

1/31/2005 N.Y.L.J. 31, (col. 6)

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Monday, January 31, 2005

Decisions

SURROGATE'S COURT DECISION

Queens County Surrogate's Court

Surrogate Nahman

MATTER OF JOHN HEFFERNAN, a/k/a JOHN C. HEFFERNAN, a/k/a JOHN CHARLES HEFFERNAN, Deceased This is a proceeding to deny probate to the instrument dated June 22, 2001, purporting to be the Last Will and Testament of JOHN HEFFERNAN.

By written stipulation among the parties dated January 10, 2005, a separate proceeding seeking the instrument's admission to probate was withdrawn.

After a hearing, the Court finds that the instrument was not executed in accordance with [EPTL §3-2.1](#). The Court also finds that the stipulation among the parties is just and reasonable and therefore it is approved.

Accordingly, the Petition is granted as follows:

The instrument dated June 22, 2001 is denied probate. The Temporary Letters of Administration are revoked and Letters of Administration shall issue to the Public Administrator of Queens County.

Settle Decree.

The Clerk of the Court is directed to mail a copy of this Decision to all parties who have appeared in this proceeding.

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