

January 26, 2026 Truckee Probate Tentative Rulings

1. PR0000120 In Re Weiler, Adrianna

No appearances required. The Guardianship Status Report has been read and considered. Guardianship remains necessary, appropriate, and in the best interest of the minor. Guardianship orders continue in full force and effect. The next annual review of guardianship is hereby set for January 25, 2027 at 1:30 PM in Department A. Annual Status Report shall be filed a month prior the next hearing date.

2. PR0000159 In Re Brookman, Audrey Joy Lewis

The request by Eileen Lewis for reconsideration of the Court's prior orders of November 14, 2025 is DENIED.

It appears to the Court the request has not been served on any interested party, as there is no proof of service for the filing by Eileen Lewis. Moreover, even if Ms. Lewis did properly serve yet failed to file proof of service, the Court still denies the request on the merits.

Any affected party may make an application to the same judge or court to reconsider the matter and modify, amend, or revoke the prior order when an application for an order made to a judge or a court is refused in whole or in part, or granted, or granted conditionally, or on terms within 10 days after service upon the party of written notice of entry of the order and *based upon new or different facts, circumstances, or law*. Code Civ. Proc. § 1008(a) (emphasis added). Contentions that the court has made an error of law or refused to consider evidence are not new facts as required for a motion under Code of Civil Procedure section 1008. *Jones v. P.S. Development Co., Inc.* (2008) 166 Cal.App.4th 707, 724. "New facts" is defined as facts which were not available to the party at the time of the hearing. *In re Marriage of Herr* (2009) 174 Cal.App.4th 1463, 1468. To prevail on a motion for reconsideration based on new facts, a party must provide a satisfactory explanation for failing to offer the evidence in the first instance. *New York Times Co. v. Superior Court* (2005) 135 Cal.App.4th 206, 212. The new facts offered must be accompanied by a showing of strong diligence in discovery and bringing the new facts, and absent a strong showing of diligence, the motion will be denied. *Forrest v. Department of Corporations* (2007) 150 Cal.App.4th 183, 202. Failure to show new facts or law is jurisdictional. *Kerns v. CSE Ins. Group* (2003) 106 Cal.App.4th 368, 380. Where the motion for reconsideration brings no valid new fact to the merits of the underlying motion, and merely contends a collateral matter, reconsideration will be denied. *Gilberd v. AC Transit* (1995) 32 Cal.App.4th 1494, 1500.

Here, Petitioner does not present any new evidence. She presents a letter from Petitioner's former attorney of record, but the statements in the letter are not new. Petitioner's former counsel states his "purpose here is to explain, both to you and to the court, my analysis of Audrey's situation at Darby's death", which occurred on March 15 2022. Motion for Reconsideration, Exh. B. Guardian Letitia Garcia was appointed as Successor Guardian of the Estate on August 22, 2024. Pet. for Order, filed Oct. 22, 2025. Indeed, the information in the letter from Petitioner's prior counsel consists of information he held at the time of his representation of

Petitioner. *Id.* Thus, such information was available to Petitioner at the time of the hearing on November 13, 2025. Additionally, Petitioner fails to explain, other than stating the minor was involved in a car accident on November 11, 2025 and that she needs more time to review the documents submitted by the Successor Guardian, why any purportedly new information has not been provided to the court previously. The Court finds Petitioner's reasons insufficient. Moreover, Petitioner's prior request for a continuance based on the same arguments was denied by the Court on November 14, 2025. At bar, Petitioner fails to provide any new evidence, and if there is something new in letter from her former counsel which the Court understood Petitioner read into the record in its entirety at the hearing on November 13, 2025, Petitioner fails to explain why such was not provided in the first instance or that the evidence was unavailable despite her best efforts to obtain it. Accordingly, Petitioner's request for reconsideration is DENIED.

3. TP20-7754 In the Matter of THEODORE AUGUST PARELIUS

Conservatorship to continue. The conservatorship still appears to be warranted and the conservator is acting in the best interests of the conservatee regarding the conservatee's placement, quality of care, including physical and mental treatment, and finances. The next biennial review is set for January 24, 2028, at 1:30 pm in Dept. A. The court investigation fee is waived. No appearances are required.