

**In the Circuit Court
Brown County, Indiana
Cause No. 07C01-0603-EU-_____**

IN THE MATTER OF THE ESTATE OF)
)
JUANITA M. LAURIE, Deceased.)

**DORCAS CLUCK VERIFIED PETITION TO ADMIT WILL TO PROBATE;
FOR ISSUANCE OF LETTERS TESTAMENTARY; and
FOR UNSUPERVISED ADMINISTRATION**

Comes now Dorcas J. Cluck, Petitioner, an interested party as shown herein, and respectfully represents to the Court as follows:

1. Decedent's Name, Date of Death, etc. The decedent, JUANITA M. LAURIE, died testate on February 18, 2006, and resided in Brown County, Indiana.
2. Interested Party. The Petitioner is the sister of the decedent, an interested party in the decedent's estate and the named executor under the decedent's Last Will and Testament (ITEM VI).
3. Testacy. The decedent is believed to have died testate leaving a Last Will and Testament dated June 9, 1997, which is submitted to the Court herewith. She was widowed, and after signing such Will, her marital status did not change.
4. Heirs. The name, age, relationship to such decedent and place of residence of each known heir of decedent's estate are as follows, all adults:

<u>Name and Address</u>	<u>Relationship</u>
Dorcas J. Cluck P.O. Box 845 Nashville, IN 47448	sister and trustee

Ms. Lolita McGill
730 Santa Rosa Street
Sunnyvale, CA 94086

sister

5. Solvency of Estate. It is believed by this Petitioner that the decedent's estate is solvent.

6. Creditors. The decedent's creditors are unknown.

7. Personal Representative. The name, mailing address and other information of the person who will serve as personal representative is:

Dorcas J. Cluck
P.O. Box 845
Nashville, IN 47448

8. Counsel for Personal Representative. The name, attorney number, business address, and telephone number of the attorney who will represent the personal representative of decedent's estate is:

Curtis E. Shirley, #15845-49
Molly C. Johnson, #24251-21
156 East Market Street, Suite 600
Indianapolis, IN 46204
(317) 685-6512
(317) 685-6505 (facsimile)

WHEREFORE, the Petitioner prays the Court for an Order probating the decedent's Will; appointing or qualifying the Petitioner as the personal representative of the decedent's estate; directing Letters Testamentary be issued upon the taking of an oath and giving bond, and for all other relief which is proper in the premises.

I AFFIRM UNDER THE PENALTY OF PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND CORRECT, this March 6, 2006.

Dorcas J. Cluck

In the Circuit Court
Brown County, Indiana
Cause No. 07C01-0603-EU-_____

IN THE MATTER OF THE ESTATE OF)
)
JUANITA M. LAURIE, Deceased.)

APPEARANCE BY ATTORNEY IN CIVIL CASE

Party Classification: Initiating

1. The undersigned attorney and all attorneys listed on this form now appear in this case for the following party members: DORCAS J. CLUCK, as Personal Representative of the Estate of JUANITA M. LAURIE

2. Applicable attorney information for service as required by Trial Rule 5(B)(2) and for case information as required by Trial Rules 3.1 and 77(B) is as follows:

Curtis E. Shirley, #15845-49
Molly C. Johnson, #24251-21
156 East Market Street, Suite 600
Indianapolis, IN 46204
(317) 685-6512
(317) 685-6505 (facsimile)
email: { HYPERLINK "mailto:curtis@shirleylaw.net" }
URL: { HYPERLINK "http://www.shirleylaw.net" }

3. There are other party members: No

4. *If first initiating party filing this case*, the Clerk is requested to assign this case the following Case Type under Administrative Rule 8(b)(3): EU

5. I will accept service by FAX at the above noted number: Yes

6. This case involves support issues: No

7. There are related cases: Yes, Cause No. 07C01-0508-GU-8

8. This form has been served on all other parties: No

Curtis E. Shirley, Esq.

