

<b>Smith, Lottie M</b>	<b>Case #</b>	<b>Date</b>	
	E-82-57	6/16/1982	Disclosure of disqualification of Judge
Baldes, Richard			Petitioner
<b>Smith, Lottie M</b>	<b>Case #</b>	<b>Date</b>	
	E-82-57	8/11/1982	Inventory filed

ESTATE OF )  
LOTTIE M. SMITH, DECEASED )

ESTATE NO. E-82-57

Comes now Robert S. Anderson, Judge of the Adams Circuit Court, sua sponte, and advises the lawyers and parties in this matter of his disqualification pursuant to Canon 3C of the Code of Judicial Conduct of the Indiana Rules of Court.

Comes now the lawyers and parties and file Disclosure of Disqualification of Judge and Request for Judge to Assume and Retain Jurisdiction, which is in the following words and figures, to wit;

STATE OF INDIANA ) FILED ADAMS COUNTY  
COUNTY OF ADAMS ) SS: CIRCUIT COURT IN THE ADAMS CIRCUIT COURT  
ESTATE NO. E-82-57  
IN THE MATTER OF THE 82 JUN 16 P 2: 01  
SUPERVISED ESTATE OF: DISCLOSURE OF DISQUALIFICATION  
LOTTIE M. SMITH, DECEASED OF JUDGE AND REQUEST FOR JUDGE  
TO ASSUME AND RETAIN JURISDICTION  
NANCIE KAY LINN. CLERK

The undersigned, as the personal representative and sole and only person(s) interested in the estate of LOTTIE M. SMITH as above captioned would respectfully say as follows:

The Honorable Robert S. Anderson, being the Judge of the Adams Circuit Court, having indicated to the undersigned his intent to disqualify himself pursuant to Canon 3(C) of the code of Judicial Conduct of the Indiana Rules of Court in that he either prepared and/or witnessed the Last Will and Testament of the decedent herein, and the undersigned based upon such disclosure, the lawyers after consultation with the undersigned independently of the participation of Judge Robert S. Anderson, agree by this instrument that the relationship of Judge Robert S. Anderson is immaterial and/or that his financial interest is insubstantial and that the said Robert S. Anderson is no longer disqualified and should serve as Judge having jurisdiction of any and all matters in this cause.

The undersigned respectfully asks and requests Judge Robert S. Anderson to assume and retain jurisdiction of this estate and the administration thereof, reserving the right to revoke this request at any time by instrument in writing filed herein.

WITNESS our hands and seals at the City of Decatur, Indiana, this 16th day of June, 1982.

CLIENT

LAWYERS

Richard Baldes (SEAL)  
Richard Baldes

SMITH, BURRY & HERMAN

BY: DuWayne W. Herman  
DuWayne W. Herman

(SEAL)

And the Court now having seen and inspected said Request for Judge to Assume and Retain Jurisdiction, and being duly advised in the premises, now assumes and retains jurisdiction of this cause of action, pursuant to, and in compliance with Canon 3D of the Indiana Rules of Court of the Supreme Court of Indiana. Judgment accordingly.

The Clerk of the Adams Circuit Court is hereby ordered and directed to furnish a copy of this Order to Robert G. Smith, Smith, Burry & Herman, 113 N. 2nd St., Decatur, Indiana 46733, by first class United States mail, for their information and appropriate action.

Last will and testament of Lottie M. Smith, deceased, is now offered for probate, said last will and testament of Lottie M. Smith, deceased, is now submitted to the Court for probate, and the Court now having seen and inspected said last will and testament of said decedent, having heard evidence submitted thereon, and being sufficiently advised in the premises, now finds that the last will and testament of said decedent ought to be probated of record.

It is therefore now ordered, adjudged by the Court that the last will and testament of Lottie M. Smith, deceased, be probated and placed of record.

Petition for probate of will filed in the following words and figures, to wit;

FILED ADAMS COUNTY  
CIRCUIT COURT

82 JUN 16 P 2:01  
PETITION FOR PROBATE OF WILL

NANCEE KAY LINN. CLERK

State of Indiana, Adams County, ss:

Richard Baldes

petitions the Court and says:

1. Decedent's Name, Date of Death, etc. Decedent LOTTIE M. SMITH

\_\_\_\_\_, age 81, died June 13, \_\_\_\_\_, 1982.

