

## INTERLOCUTORY APPLICATION

SUPREME COURT OF SOUTH AUSTRALIA  
TESTAMENTARY CAUSES JURISDICTION  
[PROB-XX-XXXXXX]

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

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[**FULL NAME**]

First Applicant

[**FULL NAME**]

First Respondent

[**FULL NAME**]

First Interested Party

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### 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**]

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### 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.

## **Form PROB4**

### **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.