1. JUANITA M. LAURIE died on February 18, 2006, and at the time of such death was domiciled in Brown County, Indiana.

2. Such written instrument purporting to be such decedent's Last Will and Testament was duly executed in all respects according to law, self-proved, is the Last Will and Testament of such decedent and is entitled to be admitted to probate in such County.

3. DORCAS J. CLUCK is qualified to administer the decedent's estate without court supervision, and Letters Testamentary should be issued as requested.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that:

1. The written instrument purporting to be the decedent's Last Will and Testament submitted with the petition is admitted to probate and record as such.

2. DORCAS J. CLUCK is appointed personal representative of the estate of JUANITA M. LAURIE, deceased, and is authorized to administer said estate without court supervision.

3. The Clerk is hereby directed to issue Letters Testamentary to JUANITA M. LAURIE as such personal representative upon posting a bond of \$17,000, and filing an oath.

4. DORCAS J. CLUCK as Personal Representative of the Estate of JUANITA M. LAURIE is hereby authorized to proceed under the statutory provisions of the Indiana Code governing unsupervised administration of estates.

5. The personal representative is directed to notify all reasonably ascertainable creditors of the decedent and to comply with the notice requirements of Indiana Code Section 29-1-7-7 and the duties imposed by Indiana Code Section 29-1-7-7.5.

IT IS SO ORDERED, this _____.

JUDGE, Brown Circuit Court

In the Circuit Court
Brown County, Indiana
Cause No. 07C01-0603-EU-_____

IN THE MATTER OF THE ESTATE OF)
)
JUANITA M. LAURIE, Deceased.)

INSTRUCTIONS TO PERSONAL REPRESENTATIVES OF ESTATES

Please read carefully, dated and sign one copy of this form and submit it to the Court. Keep one copy for your records. You have been appointed by this Court as personal representative of this estate. It is important that you fully realize your duties and responsibilities. Listed below are some of these duties but not all of them. As personal representative, you are required by Indiana law to:

1. Locate, collect, and maintain all property owned by the decedent. Keep motor vehicles and real estate insured and protected.
2. Have your attorney file in this Court an inventory describing all property belonging to the estate, with date of death values, no later than two months after your appointment.
3. Open a separate checking account in your name “as personal representative for the Estate of (the decedent)” and NEVER CO-MINGLE your funds or anyone else’s funds with this account. Always make estate expenditures by check and retain the canceled checks. Make sure that the bank is willing to return canceled checks to you. Obtain a federal I.D. number for the checking account. Do not use your Social Security number or the decedent’s Social Security number.
4. Ascertain all debts that the decedent owed. Look through decedent’s tax returns and other papers. Talk with anyone who knew the decedent’s business. Consult your attorney as to payment of debts, costs of administration, bond premiums, and funeral bills. Some debts may be unenforceable. Some may have priority over others. DO NOT MAKE any distribution to an heir or devisee without prior consent from your attorney. Always obtain receipts for all distributions made. NEVER borrow estate property or put it to your own personal use.
5. Immediately fill out a change of address at the post office to have the decedent’s mail forwarded to you.

6. Prepare and file income tax returns for the tax year in which the decedent died and any returns for prior years if needed. Timely prepare and file any estate, inheritance or fiduciary tax returns and pay taxes as they come due.

7. Have your attorney file your final accounting, consisting of three (3) schedules, after the administration of the estate has been completed. The first schedule must include all assets listed on the inventory and any income and additional assets obtained during administration. The second schedule must be an itemized list of expenditures, supported by attached canceled checks. The third schedule must be a recapitulation, indicating the remaining estate property after subtracting expenditures. A proposed distribution of this remaining estate property to the heirs or devisees must be included. This accounting will be furnished to all interested parties, including heirs.

8. After the Court approves your final account, make distributions to the proper people and file a supplemental report with the Court, attaching receipts.

9. Notify the Court and your attorney of any change in your address or telephone number.

10. Keep a record of the time you spend working on the estate. You are entitled to a reasonable fee, unless you waive a fee. Time records will help the Court determine your fee.