2. Decedent is believed to have died testate, leaving a LAST WILL AND TESTAMENT dated February 9, 19 81, and ~~and codicil or codicils thereto~~  
~~dated~~

respectively. Such will and codicils <sup>is</sup> ~~there are~~ are submitted to the Court herewith

After making such will ~~and any such conditions thereto,~~ the marital status of the decedent was not changed by divorce or annulment, except as follows:

no change

(If changed by divorce or annulment, see I. C. 1971 29-1-5-8)

WHEREFORE, petitioner prays the Court for an Order probating decedent's will and any codicils mentioned above.

I affirm under the penalties for perjury,  
that the foregoing representations are  
true.

Richard Baldes PETITIONER

DATED June 16, 1982

Affidavit of death and probate of will filed in the following words and figures,  
to wit; Renunciation and nomination of personal representative filed by Robert S. Anderson  
in the following words and figures, to wit;

Probate Form 11

RE ESTATE OF

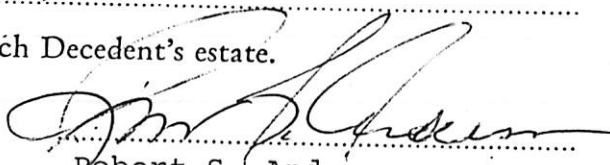
FILED / DAVIS COUNTY  
CIRCUIT COURT

LOTTIE M. SMITH  
Deceased

ESTATE NO. E-82-57  
JUN 16 1982

RENUNCIATION AND NOMINATION OF  
PERSONAL REPRESENTATIVE

The undersigned hereby renounce(s) any right which the undersigned  
may have to serve as the personal representative of The Estate of  
Lottie M. Smith deceased, and  
nominates Richard Baldes  
as personal representative(s) of such Decedent's estate.

  
Robert S. Anderson

(See Probate Code 1001)

Petition for appointment of personal representative filed in the following words  
and figures, to wit;

FILED ADAMS COUNTY  
CIRCUIT COURT

82 JUN 16 P 2:01

## PETITION FOR APPOINTMENT OF PERSONAL REPRESENTATIVE

NANCIE KAY LINN, CLERK

Richard Baldes

petitions the Court and says:

1. Decedent, LOTTIE M. SMITH, age 81, died ~~testate~~ ~~intestate~~on the 13th day of June, 1982.☒ At the time of death, decedent was domiciled in Adams County, Indiana.☒ At the time of death, decedent left property in Adams County, Indiana.☒ ~~After death, property of decedent has come into Adams County, Indiana.~~

2. The name, age, relationship to the decedent, and place of residence of each known distributee of such decedent's estate is:

Name	Age	Relationship	Residence
<u>Richard Baldes</u>	<u>Adult</u>		<u>502 Studebaker Street Decatur, IN 46733</u>

[Additional names should be shown on attached sheet.]

Include pretermitted children, if any - see I. C. 1971 29-1-3-8.]

3. The probable value of decedent's property is: Real Property \$ over 1,000.00  
Personal Property \$ over \$1,000 Estimated Annual Rental Value \$ none4. The name and place of residence or business address of the personal representative who appointment is sought by this petition is: 502 Studebaker Street, Decatur, IN 46733,  
who is entitled to be so appointed because: sole devisee of the decedent;  
only person interested in the estate.

[State facts required by I. C. 1971 29-1-10-1]

5. The name and business address of counsel who will represent the personal representative of decedent's estate is: SMITH, BURRY & HERMAN, 113 North Second Street, Decatur, IN 46733.

[Strike paragraphs 6 through 9 if supervised administration is requested.]

6. Petitioner is informed and so believes this estate to be in fact solvent:

7. The personal representative is qualified to administer the estate without Court supervision.

8. All such decedent's distributees join in this petition for administration without Court supervision and freely consent to and understand the significance of administration without Court supervision, as evidenced by their written consents filed herewith.

