Per
		Linda Daniels	Attorney: Jennifer Lothert
		Review Hearing - Investigator Report - PR Code 1850	

10/02/2009 Petition

File Tracking 07/17/2024 High Density

Court is awaiting receipt of the investigator's report, but anticipates a continuing need for the existing general conservatorship over the person.

Superior Court of California, County of Tuolumne
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8	PR11918	Conservatorship of Kerry Swenson	02/11/2021
		Kathleen Jacobson	Attorney: Timothy Trujillo
		Kerry Swenson	
		David Kirkpatrick	Attorney: Timothy Trujillo
		Review Hearing - Investigator Report - PR Code 1850	

09/20/2024 Petition

File Tracking
11/19/2024 High Density

Court is awaiting receipt of the investigator's report, but anticipates a continuing need for the existing general conservatorship over the person.

Superior Court of California, County of Tuolumne

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Department 5

July 31, 2026 10:00 am

DA Case #

Date Filed

9 PR12538

Guardianship of Gracelynn Harwell, et al.

10/14/2024

Daniel Rutherford

Attorney: Jessie Castellano

Gracelynn Harwell

Aspen Rutherford

Otis Rutherford

Kathleen Rutherford

Attorney: Jessie Castellano

Jeena Eunice

Pro Per

Michael Rutherford

Pro Per

Review Hearing

Confirmation of minor's counsel

Hearing: Other

Trial Setting - Appoint Long Term Guardian/Move Away

OSC Hearing - Visitation

OST

10/14/2024 Petition

10/14/2024 Petition

File Tracking

02/04/2025 High Density

Concerns:

1. **Minor's Counsel.** Pursuant to Probate Code §1470(a), "the court may appoint private legal counsel for a ward if the court determines the person is not otherwise represented by legal counsel and that the appointment would be helpful to the resolution of the matter or is necessary to protect the person's interests." Counsel is warranted here because this is (1) a petition to establish a permanent guardianship, (2) a petition to terminate a temporary guardianship, and (3) a petition to establish a foreign residence (§2352) of proposed wards. "If a ward is furnished legal counsel for a guardianship proceeding, the court shall determine whether the parents are financially unable to pay all or a portion of the cost of counsel appointed pursuant to this section. Any portion of the cost of that counsel that the court finds the parents are unable to pay shall be paid by the county." §1470(b), (c)(3). Per CRC Rules Appendix E, the parents are eligible to shift the cost to the county if they receive public assistance, are within 125% of the federal poverty guideline, or lack disposable income beyond necessities of life.

2. **Parent Visitation.** Trial courts retain sufficient authority over guardianships to grant visitation rights therein. Probate Code §2102; Guardianship of Zachary H. (1999) 73 Cal.App.4th 51, 61; Guardianship of Martha M. (1988) 204 Cal.App.3d 909, 911. The litmus is similar to that used for guardians (Probate Code §1602), step-parents (Family Code §3101) and grandparents (Family Code §§ 3102, 3104), to wit: the applicant must demonstrate with affirmative evidence that it is in the child's best interests to have said visitation. However, because parents have a Constitutional right of access absent termination of said rights (see Troxel v. Granville, 530 U.S. 57, 65-70 (2000)), the burden of proof which Mother must meet here is preponderance of the evidence. See, e.g., Conservatorship of O.B. (2020) 9 Cal.5th 989, 1010; Rich v. Thatcher (2011) 200 CA4th 1176, 1180-1181; in accord, Marriage of Harris (2004) 34 Cal.4th 210, 225-226; Stuard v. Stuard (2016) 244 Cal.App.4th 768, 824-825. Supervised visits are typically ordered when the noncustodial parent (1) is the subject of a restraining order, (2) has made false allegations of child abuse, (3) presents a risk of child abduction, (4) has been convicted of a serious felony, or (5) presents a risk of harm to the child. See Family Code §§ 3027.5, 3030, 3048, 3100(b), 3031(c), 6323(d); in accord, Heidi S. v. David H. (2016) 1 Cal.App.5th 1150, 1164.

- Gracelynn: Matthew Johnson and Jenna Eunice
- Aspen: Shawn Holp and Jenna Eunice
- Otis: Michael Rutherford and Jenna Eunice

- Mother: CMR75471; CRF76008
- Father: CRF57613; CRM74711; CRM75601; CRM75774; CRF76144

Superior Court of California, County of Tuolumne

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Department 5	July 31, 2026 10:00 am	DA Case #	Date Filed
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10	PR12132	Guardianship of Paizley Hope Garcia	06/20/2022
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Sandra Atwater Garcia	Pro Per
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Paizely Hope Garcia	Attorney: Jennifer Lothert
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Gaylene Larwick

Brook Allen	Pro Per
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North Folk Rancheria of Mono Indians	Attorney: Katherine Hanson
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North Folk Rancheria of Mono Indians	Attorney: Maureen Geary
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Review Hearing

Trial Setting

05/08/2026 Termination of Guardianship

File Tracking

03/16/2026 Cassandra Vigardt

Other Cases
FL17797

On 08/28/2015, co-guardian Gaylene filed a petition to suspend co-guardian Sandra after a disagreement arose regarding access by the biological parents. Many hearings later, Sandra appears amenable to stepping down and allowing Russell to substitute in her place. Biological father supports the change, which should hopefully ameliorate the ongoing tension in this otherwise successful guardianship.

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Department 5		July 31, 2026 10:00 am		DA Case #	Date Filed
11	FL19519	Davie Hoskins vs. Wesley Dunn, Jr			05/18/2026
		Davie Hoskins	Pro	Per	
		Wesley Dunn	Pro	Per	
		OSC Hearing			
05/18/2026		Petition		File Tracking 05/19/2026 High Density	
<u>Other Cases</u>					
PR12798					

If parties agree to temporary guardianship, this case can be dropped from calendar altogether.

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12	PR12798	Guardianship of Wesley Dunn III		05/18/2026
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Ella Barendregt	Pro Per
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Wesley Ryan Dunn

Davie Hoskins	Pro Per
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OSC Hearing - Contempt/Failure to Comply

Appoint Guardian

FURTHER

05/18/2026 Petition

File Tracking 05/19/2026 High Density

Other Cases
FL19519

Court investigator working on stipulated agreement.

Superior Court of California, County of Tuolumne
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Department 5		July 31, 2026		1:30 pm	DA Case #	Date Filed
13	CVL67545	Velocity Investments LLC vs. Jaide Carney				08/14/2025
		Velocity Investments LLC		Attorney: Bryant Burnstad		
		Jaide Carney				
		Court Trial: Short Cause				
		Est. Duration: 1.00 Hours				
08/14/2025	Complaint	File Tracking 08/14/2025 High Density				

No trial docs filed.