

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

**Department 2, Honorable Lori E. Pegg, 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, September 30, 2024      TIME: 9:00am**

**\*\*\*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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<b>LINE #</b>	<b>CASE #</b>	<b>CASE TITLE</b>	<b>ACSR/Examiner notes</b>
<a href="#">LINE 1</a>	18PR182626	<i>Estate of Raul Saucedo Franco</i>	Click line #1 or scroll below to line #1 for probate examiner's notes.
<a href="#">LINE 2</a>	21PR189466	<i>Estate of George Muramoto</i>	Click on #2 or scroll below to line #2 for probate examiner notes.
<a href="#">LINE 3</a>	23PR195189	<i>Estate of Anita Chen</i>	Click on #3 or scroll below to line #3 for probate examiner notes.
<a href="#">LINE 4</a>	23PR196209	<i>Steve Ly Estate</i>	Click on #4 or scroll below to line #4 for probate examiner notes.
<a href="#">LINE 5</a>	2010-1-PR-167500	<i>Mary Rezendes SNT</i>	Click on #5 or scroll below to line #5 for probate examiner notes.
<a href="#">LINE 6</a>	2014-1-PR-175566	<i>Conservatorship of Nellie Delgado</i>	Preapproved
<a href="#">LINE 7</a>	23PR195832	<i>Estate of Joseph Adalio Talaugon</i>	Click on #7 or scroll below to line #7 for probate examiner notes.
<a href="#">LINE 8</a>	24PR197661	<i>Wilma F. Binder Living Trust dated June 20, 2012</i>	Parties to appear.
<a href="#">LINE 9</a>	24PR197661	<i>Wilma F. Binder Living Trust dated June 20, 2012</i>	Parties to appear.
<a href="#">LINE 10</a>	24PR197850	<i>Estate of Enrique Penades</i>	Click on #10 or scroll below to line #10 for probate examiner notes.
<a href="#">LINE 11</a>	24PR197851	<i>Castellano Living Trust dated May 12, 2011</i>	Click on #11 or scroll below to line #11 for probate examiner notes.
<a href="#">LINE 12</a>	24PR197852	<i>Edward Daniel Lin Living Trust</i>	Continue per request of attorney
<a href="#">LINE 13</a>	24PR197857	<i>Estate of Steven Keller</i>	No Examiner notes, appear for Court's ruling
<a href="#">LINE 14</a>	24PR197875	<i>Robert Schiro Trust</i>	Parties to appear for Court' ruling.
<a href="#">LINE 15</a>			
<a href="#">LINE 16</a>			
<a href="#">LINE 17</a>			
<a href="#">LINE 18</a>			
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<a href="#">LINE 21</a>			

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<a href="#">LINE 22</a>			
<a href="#">LINE 23</a>			
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**Calendar line 1**

**- 00000 –**

**18PR182626 Estate of Raul Saucedo Franco**

1. The petition is filed in the wrong case. At hearing on 5/9/24, The Court ordered un-consolidation of the Estate of Estate of Frank Bertuccio (20PR188193) from the Estate of Raul Franco (18PR182626). However, this petition for final distribution was still filed under 18PR182626 – The Estate of Raul Franco. Defers to Court.
2. Missing Satisfaction/Withdrawal of Claim by Franchise Tax Board and Ascension Recovery Services. Creditor's claim by CA Franchise Tax Board in the amount of \$9,572.48, and by Ascencion Recovery Services in the amount of \$2,364.75 were filed against the Estate of Frank Bertuccio. Petition states that these claims were paid in full by the estate, however, no Satisfaction/Withdrawal of Claim by these creditors have been filed.
3. The petition did not provide value of assets on hand. CA Rules of Court 7.550(b)(4)
4. The petition did not specify numerical amount of distribution to each distributee.  
Local Probate Rule 9H
5. No proposed order submitted.

