

4B-303. Order of informal probate of will and appointment of personal representative (no will).

[For use with Rule 1B-304 NMRA]

STATE OF NEW MEXICO
IN THE PROBATE COURT

_____ COUNTY

IN THE MATTER OF THE ESTATE OF

No. _____

_____, DECEASED.

**ORDER OF INFORMAL
APPOINTMENT OF PERSONAL REPRESENTATIVE
(NO WILL)**

This matter comes before the court on the Application for Informal Appointment of Personal Representative of the estate of the decedent and the court having considered the application, FINDS that

1. The Application for Informal Appointment of Personal Representative is complete;
2. The applicant has affirmed under penalty of perjury under the laws of the State of New Mexico that the statements contained in the application are true and correct;
3. On the basis of the statements in the application, this court has jurisdiction;
4. On the basis of the statements in the application, venue is proper;
5. The applicant has affirmed under penalty of perjury under the laws of the State of New Mexico that after the exercise of reasonable diligence, the applicant is unaware of any unrevoked last will and testament or other testamentary instrument relating to property in this state or under the laws of New Mexico, and request for the appointment does not relate to any will;
6. On the basis of the statements in the application, the applicant gave notice of the filing of the application to each person demanding notice, if any;
7. It appears from the application that this proceeding was commenced within the limitations prescribed by laws of the State of New Mexico;
8. The applicant is an interested person as defined by law, and is not disqualified to serve as personal representative of the estate of the decedent;
9. From the statements in the application, the applicant has priority entitling the applicant to be appointed as personal representative of the estate of the decedent; and
10. According to the application, no other personal representatives has been appointed in New Mexico or in any other state.

THEREFORE, THIS COURT ORDERS that

- A. The application is granted
- B. The applicant _____ (name of applicant) is informally appointed as the personal representative of the estate of the decedent, without bond, in an

unsupervised administration and

- C. Letters of Administration shall be issued to the applicant upon the applicant's acceptance of the office of personal representative.

Probate Judge

Submitted by:

Signature of applicant

Printed name

Date

Street address/Mailing address

City, state and ZIP code

Telephone number

Email address (optional)

USE NOTE

See NMSA 1978, Section 45-3-308 for proof of findings required prior to appointment of personal representative and NMSA 1978, Section 45-3-307 for informal appointment of personal representative.

[Approved, effective September 15, 2000; as amended by Supreme Court Order No. 07-8300-005, effective March 1, 2007; 4B-103 recompiled and amended as 4B-303 by Supreme Court Order No. 18-8300-014, effective for all cases pending or filed on or after December 31, 2018.]