

STATE OF SOUTH CAROLINA

COUNTY OF: _____

IN THE MATTER OF: _____

)
)
)
)
)

IN THE PROBATE COURT

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 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.
☐ 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 _____, 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_____.

_____, Probate Court Judge