**INTERLOCUTORY APPLICATION**

SUPREMECOURT OF SOUTH AUSTRALIA

TESTAMENTARY CAUSES JURISDICTION

[PROB-XX-XXXXXX]

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

**[*FULL NAME*]**

First Applicant

**[*FULL NAME*]**

First Respondent

**[*FULL NAME*]**

First Interested Party

**Application Details**

This application is for [*nature of application in one sentence*].

This application is made under [*Act and section, Rules or other particular provision*].

The [*party role*] seeks the following orders:

[1 *Enter orders sought in separately numbered paragraphs*]

The application is made on the grounds set out in the accompanying affidavit [*sworn/affirmed*] by [*deponent name*] on [*date*].

[*The application is urgent on the grounds set out in the accompanying affidavit* [*sworn/affirmed*] *by* [*deponent name*] *on* [*date*].] [**Delete if inapplicable**]

[*The application is by consent. The consent is evidenced as attached.*] [**Delete if inapplicable**]

[*The application is made ex parte because [grounds].*] [**Delete if inapplicable**]

**To the other parties: WARNING**

This application will be considered at a hearing at a date and time to be set by the Court.

If you wish to oppose the application or make submissions about it:

* **you must attend the hearing** and
* if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders, you **must file in the action and serve on all parties an affidavit at least 2 days before the hearing date** unless the Court orders otherwise.

If you do not do so, **orders may be made against you** without further warning, including orders as to costs.

**Service**

The party filing this document is required to serve it on all other parties in accordance with the Rules of Court.

**Accompanying Documents**

Accompanying this application is:

[ ] Supporting affidavit (mandatory)

[ ] If other additional document(s) please list them below:

**Note to parties**

There are usually cost penalties for making an unsuccessful application or resisting a successful application.