

**SUPERIOR COURT, STATE OF CALIFORNIA
COUNTY OF SANTA CLARA**

Department 2, Honorable Amber Rosen, Presiding
Audrey Nakamoto, Courtroom Clerk

191 North First Street, San Jose, CA 95113
Telephone 408-882-2120

**ADVANCE CASE STATUS REPORT (“ACSR”)
(Local Probate Rule 1)**

GENERAL PROBATE CALENDAR – Department 2

DATE: Monday, April 27, 2026

TIME: 9:00AM

*****NOTICE*****

**APPEARANCES MAY BE IN PERSON OR REMOTE THROUGH
UNICORN DIGITAL COURTROOM (UDC)**

**To find the appropriate remote appearance links please go to:
<https://santaclara.courts.ca.gov/online-services/remote-hearings>**

**“PREAPPROVED” matters are those reviewed and found satisfactory.
Personal appearance by the petitioning party is not required. Pre-
approved matters to which objections are made may be continued.
Orders for preapproved matters will be signed upon calling of the
calendar and may be picked up for filing at that time.**

**“PROBATE EXAMINER NOTES” - If a matter is not preapproved,
then the Probate Examiner will list procedural defects. Parties may file
additional documents to correct procedural deficiencies, and the Court,
in its discretion, may consider such filings in making its order. The
Court may order a matter off calendar, grant it subject to additional
filings, or order a continuance.**

TROUBLESHOOTING

If you do not see the appropriate ACSR, then it has either not been posted yet or your web browser cache (temporary internet files) is accessing a prior calendar. “REFRESH” or “QUIT” your browser and reopen it, or adjust your internet settings to see only the current version of the web page. Your browser may access old information from old cookies even after the current calendar has been posted.

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LINE #	CASE #	CASE TITLE	ACSR/Examiner notes
LINE 1	19PR185485	<i>2010 Hilda F. Manning Revocable Trust</i>	Click line #1 or scroll below to line #1 for probate examiner notes.
LINE 2	22PR192796	<i>Estate of Gilbert Carlos Sebastiao</i>	Click line #2 or scroll below to line #2 for probate examiner notes.
LINE 3	24PR197253	<i>Estate of Avelino Tolentino Casco</i>	Click line #3 or scroll below to line #3 for probate examiner notes.
LINE 4	24PR198701	<i>Estate of David Genaro Cota</i>	Click line #4 or scroll below to line #4 for probate examiner notes.
LINE 5	25PR199617	<i>Estate of Tammy Pierkarski</i>	Pre-Approved
LINE 6	25PR199687	<i>Estate of Kelsey Renee Fulkerson</i>	Click line #6 or scroll below to line #6 for probate examiner's notes.
LINE 7	2009-1-PR-165692	<i>Conservatorship of Hilda F. Manning</i>	Click line #7 or scroll below to line #7 for probate examiner notes.
LINE 8	25PR199978	<i>Estate of Laurence Spitters</i>	Click line #8 or scroll below to line #8 for probate examiner notes.
LINE 9	25PR200231	<i>Estate of Elias John Garcia</i>	Continued to 6/1/26 per request of attorney
LINE 10	25PR201599	<i>Family Bypass Trust under the Yee Living Trust dtd 9/13/2000</i>	Click line #10 or scroll below to line #10 for probate examiner notes.
LINE 11	25PR201599	<i>Child's Trust and Child's QSST under the Yee Living Trust dtd 9/13/2000</i>	Click line #11 or scroll below to line #11 for probate examiner notes.
LINE 12	26PR202017	<i>The George Josph Terpening Revocable Trust dated 12/18/2002 as amended and restated September 6, 2022</i>	Parties to appear for Court's ruling. No proposed order submitted.
LINE 13	26PR202037	<i>Maria L. Armendariz Revocable Trsut dtd 7/17/19</i>	Click line #13 or scroll below to line #13 for probate examiner notes.
LINE 14	26PR202042	<i>Estate of Francisco G. Geslani</i>	Click line #14 or scroll below to line #14 for probate examiner notes.
LINE 15	1985-1-PR-113073	<i>Conservatorship of John Joseph Gorman</i>	No deficiencies noted by the Probate Examiner. Parties to appear for Court's ruling.