11. Always contact your attorney for advice if you are unsure as to any act as personal representative. Have your attorney counsel you in relation to the estate and explain anything that you do not fully understand.

You, as personal representative, are ultimately responsible to see that the estate is properly and promptly administered, and you are personally liable for incorrect distributions, payments, or acts, as well as any unpaid taxes or costs of administration.

I acknowledge that I have carefully and completely read the above instructions and received a copy for my records. I agree to properly carry out my duties.

Dated this March 3, 2006.

DORCAS J. CLUCK, Personal Representative

NOTICE OF ADMINISTRATION

In the Matter of the Estate of JUANITA M. LAURIE, deceased.

Estate Docket 07C01-0603-EU-_____

In the Circuit Court, Brown County, Indiana.

Notice is hereby given that DORCAS J. CLUCK was on _____, appointed personal representative of the Estate of JUANITA M. LAURIE, deceased, who died on February 18, 2006.

All persons who have claims against this estate, whether or not now due, must file the claim in the office of the Clerk of this Court within three (3) months from the date of the first publication of this notice or within nine (9) months after the decedent's death, whichever is earlier, or the claims will be forever barred.

Dated at Danville, Indiana, this _____.

Clerk, Brown Circuit Court

LETTERS TESTAMENTARY

Docket No. 07C01-0603-EU-_____

STATE OF INDIANA)
) SS:
COUNTY OF BROWN)

To Whom These Presents Shall Come, Greeting:

I, Clerk of the Court, within and for the County of Brown, in the State of Indiana, do hereby certify that the Last Will and Testament of JUANITA M. LAURIE, deceased, late of Brown County, Indiana has been duly admitted to probate and record in the Court, and DORCAS J. CLUCK qualified as personal representative and is duly authorized and empowered to administer said estate according to law, and to carry out the terms of such will.

WITNESS my hand and the seal of the Court, at the City of Nashville, Indiana, this _____.

Clerk, Brown Circuit Superior Court

TAKE NOTICE

Executors and Administrators are imperatively required, among other duties:

1. To make and return a verified inventory and appraisalment of the estate of the decedent within two months from the issuing of letters and file the same in the Clerk's office.
2. To close the estate as promptly as possible. Unless for good cause shown to the Court, the time for the filing of the final account in the estate shall not exceed one year from the appointment of an administrator.
3. On or before 3 months and 15 days after the date of the first published notice to creditors, the administrator or executor shall allow or disallow each claim filed within 3 months after the date of the first published notice to creditors by making appropriate notations on the margin of the claim and allowance docket showing the action taken as to each claim.

5. The personal representative is required to furnish you with a copy of the closing statement that will be filed with the court and, if your interests are affected, with a full account in writing of the administration of the estate.

6. You must file an objection to the closing statement within three (3) months after the closing statement is filed with the court if you want the court to consider your objection.

7. If an objection to the closing statement is not filed with the court within three (3) months after the filing of the closing statement, the estate is closed and the court does not have a duty to audit or make an inquiry.

IF, AT ANY TIME BEFORE THE ESTATE IS CLOSED, YOU HAVE REASON TO BELIEVE THAT THE ADMINISTRATION OF THE ESTATE SHOULD BE SUPERVISED BY THE COURT, YOU HAVE THE RIGHT TO PETITION THE COURT FOR SUPERVISED ADMINISTRATION.

IF YOU DO NOT UNDERSTAND THIS NOTICE, YOU SHOULD ASK YOUR ATTORNEY TO EXPLAIN IT TO YOU.

The personal representative's address is:

Dorcas J. Cluck
P.O. Box 845
Nashville, IN 47448

The attorney for the personal representative is:

Curtis E. Shirley
156 East Market Street, Suite 600
Indianapolis, IN 46204
(317) 685-6512

This notice is being sent to you in accordance with the provisions of Indiana Code
Section 29-1-7.5-1.5.

Dated at Nashville, Indiana this _____.

Clerk, Brown Circuit Court