

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

Department 1, Honorable Le Jacqueline Duong Presiding

191 North First Street, San Jose, CA 95113
Telephone 408-882-2110

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

ADMINISTRATION OF ESTATES CALENDAR – Department 1

DATE: Friday, September 20, 2024

TIME: 9:01 A.M.

*****NOTICE*****

**APPEARANCES MAY BE IN PERSON OR REMOTE THROUGH
MICROSOFT TEAMS**

**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	24PR197332	<i>Estate of Asha Sharma</i>	Click line #1 or scroll below to line #1 for probate examiner notes.
LINE 2	24PR197740	<i>Estate of Fernando Albertino Silva</i>	Click line #2 or scroll below to line #2 for probate examiner notes.
LINE 3	24PR197741	<i>Estate of Kathleen Lavelle</i>	Click line #3 or scroll below to line #3 for probate examiner notes.
LINE 4	24PR197743	<i>Estate of Leslie Linjie Root aka Leslie Root</i>	Click line #4 or scroll below to line #4 for probate examiner notes.
LINE 5	24PR197771	<i>Estate of Jorge Lopez</i>	Pre-approved
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LINE 7			
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LINE 28			
LINE 29			
LINE 30			

Calendar line 1

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24PR197332 Estate of Asha Sharma (attorney Jack J. Ferguson for Vishnu Sharma)

1. The Proof of Publication is not Filed and is not pending in E-Filing. Probate Code §8120
2. The Proposed Order for Probate (DE-140) is not in the File and is not pending in E-File.
3. Petition item #5(a) does not mark either (3) registered domestic partner or (4) no registered domestic partner. Or (7) issue of predeceased child or (8) no issue of a predeceased child.
4. Petition #8 – Instruction to list all beneficiaries of a trust named in the decedent's Will in which the trustee and personal representative are the same person. No indication if the executor is also trustee. And no indication if listed persons are Trust beneficiaries. Pro. code §1208(b), Local Prob. Rule 4(C)
5. Petition #8 – instruction list all persons mentioned in the will, whether living or deceased. Missing name, age, relationship to decedent, and address for Diwakar Paliwal, name alternate executor.
 - a. No Proof of Service of Notice on Diwakar Paliwal.
6. Duties and Liabilities (Form DE-147) #2 missing telephone number of proposed personal representative.

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Calendar line 2

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24PR197740 Estate of Fernando Albertino Silva

1. Caption of filed documents incorrectly lists the Old Courthouse and its address of 161 North First Street.
 - a. The Probate Division of the Santa Clara County Superior Court is located at the Downtown Superior Courthouse - street address: 191 North First Street San Jose, CA 95113. The mailing address for all Superior Court divisions is 191 North First Street San Jose, CA 95113.

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24PR197741 Estate of Kathleen Lavelle

1. Examiner cannot locate the original Will or original Codicil lodged in the electronic case system. Were they delivered to the court? Probate C §8200. See Local Probate Rule 4(B)
2. Petition Caption select “Letters of Administration”, but there appears there is a will.
3. Duties and Liabilities (Form DE-147) #2 missing telephone number of proposed personal representative.
4. The Proof of Service of Notice is missing service to the son Thomas Lavelle.
5. The Notice of Petition to Administer Estate (DE-121) did not select #4 for “The petition requests the decedent’s will be admitted to probate...”. There is a will and petition #2a selected for request that decedent’s will be admitted to probate.
6. The Proof of Publication by San Jose Post Records is missing language for “The petition requests the decedent’s will be admitted to probate...”. There is a will and petition #2a selected for request that decedent’s will be admitted to probate.
7. Modification needed on Proposed Order
 - a. Caption select Order Appointing “Administrator”, but the petitioner was the named Executor of the will and petition #2b selected for request to be appointed executor.
 - b. #3c selected for request to be appointed “administrator”, but the petitioner was the named Executor of the will and petition #2b selected for request to be appointed executor.

Calendar line 4

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#4 - 24PR197743 Estate of Leslie Linjie Root aka Leslie Root

1. Petition item #2b is missing the name of the proposed personal representative. Prob. Code §8002(a)(5)
2. Proof of Service (DE-121 page 2) #4a – missing date of mailing. Prob. Code §8110

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