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Calendar line 1

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19PR185485, 2010 Hilda F. Manning Revocable Trust

Procedural Deficiencies

1. Summary of Account on page 3 of the petition contains errors:
 - a. It mistakenly states the BAOH amounts are from the first account instead of the second account. Defers to court.
 - b. SOA states the beginning non-cash assets on hand is \$534,254.67. The correct amount per second account petition is \$438,851.46. May need clarifying declaration. *This error does not affect the rest of the SOA as PTR used the correct dollar amount to complete the totals.*

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22PR192796, Estate of Gilbert Carlos Sebastiao

Procedural Deficiencies – Updated

1. Probate Examiner's office continues to disagree with the Petitioner's assertion that the predeceased sibling's spouse is entitled to a share of the intestate. Please see Probate Code 6402(c) and Probate Code 240. Probate Examiner defers to the court as to how to proceed in light of the filed consents.
 - a. The filed consents re: distribution include language stating that Lynn, Mathew, and Candace, are to receive "one-third (1/9)" of any estate residue and "one third (1/9)" of any estate property discovered in the future. Is it one-third, or 1/9th? Probate Examiner defers to the court if the consents can be accepted.
2. Proposed order needs revision:
 - a. Order may need to be revised to include standard facts, i.e. that the decedent died intestate; the names of the heirs and their relationships to the decedent; and the date that letters of administration issued.
 - b. Order should state the amount of ending cash on hand (the pleadings indicate this dollar amount is \$25,602.19).
 - c. Proposed order asks for authorization for Petitioner to reimburse himself \$12,410.01. However it looks like Petitioner is also asking for reimbursement of a filing fee of \$435 on top of this amount, thus, the reimbursement amount should be modified.
 - d. Proposed distribution needs to specify the actual dollar amounts and/or property interest in each asset to be distributed to each heir, instead of just listing the percentages. (Proposed order could need further revision depending on whether or not the court allows the proposed distribution to go forward.)
 - e. Proposed order states that no claims were filed against the estate. But, petition indicates there was one creditor's claim, that was paid.

24PR197253 Estate of Avelino Tolentino Casco

1. Petition paragraph 1 indicates the decedent died a resident of the City of San Jose. Appointment petition indicated residence a time of death as Milpitas.
2. Petition Exhibit A states the amended creditor's claim filed 4/18/2025 by Morales and Morales, LDA (total claim \$230,909.75) was withdrawn on 10/17/2025. No specific withdrawal on file.
3. Should petitioner address the late creditor's claim filed 3/6/2026 by claimant Collection Bureau of America through attorney Barry R. Thompson total amount of claim: \$919.42?
4. Petition does not memorialize notice to public entities under Probate Code §9201 and that none filed a claim in the court proceeding.
5. First Supplement to Petition– Exhibit F Schedule 3 Proposed Distribution
 - a. Does not address distribution of the 1966 Ford Mustang. Wesley Casco should receive title to the vehicle pursuant to the settlement agreement.
 - b. Does not appear to reflect accurate final cash distribution to Russle Casco after deducting attorney's statutory compensation from the total ending cash on hand.
6. Proposed order
 - a. Includes language of the prayer within the actual order: "6. Such further order be made as the Court considers just and proper."
 - b. Defer to the Court and probate staff attorney regarding format of proposed order. Examiner's office prefers a final distribution order that is comprehensive and complete including a full recital of findings and without reference to the petition.

Proposed order is missing:

The date of death, was a resident of the county, that the decedent died testate, and the date of the Will. The date the Will was admitted to probate and the date letters issued. That all persons entitled to distribution of the estate have waived an account and the administration of the estate be brought to a close without the requirement of an account. Regarding disposition of creditor's claims and that the time for filing has expired. Relevant provisions of the Will to provide authority for the distribution, or that a stipulated settlement agreement was entered and approved by the court changing distributions (Order does not address distribution of the 1966 Ford Mustang). A specific, clear, and complete listing of the *gross* ending property on hand, including the total amount of ending cash on hand. Specific numerical amount of cash to be distributed. See Local Probate Rule 9(H)

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24PR198701 Estate of David Genaro Cota

- 1.** No notice of hearing and proof of service of notice of hearing filed for this amended petition. Defers to Court if an issue given PTR is named PR of the estate of sole heir. PEX would note that this first amended petition was filed only on 4/14/26 which is less than 15 days from hearing date.
- 2.** Petition does not specify what creditor's claims were approved/settled. CRC Rule 7.550(b)(1) and Local Probate Rule 9.B.
- 3.** Final Inventory and Appraisal filed on 7/16/25:

 - Signature of personal representative re Declaration of Representative is undated
 - Date and signature of attorney on Statement about Bond missing
- 4.** Supplemental Inventory and Appraisal filed on 4/14/26

 - Signature of personal representative re Declaration of Representative is undated
 - Missing Attachment 2, list of assets appraised and valued at \$9,000.
- 5.** Petition at #21 states, that estate's cash assets were held in B of A account ending in 2192. This is the same account number in the Inventory and Appraisal. When the asset was marshalled, was there no estate account opened such that the monies remained in the same account which is presumably under Decedent's name?
- 6.** Petition does not provide fair market value of assets on hand. Local Probate Rule 9.A(1)e.
- 7.** No proposed order submitted.

