**NON-REMOVABLE MILLE LACS BAND OF CHIPPEWA INDIANS**

**DISTRICT OF NAY-AH-SHING**

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| **IN THE COURT OF CENTRAL JURISDICTION** |

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| In the Matter of the Estate of:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,  Decedent |  Case File No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **PETITION FOR ORDER OF COMPLETE SETTLEMENT OF ESTATE AND DECREE OF DISTRIBUTION** |

TO THE HONORABLE JUDGE OF THE ABOVE-NAMED COURT:

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , Petitioner respectfully state:

 (Personal Representative’s Name)

1. Petitioner resides at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 (Address)

1. Petitioner has an interest herein as Personal Representative, and is, therefore, an interested person as defined by law.
2. Decedent was born on \_\_\_\_\_\_\_\_\_\_\_\_\_, at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 (Date) (City, County, and State)

1. Decedent’s died testate at the age of \_\_\_\_\_\_ years on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, at

 (Date)

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 (Address)

1. 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 minor so far known or ascertainable with reasonable diligence by the Petitioner are:

(Note: Classify the heirs and others entitled to take per stirpes and give the name, date of death, relationship/interest and address, if known, or their predeceased ancestors. Give the birthdate of any heir or devisee taking a life interest.)

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Age** | **Familial Relationship and Legal Interest** | **Address** |
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1. [ ]  That Decedent left surviving no spouse; no children, natural or adopted, legitimate or illegitimate, other than herein named; and no issue of any deceased children.
2. That all persons identified as heirs have survived the Decedent by at least 120 hours.
3. [ ]  That all issue of Decedent are issue of the Decedent’s surviving spouse except for:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. The venue for this proceeding is in the Mille Lacs Band District \_\_\_\_ because the Decedent was domiciled in such District at the time death, and/or was the holder of an interest in property located within Mille Lacs Band District \_\_\_\_.
2. 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 state or elsewhere or proper notice has been given.
3. That the Estate of the above-named Decedent has been fully administered and all expenses, debts, valid charges and claims allowed have been fully paid.
4. That a final account has been or herewith is duly filed and presented for consideration and approval or should be completed.
5. That the original of Decedent's last Will duly executed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and

codicil or codicils thereto executed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, was formally probated by this

court's order dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

1. That the time for presenting claims which arose prior to the death of the Decedent has expired.

 WHEREFORE, your 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. Determining Decedent's state of testacy if not previously determined.
2. Considering the final account herein or compelling an accounting and distribution or approving the accounting and distribution made herein.
3. Construing Decedent's Will, duly executed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and codicil thereto

dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ probated by this court's order dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

1. Determining Decedent's heirs.
2. Adjudicating the final settlement and distribution of the Estate.
3. Determining the persons entitled to distribution of the Estate.
4. As circumstances require, approving settlement and directing or approving distribution of the Estate and/or issuing a decree of distribution determining the persons entitled to the Estate and assigning the same to them in lieu of ordering the assignment.
5. Waiving the lien of inheritance taxes or finding that taxes have been satisfied by payment or decree the property subject to lien.
6. Determining testacy as it affects any previously omitted or unnotified persons and other interested parties and confirming any previous order of testacy as it affects all interested persons.
7. Granting such other and further relief as may be proper.

 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