**- 00000 –**

**Calendar line 2**

**- 00000 –**

**21PR189466 Estate of George Muramoto**

1. 8/04/2021 - \$1,495.95 – Reimbursement of Funeral Costs to nephew Nathan “Nate” Imahara. Generally, claims for funeral expenses should be filed the same way as other claims. Probate Code §9000(a)(3)
2. Petition #19 – Lists heir Frank Muramoto at 4085 Humboldt Lane
  - a. POS of notice shows service on 4805 Humboldt Lane
3. Schedule L – Distributions – Lists thirteen items of tangible personal property with a total value of \$2,827.90 and states “The following items were distributed to Heir in kind.” But the schedule does not list the beneficiary for each item? Probate Code §1062(e)
4. Proposed order does not state the total ending asset on hand (i.e. ending cash amount prior to deducting compensation, fees, reserve, etc.).

**- 00000 –**

**Calendar line 3**

**- 00000 –**

**23PR195189 Estate of Anita Chen**

1. The proposed order was not filed separately. The proposed order was attached to the petition.
2. The petition does not provide the fair market value of assets on hand. Probate Local Rule 9A(1)(e)

**- 00000 –**

**Calendar line 4**

**- 00000 –**

**23PR196209 Estate of Steve Ly**

**Procedural deficiencies**

1. Exhibit 8, which is supposed to address a creditor's claim by Bank of America, is illegible.
2. The Petition does not indicate whether a Federal Estate Tax Return has been filed.

**- 00000 –**

**2010-1-PR-167500 Mary Rezendes Special Needs Trust**

1. Proof of service of notice of hearing for beneficiary/decedent's sons:
  - a. proof of service shows service to one Edward Rezendes. Is this the same Edward Rezendes III, Decedent's son?
    1. Service address for Edward Rezendes is at an address in Medford, Oregon. The CI Referral shows Edward Rezendes III's address is in Portland, Oregon.
  - b. Proof of service shows service address for Decedent's son Michael Rezendes is Puerta Vista Mobile Home Park, 1231 Embarcadero Circle Coasley, OR 97420. CI Referral shows his address as Puerta Vista Mobile Park, 1231 Embarcadero Circle, Coos Bay, OR 97420. Needs clarification.

**Calendar line 6**

**- 0000 -**

**2014-1-PR-175566 Conservatorship of Nellie Delgado**

**- 0000 -**

**Calendar line 7**

**- 00000 –**

**23PR195832 Estate of Joseph Adalio**

**Procedural deficiency There is no proposed order.**

**- 00000 –**

**Calendar line 8**

**- oo0oo -**

**24PR197661 Wilma F. Binder Living Trust dated June 20, 2012**

Status Hearing –

Petition For Modification of Trust Due to Changed Circumstances. Filed 7/12/2024 by Leslie Ann Binder in 24PR197661 - Wilma F. Binder Living Trust dated June 20, 2012

Parties to appear.

**- oo0oo -**

**Calendar line 9**

**- oo0oo -**

**24PR197661 Wilma F. Binder Living Trust dated June 20, 2012**

Petition To Compel Information and An Accounting. Filed 8/12/2024 by Lindsey Jellinek in 24PR197862 - The Binder Living Trust dated June 10, 1993.

Two cases were consolidated at the 9/5/24 hearing held in 24PR197661.

No examiner procedural deficiencies noted. Parties to appear.

**- oo0oo -**

**Calendar line 10**

**- oo0oo -**

**24PR197850 Estate of Enrique Penades**

- 1.** Insufficient service. PrC section 851(a)(2).
- 2.** No proposed order submitted.

**- oo0oo -**

**Calendar line 11**

**- oo0oo -**

**24PR197851 Castellano Living Trust dated May 12, 2011**

1. One trustor is Joseph Castellano, but Petition "V." (and only this section) continually refers to a George Castellano.
2. Proposed order states the petitioner is executor of the Will of Norma Jean Castellano. But this petition is brought in his capacity as successor trustee.
  - a. The person named as executor in the Will has no power to administer the probate estate until the person is appointed personal representative and the appointment becomes effective.

**- oo0oo -**

**Calendar line 12**

**- 0000 -**

24PR197852 Edward Daniel Lin Living Trust

Continue to 11/4/24 as requested by attorney

**- 0000 -**

**Calendar line 13**

**- oo0oo -**

**24PR197857 Estate of Steven Keller**

**No examiner notes, appear for Court's ruling**

**- oo0oo -**

**Calendar line 14**

**- oo0oo -**

**24PR197875 Robert Schiro Trust**

Parties to appear for Court' ruling.

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**Calendar line 15**

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**Calendar line 16**

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