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25PR199687 Estate of Kelsey Renee Fulkerson

1. The petition did not include allegations disclosing whether all of cash has been invested an maintained in interest bearing account or investment authorized by law pursuant to Probate Code §1064(a)(5). On 12/30/25, PTR filed a “Waiver of Requirement that Estate Funds be Placed in an Interest-Bearing Account”, which states that both heirs consent to the estate funds being held in a non-interest-bearing account for purposes of administration and agrees that the Personal Representative shall not be required to deposit estate funds into an interest-bearing account. There was no Court order issued that allows personal representative not to hold funds into interest-bearing account. Were the assets invested as authorized under Probate Code §9730? Defers to Court if explanation shall be required.
2. The petition did not specify the amount of distribution to each heir. Local Probate Rule 9H
3. The proposed order did not provide specific dollar amount of distribution to each heir. Local Probate Rule 9H

2009-1-PR-165692, Conservatorship of Hilda F. Manning

Procedural Deficiencies

1. The CNR fee declaration has a time log attached to it. PEX notes the following:
 - a. The time log has the trust case number and name of the trust case in the header on each page, instead of the information for this CSP case.
 - b. Some tasks appear to be for the trust and not the CSP:
 - i. The first task, dated 1/7/24, is described as "Email A Dotterer re 2nd trust accounting" billed for \$12.50. Should a task for the trust be billed under the Conservatorship?
 - ii. A task from 1/19/24 is described as "Attn to conformed filed copy of 2nd Trust account from Picone's office" billed for \$12.50. Should a task for the trust be billed under the Conservatorship?
 - iii. A task from 4/22/24 is described as "Attn to Decl in response to XE notes re trust accounting" billed for \$30.
 - c. Some of the tasks that are on the CNR fee declaration are identical to tasks listed on the TTE fee declaration in the related trust case. Has CNR taken the full amount of time expended, then listed 50% on this declaration, and the other 50% on the TTE fee declaration? Needs clarification.
2. Facility Statement for the month of June 2024 appears to be missing. Probate Code 2620(c)(4). Defers to court.

Calendar line 8

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25PR199978 Estate of Laurence Spitters

Procedural Deficiencies

1. The Petition on pages 10 & 11 is supposed to list the names and addresses of the persons entitled to notice, but they are only listed as "Adult Beneficiary".

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Calendar line 9

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25PR201586 Family Bypass Trust created under the Yee Livng Trust
Dtd 9/13/2000 as amended

- #1 of notice of hearing specifies the petition filed as “Amended Notice of Hearing”;
- Service of notice for beneficiary Cheryl Yee is “C/O” attorney Trevor Zink. Mr. Zink has not appeared or filed any pleading indicating his representation of Ms. Cheryl Y.
- Proof of service does not specify place of service/mailing.

PEX defers if service is proper/sufficient.

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Calendar line 11

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25PR201599 Child's Trust and Child's QSST Created under
The Yee Living Trust dtd 9/13/2000 as amended

- #1 of notice of hearing specifies the petition filed as "Amended Notice of Hearing";
- Service of notice for beneficiary Cheryl Yee is "C/O" attorney Trevor Zink. Mr. Zink has not appeared or filed any pleading indicating his representation of Ms. Cheryl Y.

PEX defers if service is proper/sufficient.

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26PR202037 Maria L. Armendariz Revocable Trust dtd 7/17/19

- Petition at #6 states that the beneficiaries of the Trust are the “Settlor’s daughters, and three grandchildren. One of the said grandchildren is a minor” then goes on to name Brenda Flores, Eric (or is it Erick) Maldonado and Marilyn Maldonado. Who is the daughter and who are the three grandchildren?
- If there is a third grandchild, who is a minor and is a beneficiary of the trust, there is no proof of service filed to said minor beneficiary.
- Proof of service of notice of hearing shows date of service by mail is only on 4/1/26. This is short of the 30 day notice requirement for trust matters

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26PR202042 Estate of Francisco G. Geslani

Procedural Deficiencies

1. The Proof of Service by mail does not include a date of mailing and the place it was mailed from on item 4a and 4b. Defer to Judge.

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