

No. _____

In Re the Estate of
[PRINCIPAL: NAME],
Deceased

IN THE PROBATE COURT

NUMBER _____

[COUNTY] COUNTY, TEXAS

**APPLICATION FOR PROBATE OF LOST WILL
AND FOR ISSUANCE OF LETTERS TESTAMENTARY**

TO THE HONORABLE JUDGE OF SAID COURT:

[Applicant] (“Applicant”), for the purpose of probating the written will of [Principal: Name], also known as [Principal: Other Names Gone By], Deceased (“Decedent”) and for Issuance of Letters Testamentary, furnishes the following information to the Court:

I.

Applicant has standing because he is the Independent Executor named in [Principal: Name]’s will. Applicant is a resident of the State of Texas whose address is [App: Address], [App: CityStateZip - spell out Texas]. The last three numbers of Applicant’s driver’s license number are 555, and the last three numbers of Applicant’s Social Security number are 444.

II.

Decedent, [Principal: Name], died on [Date of Death], in [City of Death: e.g. "Richardson"], [County of Death: e.g. "Dallas"] County, Texas, at the age of [Age at Death] years. Decedent, [Principal: Name], is one and the same person as [Principal: Other Names

Gone By]. The last three numbers of Decedent's driver's license number are 222, and the last three numbers of Decedent's Social Security number are 111.

III.

This Court has jurisdiction and venue because the deceased was domiciled and had a fixed place of residence in [County] County at the time of death.

IV.

Decedent owned property described generally as: cash, a homestead, a vehicle, household furnishings and personal effects, having a probable value of more than \$10,000.

V.

Decedent left a valid, unrevoked, written will bearing his signature and dated [Date of Will]. However, the will cannot be produced, [INSERT REASON, E.G. since the envelope containing all of [Principal: Name]'s estate planning documents, including the will, was lost during [Principal: Name]'s move from one home to the residence he occupied on the date of his death.]

VI.

Decedent's will named [Applicant] to serve without bond or other security as Independent Executor of the estate. Applicant requests that he be named Independent Executor of the estate.

VII.

The contents of Decedent's Will are [EXPLAIN CONTENTS, E.G. exactly those shown on the copy retained by Decedent's attorney, a true and correct copy of which is attached to

this Application as Exhibit A.]

VIII.

The subscribing witnesses to the will are [Witness 1] and [Witness 2].

IX.

No child was born to or adopted by the Decedent after the making of the will.

X.

Decedent's marriage to [NAME] was dissolved [HOW & WHEN][Divorces after Will, if any: NAME(S) AND DATE(S)].

XI.

The name, status, and residence (if known) of each devisee, the relationship to the Decedent, and the same information for each person who would inherit as an heir in the absence of a valid will, and, in cases of partial intestacy, of each heir, are as follows:

Name	Status	Residence	Relationship to Decedent
	[Adult/Minor]		

XII.

Applicant is not disqualified by law from accepting letters testamentary. The will provides that no action be had or taken by the Probate Court other than probating the will and filing an inventory and appraisal of the estate and a list of claims.

XIII.

The will was made self-proved in the manner prescribed by law.

XIV.

Neither Texas, nor any governmental agency of Texas, nor any charitable organization is named in the will as a devisee.

XV.

Applicant requests that, pursuant to the provisions of the Will and of the Texas Estates Code, he, as Independent Executor of Decedent's Estate, shall have the general authority to sell real and personal property without further order of this Court or the consent of Decedent's distributees.

WHEREFORE, Applicant requests that citation be issued to all persons interested in this estate as required by law, that the lost will be admitted to probate, that letters testamentary be issued to Applicant, and that such other and further orders be made as the Court may deem proper.

Respectfully submitted,

ATTORNEY FOR APPLICANT