



REPUBLIC OF KENYA



**In re Estate of John Norman Brooks (Deceased) (Succession Cause 1 of 2020) [2024] KEHC 11162 (KLR) (25 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11162 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
SUCCESSION CAUSE 1 OF 2020  
RE ABURILI, J  
SEPTEMBER 25, 2024  
IN THE MATTER OF THE ESTATE OF  
JOHN NORMAN BROOKS..... (DECEASED)  
AND  
IN THE MATTER OF AN APPLICATION BY  
IN THE MATTER OF  
JEANINE THERESE BROOKS ..... APPLICANT**

**RULING**

1. On 26<sup>th</sup> October, 2020, a grant of probate in respect of the estate of the deceased John Norman Brooks was made to the Executor of his will Jeanine Therese Brooks and the same was confirmed on 11<sup>th</sup> March 2022, rectified on 20<sup>th</sup> January 2023 and further rectified on 2<sup>nd</sup> October 2023 pursuant to Rule 43(1) of the *Probate and Administration Rules*.
2. The Executrix of the will and sole beneficiary of the estate Jeanine Therese Brooks is now back into court seeking for rectification of the grant of probate as confirmed and rectified twice to include an asset Motor Vehicle Registration No. KCT 552T Nissan X-Trail whose logbook was misplaced and that the Applicant did not know that it was registered in the testator's name.
3. That she thought that the registration was in the Company's name until it was recently discovered.
4. These succession proceedings are not contested.
5. In the premises, I hereby allow the summons for rectification of grant dated 22<sup>nd</sup> August 2024 and order that the Motor Vehicle Registration No. KCT 552T Nissan X-Trail shall be included in the assets of the estate of the deceased John Norman Brooks and the same shall be distributed to the Petitioner Jeanine Therese Brooks the sole beneficiary of the estate.
6. A further rectified certificate of confirmed grant to issue forthwith.



7. I so order and direct the Petitioner to comply with the provisions of Section 83 of the *Law of Succession Act* within six (6) months of todate without fail by filing into court a true and accurate accounts of the fully distributed estate of the deceased John Norman Brooks.
8. This file is now closed subject to compliance with Section 83 of the *Law of Succession Act*.
9. I so order.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 25<sup>TH</sup> DAY OF SEPTEMBER, 2024**

**R. E. ABURILI**

**JUDGE**

