

1
2
3
4
IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

5 In re JUDY BRAKEBILL JONES, a.k.a. Appeal No. H054014
6 JUDY LEE JONES and JUDY LEE Monterey Case No. 25PR000590
7 BRAKEBILL JONES LASHER

8
9 ERIC BRAKEBILL JONES, Petitioner,

10 v.

11 SUPERIOR COURT OF CALIFORNIA,
12 COUNTY OF MONTEREY, Respondent.

13
14 HEIDI JONES BLANCHARD, Real Party in Interest.
15

16 PETITIONER'S REPLY BRIEF;

17 **PETITION FOR WRIT OF ERROR CORAM VOBIS**

18
19 **I. INTRODUCTION**

20 Petitioner Eric Brakebill Jones submits this Reply and Petition for Writ of Error Coram
21 Vobis. This filing addresses the extrinsic fraud revealed by the contradiction between
22 Respondent's January 22, 2026 opposition and Respondent's June 27, 2025 internal
23 records.

24
25 **II. STATEMENT OF FACTS: THE EXTRINSIC FRAUD**

26
27 **II. STATEMENT OF FACTS: THE EXTRINSIC FRAUD**

1 1. The Admission (June 27, 2025): On June 27, 2025, Respondent's counsel, Nicora Law
2 Offices, LLP, authored a formal letter to Petitioner admitting possession of estate assets.
3 The letter, attached hereto as Exhibit A, explicitly states: "My client proposes the
4 \$10,985.00... be distributed." This document constitutes a fiduciary admission of asset
5 control.

6

7 2. The Denial (January 22, 2026): Seven months later, on January 22, 2026, the same
8 counsel filed a Brief in this Court attempting to discredit Petitioner's standing. In that
9 filing, attached as Exhibit B (Page 9), counsel represented to this Tribunal that
10 Petitioner's allegations regarding these same assets reflect a "make-believe world."

11

12 3. The Extrinsic Fraud: This contradiction is not a dispute of fact; it is a deception
13 extrinsic to the record. Respondent withheld the June 27 Admission from the trial court to
14 secure a favorable ruling, and then actively misled this Appellate Court by characterizing
15 the concealed assets as "make-believe." This specific act of concealment prevented
16 Petitioner from presenting his case for a Stay.

17

18 **III. ARGUMENT**

19

20 **A. The 'Make-Believe' Assertion Constitutes Extrinsic Fraud.**

21 The Respondent's characterization of the assets as "make-believe" (Exhibit B) is a
22 falsification of fact. Coram Vobis is required when a new fact (the June 27 Admission)
23 was prevented from appearing on the record by the opposing party's fraud. Here,
24 Respondent suppressed the existence of the \$10,985.00 to validate their argument that the
25 Petition was defective.

1 **B. The Bond is Insufficient Due to Concealed Liability.**

2 Respondent argues a \$20,000 bond protects the estate. This calculation excludes the
3 concealed \$10,985.00 (plus statutory interest and penalties). A bond calculated on a
4 fraudulent inventory is void ab initio. The estate is exposed.

5

6 **C. Petitioner's Brief Was Not Defective; It Was Prescient.**

7 Respondent attacks Petitioner's brief under Rule 8.204 for lacking facts. Petitioner cannot
8 cite a record that Respondent has actively suppressed. The defect lies in Respondent's
9 candor, not Petitioner's briefing.

10

11 **IV. PRAYER**

12 Petitioner prays for the issuance of a Writ of Error Coram Vobis to vacate the order based
13 on the extrinsic fraud established by the June 27 Admission.

14

15

16

17 ERIC BRAKEBILL JONES, Petitioner

18

19

20

21

22

23

24

25

26

27

28

ALBERT J. NICORA
NICORA DAW OFFICES, LUP ATTORNEYS AT LAW
20385 CARMEL RANCHO BLVD., STE, 100
OF COUNSEL
JACQUELINE E NICORA
MICHAEL A. ATTERIDOE
JOELLE C. CLARK
ANDREW S. BLOMOUIST

Eric Jones
5634 Noel Drive
Temple City, CA 91780

CARMEL, CALIFORNIA 03023

TELEPHONE (831) 022-2000
(831) 822-2001

www.NICORALAW.COM June 27, 2025

BARRY R. HARROW

RE: The Judy Brakebill Jones 2008 Revocable Trust
Last Will of Judy Brakebill Jones

Dear Mr. Jones,

This office represents Heidi Blanchard who is a beneficiary of the Judy Bra2008 Revocable Trust and Co-Executor of the Last Will of Judy Brakebill Jones.

