

STATE OF SOUTH CAROLINA)
)
COUNTY OF: _____)
)
IN THE MATTER OF: _____)
)

IN THE PROBATE COURT

REQUEST FOR COMMISSION FOR PROOF OF

CASE NUMBER: _____

WILL
 CODICIL # _____

The undersigned states that application has been made in this Court for the probate of the Last Will and Testament/Codicil # _____ of the decedent; that the Will/Codicil is dated, _____ and was executed at (city/state) _____; that the witnesses to the Will/Codicil were _____ and _____, who cannot appear in this Court for the following reason(s):

- Out of State
- Out of County
- More than 30 miles from the County seat
- Aged or infirmed
- Other (specify): _____

The Petitioner requests that this Court appoint a Commissioner to take the testimony of _____, one of the witnesses to the Will/Codicil.

SWORN to before me this _____ day of _____, 20 _____

Signature: _____
Name: _____
Address: _____

Notary Public for South Carolina
My Commission Expires: _____

Telephone:(O): _____
(H): _____

ORDER OF APPOINTMENT

IT IS HEREBY ORDERED that _____ is appointed Commissioner to take the sworn testimony of _____, one of the subscribing witnesses to the Last Will and Testament/Codicil of _____, deceased. The Commissioner is to receive the oath in the form hereinafter provided regarding the execution of the writing, to certify the proof, and to return this Commission to this Court without delay.

Executed this _____ day of _____, 20_____.

_____, Probate Court Judge

TESTIMONY OF WITNESS TO THE WILL

The undersigned witness to the will, personally appeared before me, _____, Commissioner, and, being duly sworn, he/she states that the copy of the instrument exhibited to him/her as the Last Will and Testament/Codicil of _____, deceased, is the same instrument that the decedent executed and that the undersigned and _____ and _____ subscribed as attesting witnesses on the ____ day of _____, 20____; that the decedent signed the instrument either in the presence of the attesting witnesses or acknowledged in the presence of the attesting witnesses that the decedent had previously signed the instrument; that the witnesses, in the presence of the decedent and in the presence of each other, subscribed their names to the instrument as attesting witnesses; and that undersigned believes the decedent was married or eighteen (18) or more years of age and of sound mind at the time.

Executed this ____ day of _____, 20____.

Signature: _____
(witness to the will)

CERTIFICATE OF COMMISSION

I hereby certify that the above witness appeared before me on the date indicated and after being duly sworn, executed the foregoing oath in my presence, and it was duly attested by me, and I now certify it to this Probate Court.

Executed this ____ day of _____, 20____.

_____, Commissioner