

IN THE MATTER OF

CASE NUMBER

PETITION TO VACATE OR MODIFY PREVIOUS ORDER

The undersigned hereby requests that the Court modify/vacate its previous Order in the above matter, a copy of which is attached, for the following reason(s):

- 1. Another will, executed _____, 20____, exists and is believed to be valid.
 - I was previously unaware of its existence at the time of the earlier proceeding.
 - I was unaware of the earlier proceeding and was given no notice thereof, except by publication.
- 2. One or more persons were omitted from the previous determination of heirs and
 - this person(s) was unaware of his/her relationship to the decedent.
 - this person(s) was unaware of the decedent's death.
 - this person(s) was given no notice of any proceeding concerning the estate, except by publication.
- 3. This petition is submitted within time limits required by law (the earlier of the following):
 - A Personal Representative was appointed BUT an order for final distribution has not been entered OR less than six months have passed since the filing of the closing statement.
 - No more than 10 years have passed OR I am entitled to tardy probate because:
 - Less than 12 months has passed since the entry of the attached Order.
- 4. The finding of the fact of death of the decedent is not conclusive because notice of hearing was not sent by registered or certified mail to his/her last known address or there was no Court-ordered search conducted pursuant to SCPC 3-403(b).
- 5. Other:

Executed this _____ day of _____, 20____.

Signature: _____
 Name: _____
 Address: _____
 Telephone (O): _____
 (H) _____

Attorney: _____
 Address: _____
 Telephone: _____

ORDER

IT IS HEREBY ORDERED that the above petition is GRANTED DENIED as follows:

Executed this _____ day of _____, 20____

Debra A. Faulkner, Probate Court Judge