Please direct all communications for our client directly to this office. Do not coclient directly.

We have been able to review the following documents:

- (1) Last Will of Judy Brakebill Jones dated April 8, 2008
- (2) The Judy Brakebill Jones 2008 Revocable Trust dated March 18, 2008
- (3) First Amendment to the Judy Brakebill Jones 2008 Revocable Trust dated Augus 1,2016

If there are any amendments, codicils, or other relevant estate planning documents, please provide us with a copy.

We must state that we dispute the multiple characterizations of our client and other family members stated by you. In an effort to move the process forward, we will not respond to your specific claims at this time.

Heidi, as Co-Executor, sold tangible personal property including a vehicle. Under the Last Will, all tangible personal property including personal automobiles is to be distributed to Judy's children equally. Therefore, my client proposes the \$10,650.00 from the sale of the tangible personal property be distributed equally between you, Gretchen, and Heidi. Each would receive \$3,550.00.

Please advise us if you are in agreement. Please confirm your check should be sent to your attention at the address above.

Eric Jones
June 27, 2025
Re: Judy Brakebill Jones, deceased
Page 2

Regarding the remaining tangible personal property including items in the safe deposit box, please contact us to discuss the next steps including accessing the safe deposit box and distributing its contents. We can also discuss distributing the remaining personal property.

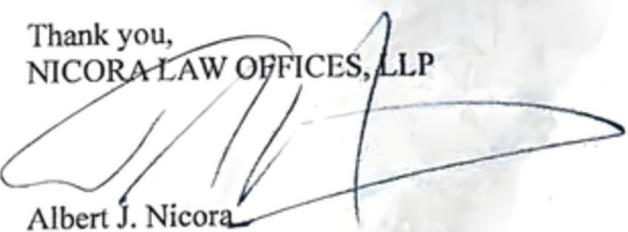
Regarding the Judy Brakebill 2008 Revocable Trust, please provide us with the following:

- (1) A list of assets as of date of death.
- (2) Your plan regarding the real property located at 17742 Berta Canyon Road, Salinas, CA 93907.
 - a. Specifically, we request being advised as to who do you plan on listing the property with and your proposed listing price.

Again, all communication regarding the Trust or assets of Judy Brakebill Jones should be directed to our office. Please do not contact our client.

We look forward to working with you on this matter.

Thank you,
NICORA LAW OFFICES, LLP


Albert J. Nicora

Cc: Client

4. THE WRIT PETITION FILED BY PETITIONER IS FACIALLY DEFECTIVE AS IT DOES NOT COMPLY WITH THE CALIFORNIA RULES OF COURT

When a brief fails to comply with the requirements set forth in the California Rules of Court, the appellate court may, within its discretion, order the brief be stricken. (California Rules of Court, Rule 8.204; *Berger v. Godden* (1985) 163 Cal.App. 3d 1113, 1117-1118). The California Rules of Court requires that the Petitioner's brief contain a statement of facts, set forth clearly and concisely, accurately, and confined to matters within the record on appeal. A statement of facts which is inflammatory, emotional, and replete with improper references to 'facts' outside the reviewing court's record violates this rule. (*Dodd v. Henkel* (1978) 84 Cal. App. 3d 604, 606, fn. 1.). In Petitioner's brief which is less than three (3) pages contains no cites to the record and lack any supporting facts. Petitioner's allegations to irreputable harm are scant and lack any factual foundations but reflect a make-believe world. The brief filed by the Petitioner should be stricken for its failure to comply with the Rules of Court.

CONCLUSION

For the foregoing reasons, the decision of the trial court sitting as the Probate Court should be affirmed.

Dated: January 22, 2026

Respectfully submitted,

NICORA LAW OFFICES, LLP

Michael A. Atteridge

Attorney for Real Party In Interest,

Heidi Jones Blanchard