

STATE OF SOUTH CAROLINA

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COUNTY OF: HORRY

IN THE PROBATE COURT

IN THE MATTER OF:

PETITION TO VACATE OR MODIFY PREVIOUS ORDER

CASE NUMBER

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 \_\_\_\_\_, 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 ore 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.
  - 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 register or certified mail to his/her last known address or there was no Court-ordered search conducted pursuant to 62-3-403(b).
- 5. Other:

Executed this \_\_\_\_\_ day of \_\_\_\_\_,  
200\_\_\_\_\_

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 \_\_\_\_\_ 200\_\_\_\_\_

\_\_\_\_\_  
Hon. Deirdre W. Edmonds, Probate Court Judge