

**NON-REMOVABLE MILLE LACS BAND OF CHIPPEWA INDIANS
DISTRICT OF NAY-AH-SHING**

IN THE COURT OF CENTRAL JURISDICTION

In the Matter of the Estate of:

Case File No. _____

_____ ,

Decedent

**PETITION FOR ADJUDICATION
OF INTESTACY, DETERMINATION
OF HEIRS AND APPOINTMENT OF
PERSONAL REPRESENTATIVE**

TO THE HONORABLE JUDGE OF THE ABOVE-NAMED COURT:

Petitioner, _____ respectfully states:
(Petitioner's Full Name)

1. Petitioner resides at _____
(Petitioner's Residential Address)
2. Petitioner has an interest as Decedent's _____, and is, therefore,
(Petitioner's Relationship to Decedent)
an interested person as defined by law.
3. Decedent was born on _____, at _____
(Decedent's Birthday) (City, State)
4. Decedent died on _____, at _____
(Date of Death) (City, State)

and at least 120 hours, but not more than 3 years have elapsed since Decedent's death.

5. Decedent's domicile at the time of death was at _____,
(Decedent's Residential Street Address)

(City, State, Zip Code)

6. That the names and addresses of Decedent's spouse, children, heirs and devisees and other persons interested in this proceeding and the ages of any who are minors so far as known or ascertainable with reasonable diligence by the Petitioner are:

[Include deceased close relatives with Date of Death ("DOD") in Address column]

| Name | Age | Relationship to Decedent or Legal Interest | Address |
|------|-----|--|---------|
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OR

7. The Decedent has no surviving spouse, children (natural, adopted, legitimate or illegitimate) and no grandchildren of deceased children.
8. That all children of Decedent are also the children of Decedent's surviving spouse except for: _____
9. That all persons identified as heirs have survived the Decedent by at least 120 hours.
10. That venue for this proceeding is in the Court of Central Jurisdiction of the Non-Removable Mille Lacs Band of Ojibwe Indians, because the Decedent was an enrolled member of the Mille Lacs Band at the time of death.
11. That no Personal Representative of the Decedent has been appointed in this jurisdiction or elsewhere whose appointment has not been terminated.
12. That Petitioner has not received a demand for notice and is not aware of any demand for notice of any probate or appointment proceeding concerning the Decedent that may have been filed in this jurisdiction or elsewhere or proper notice has been given.
13. That after the exercise of reasonable diligence, the Petitioner is unaware of any unrevoked testamentary instrument, such as a will, having been executed by the Decedent.

14. That the Petitioner or _____ is entitled to priority and appointment
(Proposed Personal Representative)
 as Personal Representative because Petitioner or _____ (i) is the
(Proposed Personal Representative)
 Decedent's _____, (ii) is not disqualified to serve as a Personal
(Relationship to Decedent)
 Representative, and (iii) there are no persons having a prior or equal right to the appointment
 under the law, except:

WHEREFORE, the Petitioner requests the order of this Court fixing a time and place for hearing on this petition, and that after the time for any notice has expired, upon proof of notice, and hearing, the Court enter a judicial order formally:

1. Finding that the Decedent is dead;
2. Finding that venue is proper;
3. Finding that the proceeding was commenced within the time limitations prescribed by law;
4. Determining Decedent's domicile at death;
5. Determining Decedent's heirs;
6. Determining Decedent's state of testacy;
7. Determining that Petitioner or _____ is entitled to appointment
(Proposed Personal Representative)
 as Personal Representative;
8. Appointing Petitioner or _____ as the Personal Representative
(Proposed Personal Representative)
 of the Estate of Decedent with no bond, in an undesignated administration;
9. Authorizing issuance of Letters of General Administration to the Petitioner or to
 _____ upon qualification and acceptance; and
(Proposed Personal Representative)
10. Granting such other and further relief as may be proper in accordance with Band law, custom and tradition.

FURTHER, under penalties for perjury for deliberate falsification therein; I declare or affirm that I have read the foregoing Petition and to the best of my knowledge or information, its representations are true, correct and complete.

Dated: _____

 Petitioner's Signature

 Petitioner's Printed Name