

AFFIDAVIT - CITATION - TO ACCEPT OR REFUSE DOUBLE PROBATE

SUPREME COURT OF SOUTH AUSTRALIA
TESTAMENTARY CAUSES JURISDICTION

In the Estate of **[FULL NAME OF DECEASED]** (Deceased)

I, *[full name, address, postcode and occupation of deponent]*, *[swear on oath / do truly and solemnly affirm]* that:

- 1 *[Full name of deceased]* late of *[address and postcode]* deceased ("the deceased") died at *[suburb]* *[postcode]* on *[date]* having made and duly executed their last will bearing date *[date]* ("the will") and therein named *[full name of executor]* of *[address and postcode]* and *[full name of executor]* of *[address and postcode]* their executors.
- 2 On *[date]* probate of the will was granted by the Court to the said *[full name of proving executor]* one of the executors named in the will, leave being reserved for *[full name of leave reserved executor]* the other executor to apply for probate *[ensure all executors named in the will have been cleared off]*.
- 3 *[Full name of proving executor]* died on *[date]* leaving part of the estate unadministered.
- 4 *[Full name of leave reserved executor]* has not yet taken probate of the will.
- 5 I am the sole executor of the will of the said *[full name of proving executor]* probate whereof was granted to me by the Court on *[date]* and I wish to act as executor by transmission of executorship of the will of the said *[full name of deceased]* deceased.
- 6 To the best of my knowledge information and belief the deceased died possessed of assets in the State of South Australia remaining unadministered.

[Sworn/Affirmed] by the abovenamed deponent at *[place and postcode]* on *[date]*.

.....
[signature of deponent]

before me

.....
[signature of authorised witness]
[print name of witness]
[print title of authorised witness]
[ID number of witness]