**AFFIDAVIT TO WITHDRAW WILL DEPOSITED WITH RENUNCIATION**

SUPREMECOURT 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 dated [*date*] (“the will”) wherein [*full name of executor as described in the will of the deceased*] was named as executor [and the residuary beneficiary in trust (*or as the case may be*)].

2 [*Full name of executor as described in the deceased’s will*] by renunciation filed in this Court on [*date*] renounced probate [and letters of administration (with the will annexed) of the estate of the deceased].

3 I am the [relationship to deceased] of the deceased [*or as the case may be*] and the [*substituted executor / residuary beneficiary*] [*or as the case may be*] named in the will.

4 The deceased died possessed of property in the State of South Australia.

5 I intend to make an application to this Court for a grant of [*probate / letters of administration with the will annexed*] of the estate of the deceased and I therefore request that the will which has been deposited in this Court be delivered out to [*me / to my solicitor [name of solicitor] of [name of firm]*].

[*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*]