

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