

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE**

- TEMUCULA** 41002 County Center Dr., #100, Temecula, CA 92591  
 **RIVERSIDE** 4050 Main St., Riverside, CA 92501

**RI-PR070**

<small>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number and Address)</small>	<small>FOR COURT USE ONLY</small>
<p>TELEPHONE NO.: _____ FAX NO. (Optional): _____</p> <p>E-MAIL ADDRESS (Optional): _____</p> <p>ATTORNEY FOR (Name): _____</p>	
<p>ESTATE OF (Name): _____</p> <p style="text-align: right;">DECEDENT</p>	<p>CASE NUMBER: _____</p>
<b>NOTICE OF REFUSAL TO PETITION FOR PROBATE OF WILL OR CODICIL</b>	

1. A document dated \_\_\_\_\_ is attached to this notice. This document purports to be a will or codicil.  
An original copy of this document  
 has not been found.  
 has been found and lodged with the Superior Court of California, County of Riverside.
  
2. A petition was filed with the same court by (name): \_\_\_\_\_  
on (date): \_\_\_\_\_.
  - a. This petition does not request probate of or distribution under the document mentioned above. Instead, the petition requests:  
 a finding that the decedent's last will is the will and/or codicil dated: \_\_\_\_\_.  
 a finding that the decedent left no will.
  - b. This petition  
 was granted by court order on (date): \_\_\_\_\_.  
 has not yet been granted.
  
3. You are receiving this notice because you are a party entitled to notice under law.
  
4. (Check the applicable box below)
  - a.  The petition is a petition for letters of administration, letters of administration with will annexed, or probate of will. You will be barred from filing a petition for probate of the document attached to this notice if you fail to do so within the later of these time periods:
    - (1) 120 days after the court's order on the petition mentioned above.
    - (2) 60 days after you first obtained knowledge of the will. Probate Code 8226(c).
  - b.  The petition is a petition to determine succession to real property or spousal property petition. You will be barred from filing a petition requesting distribution different than the distribution requested in the petition item 2 above if you fail to do so before the hearing on the petition in item 2.

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF PETITIONER OR ATTORNEY)

ESTATE OF (Name):	CASE NUMBER:
DECEDENT	

**PROOF OF SERVICE BY MAIL\***

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is (*specify*):
  
3. I served the foregoing *Notice of Refusal to Petition for Probate of Will or Codicil* with a copy of the document purporting to be a will or codicil referred to in the *Notice* on each person below by enclosing a copy in an envelope addressed as shown below AND
  - a.  **depositing** the sealed envelope on the date and the place shown in item 4 with the United States Postal Service with the postage fully prepaid.
  - b.  **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
4. a. Date mailed: \_\_\_\_\_ b. Place mailed (*city, state*): \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

\_\_\_\_\_  
(SIGNATURE OF PERSON COMPLETING THIS FORM)

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED**

<u>Name of person served</u>	<u>Addresss (<i>number, street, city, state, and zip code</i>)</u>
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- 1.
- 2.
- 3.
- 4.

Continued on attachment. (*You may use Attachment to Notice of Hearing Proof of Service by Mail, form DE-120(MA)/GC-020(MA), for this purpose.*)

\* Do not use this form for proof of personal service. You may use form DE-120(P) to prove personal service of this Notice.