9. Decedent's Will does not request supervised administration.

WHEREFORE, petitioner prays the Court for an order a) appointing the personal representative of decedent's estate, b) directing issuance of appropriate Letters evidencing such appointment upon proper qualification in the manner provided by law, and c) authorizing the personal representative to administer decedent's estate with ~~without~~ Court supervision.

I affirm, under the penalties for perjury, that the foregoing representations are true.

Richard Baldes

Richard Baldes PETITIONER

TO THE CLERK:

You may issue PERSONAL REPRESENTATIVE'S LETTERS to Richard Baldes,  
for supervised administration.



Robert S. Anderson

Robert S. Anderson

JUDGE



Order for appointment of personal representative for supervised administration filed  
in the following words and figures, to wit; SS: LOTTIE M. SMITH  
COUNTY OF ADAMS ) 82-57

IN THE MATTER OF THE ESTATE OF Lottie M. Smith, DECEASED

NO. E-82- CLERK

ORDER FOR APPOINTMENT OF PERSONAL REPRESENTATIVE  
FOR SUPERVISED ADMINISTRATION

Comes now Richard Baldes, having filed a  
verified petition for appointment of personal representative  
in the estate of Lottie M. Smith under supervised  
administration which petition is in the words and figures  
following, to-wit: (H.I.)

And the court having examined said petition and being  
duly advised in the premises now finds that the averments  
therein are true whereby said petitioner is hereby appointed  
personal representative of the estate of Lottie M. Smith  
and is authorized to proceed under statutory provisions of  
the Indiana Code governing supervised administration of  
estates upon furnishing a personal representative's oath.

Comes now Richard Baldes and files an oath  
and acceptance which oath and acceptance read as follows, to-wit:  
(H.I.). It is therefore ORDERED, ADJUDGED and DECREED that said  
petition and oath are approved and that Richard Baldes  
is duly appointed and qualified as  
personal representative of the estate of Lottie M. Smith  
, deceased and is hereby authorized to proceed  
pursuant to the statutory provisions of the Indiana Code governing  
supervised administrations of estates. All of which is ORDERED  
this 16th day of June, 1982.



[Signature]  
Judge, Adams Circuit Court



WEDNESDAY, JUNE 16, 1982

HANCEE KAY LINN, CLERK

551

Personal representative's oath filed in the following words and figures, to wit;

STATE OF INDIANA )  
COUNTY OF ADAMS )IN THE MATTER OF THE ESTATE OF  
LOTTIE M. SMITH, DECEASED  
ESTATE NO. E-82-57

## PERSONAL REPRESENTATIVE'S OATH

I, Richard Baldes, affirm, under the  
penalties for perjury, that I will faithfully discharge the duties of my  
trust as personal representative of the estate of \_\_\_\_\_  
Lottie M. Smith, deceased, according to law.

Richard Baldes  
PERSONAL REPRESENTATIVE

Subscribed to in my presence, this

16th day of June 19 82

DuWayne W. Herman  
DuWayne W. Herman, Notary Public  
My Commission Expires: 7-29-83  
Resident of Allen County, IN

S/ Robert S. Anderson  
Robert S. Anderson, Judge Adams Circuit Court  
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ESTATE OF )  
LOTTIE M. SMITH, DECEASED )

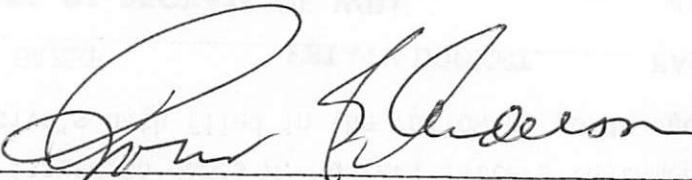
ESTATE NO. E-82-57

Personal Representative's Inventory filed, examined and approved.

S/ Robert S. Anderson  
Robert S. Anderson, Judge Adams Circuit Court

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Read and signed.

  
\_\_\_\_\_  
ROBERT S. ANDERSON, JUDGE ADAMS CIRCUIT COURT

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