

YANKTON SIOUX TRIBAL COURT)
YANKTON SIOUX RESERVATION)
WAGNER, SOUTH DAKOTA)

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF:)

PRO # _____

Deceased Person)

PETITION FOR PROBATE OF

Petitioner.)

INTESTATE ESTATE AND

APPOINTMENT AS

ADMINISTRATOR

COMES NOW the Petitioner and hereby swears that the following information is true and accurate to the best of his/her knowledge under penalty of perjury:

THE PETITIONER HEREBY STATES AND ALLEGES AS FOLLOWS:

1. THAT the Decedent's name is: _____

Decedent's date of birth: _____

Decedent's date and place of death:

Decedents domicile at time of death:

That the domicile is / is not within the exterior boundaries of the Yankton Sioux Tribal reservation.

2. THAT the Decedent is an enrolled member of the Yankton Sioux Tribe, enrollment #

_____.

3. THAT proof of death is shown by:

A. A certified or verified copy of a certificate of death (a copy of which is attached hereto)

B. A certified or verified copy of any governmental record indicating the death of the Decedent.

C. That the Decedent has been absent for a continuous period of time of at least five (5) years prior to the date of filing and the Petitioner has undertaken diligent

search and inquiry which has not satisfactorily explained the Decedent's absence.

(A copy of an Affidavit of Due Diligence is attached hereto.)

4. THAT to the best of Petitioner's knowledge the Decedent left no will.
5. THAT jurisdiction is proper because the Decedent was an enrolled member of the Yankton Sioux Tribe.
6. THAT the Petitioner has not received Notice of Probate or Appointment of Administrator being filed in this or any other Court, nor does the Petitioner have any knowledge of any such matter.
7. THAT the Petitioner's relationship to the Decedent is: _____
8. THAT the Decedent was/was not married at the time of death to _____, whose address is _____.
9. THAT the Decedent is survived by the following biological and/or legally adopted children (list on Order of age, oldest first):

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

10. THAT if the Decedent was not legally married and left no surviving biological or legally adopted children his closest relatives are:

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

Name: _____ Dob/age: _____

Address: _____

11. THAT the Petitioner nominates himself/herself as Administrator of the Estate or _____ who is over the age of eighteen (18) and is willing to serve with bond/without bond or either as Administrator of the Estate.
12. THAT the nominated Executor should serve without bond because he/she is the surviving spouse or the remaining heirs wave agreed to the Appointment and have waived the necessity of Bond. (form shall be attached hereto.)
13. THAT the Petitioner affirms that they are aware or will make themselves aware of their duties under the Yankton Sioux Tribe Probate Code and further understand that

appointment as administrator does not convey to them any personal rights over the property or assets of the Estate without prior Order of the Court.

WHEREFORE THE PETITIONER PRAYS:

1. THAT the Court institute Probate Proceedings and Appoint the nominated person as Administrator for the Estate.
2. THAT the Court Appoint the Administrator with/without bond.
3. THAT Letters of Appointment Issue.

Petitioner

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 201____.

NOTARY PUBLIC

(seal)

My commission expires