

STATE OF SOUTH CAROLINA

) IN THE PROBATE COURT

COUNTY OF: GREENVILLE

) CASE NUMBER:

IN THE MATTER OF:

**\*COMPLETE THIS SECTION ONLY IF FILING PETITION FOR FORMAL TESTACY AND/OR FORMAL APPOINTMENT**

\*  
 \_\_\_\_\_  
 Petitioner  
 vs.  
 \_\_\_\_\_  
 Respondent(s)  
 \*

**APPLICATION FOR INFORMAL** (check any that apply)

- PROBATE OF WILL
- APPOINTMENT

**\*PETITION FOR FORMAL**

- TESTACY
- APPOINTMENT

Applicant/Petitioner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**I. ALL APPLICANTS/PETITIONERS MUST COMPLETE THIS SECTION.**

1. Give your relationship to the decedent, if any, and your interest in this proceeding.

2. Decedent Information

Name: \_\_\_\_\_  
 Security Number: N/A  
 Date of Birth: \_\_\_\_\_  
 Date of Death: \_\_\_\_\_  
 Age at date of death: \_\_\_\_\_  
 Domicile at date of death: \_\_\_\_\_  
 (county) (state)

3. Venue for this proceeding is proper in this county because:

- Decedent was domiciled in this county at date of death.
- Decedent was not domiciled in South Carolina, but property of Decedent was located in this county at date of death.
- Decedent has a right to take legal action in this county because: \_\_\_\_\_

4.a. Names and addresses of devisees in the Will, including dates of birth of minors. If there are no minors, so state.

Name	Date of Birth	Address	Relationship to Decedent
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(use additional sheet if necessary)

4.b. Names and addresses of intestate heirs who are not devisees, including dates of birth of minors. If there are no minors, so state. Intestate heirs are the persons who would inherit if the decedent left no will.

Name	Date of Birth	Address	Relationship to Decedent
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(use additional sheet if necessary)

5. Did decedent have any change of marital status or the birth or adoption of any children after execution of this will, if one exists, or has any child of the decedent been born since his death, or is any birth of a child of the decedent anticipated? (This includes illegitimate children.)

NO  YES If yes, please explain, on page 3.

6. To the best of your knowledge, was the decedent a patient in a South Carolina Mental Health facility during his/her lifetime?

NO  YES If yes, please explain, on page 3.

7. Has a guardian or conservator ever been appointed for this person?

NO  YES If yes, please explain on page 3.

8. Has a personal representative of the decedent been appointed prior to this date by a Court in this state or elsewhere?

NO  YES If yes, please state details, including name and address of such Personal Representative on page 3.

9. Have you received or are you aware of any demands for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this state or elsewhere?

NO  YES If yes, please state details, including names and addresses on page 3.

10. Have more than ten years passed since the decedent's death?

NO  YES If yes, please state circumstances authorizing tardy probate on page 3.

11. The decedent died with a personal estate of about the value of \_\_\_\_\_ and real estate of about the value of \_\_\_\_\_. (A full inventory and appraisal, Form #350PC, must be filed within 90 days.)
12. After the exercise of reasonable diligence, are you aware of any unrevoked Will and/or Codicil(s), other than the one(s) attached hereto, relating to property in this State?

NO  YES If yes, please explain on page 3 and then proceed to Section II.

II. IF A WILL EXISTS, PLEASE COMPLETE THIS SECTION.

1. Regarding the decedent's Will:

- The original is attached  
 The original is in the Court's possession  
 An authenticated copy of a Will probated in another jurisdiction is attached  
 An authenticated copy of a Will not probated in another jurisdiction is attached  
 The Will is lost, destroyed, or otherwise unavailable, however, a description of its contents is attached

2. Do you believe, to the best of your knowledge, the Will described above was validly executed?

YES  NO If no, please explain on page 3.

3. The date of execution of the Will was: \_\_\_\_\_

Codicil: \_\_\_\_\_

Memorandum: \_\_\_\_\_

4. Are you aware of any instrument or document amending or revoking the Will?

NO  YES If yes, please explain on page 3.

5. Have you exercised reasonable diligence to determine there is no instrument or document revoking the Will?

YES  NO If no, please explain on page 3.

6. Do you believe the Will defined in "1" above is the decedent's last Will?

YES  NO If no, please explain on page 3.

COMPLETE EXPLANATION (S) FOR QUESTIONS IN SECTIONS I and II HERE.  
(If more space is required, use additional sheet.)

III. IF APPLYING FOR INFORMAL OR FORMAL APPOINTMENT, PLEASE COMPLETE THE FOLLOWING.

1. The name(s) and address(es) of the proposed Personal Representative(s) is/are:

2. Priority for this appointment is:

- named as Primary Personal Representative in will
- named as Alternate Personal Representative in will
- nominee of above Primary Personal Representative in will
- nominee of above Alternate Personal Representative in will
- surviving spouse of decedent who is devisee of decedent or nominee of said spouse
- other devisee of decedent (describe): \_\_\_\_\_ or nominee of said devisee
- surviving spouse of decedent or nominee of said spouse
- other heir of decedent (describe): \_\_\_\_\_
- creditor (45 days after death must have passed) or nominee of creditor
- other (describe): \_\_\_\_\_

3. List below the names of any other persons, if any, having a prior or equal right of appointment (see priority above).

IV. ALL APPLICANTS/PETITIONERS MUST COMPLETE VERIFICATION.

**VERIFICATION**

The undersigned, being sworn, states that the facts set forth in the foregoing statement are true to the best of the undersigned's knowledge, information and belief, and hereby submits to the Court's jurisdiction in this matter.

SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Signature of PR: \_\_\_\_\_  
Name: \_\_\_\_\_

\_\_\_\_\_  
Notary Public for South Carolina

Signature of Co-PR: \_\_\_\_\_  
PR: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Name: \_\_\_\_\_

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**ORDER OF INFORMAL PROBATE**

IT IS HEREBY ORDERED that the above application for probate of a will executed \_\_\_\_\_  
be  GRANTED  DENIED informally this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Debora A Faulkner, Probate Court Judge

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**ORDER OF FORMAL TESTACY**

On hearing of the above petition, this Court finds that the person is deceased, venue is proper, and the proceeding was commenced within appropriate time limits.

The Court further finds that

the decedent died intestate. The heirs are:

the decedent died testate. IT IS HEREBY ORDERED that the Last Will and Testament of the above-named decedent, dated \_\_\_\_\_, be admitted formally to probate.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Debora A Faulkner, Probate Court Judge

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SEE ATTACHED ORDER

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**ORDER OF APPOINTMENT**

IT IS HEREBY ORDERED that the above Application/Petition for appointment be granted upon the filing of a bond as appropriate, qualification, and acceptance.

- Fiduciary Bond in the amount of \$\_\_\_\_\_
- Bond waived by will
- Bond not required as PR is sole heir or sole devisee
- Bond not required as PR is state agency, bank, or trust company
- Bond not required as PR is officer of the court
- Bond waivers filed
- See order dated \_\_\_\_\_
- Other: \_\_\_\_\_

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Debora A Faulkner, Probate Court Judge

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**QUALIFICATION AND STATEMENT OF ACCEPTANCE**

I accept this appointment and agree to perform the duties and discharge the trust of the office of Personal Representative of this estate.

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Telephone (O): \_\_\_\_\_  
(H): \_\_\_\_\_

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Telephone (O): \_\_\_\_\_  
(H): \_\_\_\_\_

Attorney: \_\_\_\_\_  
Address: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Telephone (O): \_\_\_\_\_