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## Amended Petition For Probate

IN THE CIRCUIT COURT FOR BROWARD COUNTY, FLORIDA

IN RE: ESTATE OF F.M.L.  
Deceased.

PROBATE DIVISION  
File No. PRC-10-000xxxx  
Division 61 probate

SECOND AMENDED PETITION FOR ADMINISTRATION  
(testate Florida resident -- single petitioner)

Petitioner, C.D., alleges:

1. On September 7, 2011, this court issued Letters of Administration to C.L. and C.D. as Co-Personal Representatives. The co-Personal Representative, C.L., died on February 7, 2012.
2. Petitioner's address is: --- ----- Drive, Orlando, FL 32--- and the name and office address of petitioner's attorney are set forth at the end of this petition.
3. Petitioner now amends the Petition for Administration to appoint C.D. as the sole Personal Representative.
4. Decedent, F.M.L., whose last known address was ---- ----- Street Hollywood, FL 33021, and, if known, whose age was 93 and whose social security number is XXX-XX-XXXX, died on June 20th, 2010 at Memorial Hospital, Hollywood, FL. On the date of death decedent was domiciled in Broward County.
5. So far as is known, the names of the beneficiaries of this estate and of the decedent's surviving spouse, if any, their addresses and relationships to decedent, and the dates of birth of any who are minors, are:

NAME ADDRESS RELATIONSHIP DOB (if minor)

C.D. --- ----- Drive granddaughter (adult)  
Orlando, FL 32825  
Trustee of F.M.L.

Revocable Trust

6. Venue of this proceeding is in this county because the decedent was a resident of Broward County, Florida.

7. C.D., whose address is --- ----- Drive Orlando, FL 32825 and who is qualified under the laws of the State of Florida to serve as personal representative of the decedent's estate is entitled to preference in appointment as personal representative because she is the only living personal representative nominated in the decedent's will.

8. The nature and approximate value of the assets in this estate are in excess of \$200,000.00.

9. This estate will not be required to file a federal estate tax return.

10. Domiciliary or principal proceedings are known to be pending in another state or country. Letters have been issued by The Honorable Diana A. Johnson, Kings County Surrogate's Court, the address of which is 2 Johnson Street, Brooklyn, NY 11201.

11. The decedent's last will dated May 27th, 2010, and codicils(s), if any, dated is/are in the possession of the court.

12. R.L. has filed with this Court a Petition for Establishment and Probate of Lost or Destroyed Will and Appointment of Personal Representative of a will dated February 10, 2005.

13. C.L. and L.B. have filed in the State of New York, Surrogates Court: County of Kings, File No. 2011-2458, a Petition for Probate and Letters Testamentary of a will dated March 23, 1964.

14. Petitioner is unaware of any unrevoked will or codicil of decedent other than as set forth in paragraph 10.

Petitioner requests that C.D. be appointed sole personal representative of the estate of the decedent.

Under penalties of perjury, I declare that I have read the foregoing, and the facts alleged are true, to the best of my knowledge and belief.

Signed on \_\_\_\_\_, 2012

\_\_\_\_\_  
C.D.  
Personal Representative

LAWRENCE S. TOLCHINSKY  
ATTORNEY AT LAW

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By \_\_\_\_\_  
ALAN D. SACKRIN, ESQ. Florida Bar No. 349070  
LARRY TOLCHINSKY, ESQ. Florida Bar No 021997

This is a sample lawsuit related to a specific set of facts and circumstances and should not be used or relied upon for any probate matter. We recommend and urge you to consult with an experienced lawyer for professional advice as each case is unique.