

FILED
CLALLAM COUNTY
SEP 23 2020
NIKKI BOTNEN CLERK

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLALLAM**

In re the Estates of:

**PETER JUDSON GARLAND and
CAROL JEAN GARLAND,**

Deceased.

Case No. **20 4 00344 05**

**JOINT PETITION FOR PROBATE
OF WILL, APPOINTMENT OF
PERSONAL REPRESENTATIVE,
AND ORDER GRANTING
NONINTERVENTION POWERS
(RCW 11.20.020 and RCW
11.68.011)**

1. Decedents. PETER JUDSON GARLAND and CAROL JEAN GARLAND, husband and wife, (the decedents) were both residents of Long Beach, Orange County, California. Peter Judson Garland ("Peter") died on April 28, 2017. Carol Jean Garland ("Carol") died on June 12, 2020. They owned property in Sequim, Clallam County, Washington which is subject to probate.

2. Will. Decedent Peter left a document purporting to be his Last Will and Testament ("Peter's Will") which was executed on January 8, 1992, in the presence of competent witnesses. Peter was legally competent to execute his Will. Peter's Will nominated and appointed his wife, Carol to act as Personal Representative without bond. Carol died on June 12, 2020. Peter's Will nominated and appointed his two children, Christopher Bruce Garland and Therese Louise Eten to act as Co-Personal

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1 Representatives. Therese Louise Eten declined to act as Co-Personal Representative
2 and her declination is filed herewith. The original of Peter's Will is filed herewith.

3 Decedent Carol left a document purporting to be her Last Will and Testament
4 ("Carol's Will") which was executed on October 22, 2018, in the presence of
5 competent witnesses. Carol was legally competent to execute her Will. Carol's Will
6 nominated and appointed her son, Christopher Bruce Garland to act as Personal
7 Representative without bond. The original of Carol's Will is filed herewith.
8

9 **3. Petitioner.** Petitioner, **CHRISTOPHER BRUCE GARLAND**, is a
10 resident of Long Beach, Orange County California, is the son of the decedents, was
11 not creditor of the decedents at the time of their deaths, is named in both decedents'
12 Wills as the Personal Representative and is qualified to act as Personal
13 Representative.
14

15 **4. Heirs and Distributees.** The beneficiaries of the decedent and the
16 distributees under the decedent's Will whose names and addresses are known to
17 petitioner are as follows:

18 4.1 Christopher Bruce Garland, son, legal age
19 5268 E. Appian Way
20 Long Beach, CA 90803

21 4.2 Therese Louise Eten, daughter, legal age
22 9604 Woodbay Dr.
Tampa, FL 33626

23 **5. Solvency of estate.** The decedents' estate is solvent, taking into
24 account probate and non-probate assets. Petitioner represents that decedents' estate
25 consists of real property and other assets, all of which assets are believed to exceed
26

1 \$100,000.00 in value. The known debts of the decedents are believed to be less than
2 \$10,000.

3 6. **Nonintervention powers.** Administration and settlement of the
4 decedents' Will and estate with nonintervention powers would be in the best
5 interests of the decedent's beneficiaries and creditors.

6 7. **Administration as Single Estate.** Petitioner requests authority to
7 administer both estates as a single probate action in the interest of efficiency and
8 cost-effectiveness, and in view of the presumption that the assets of both estates are
9 community property.

10 8. **Notice of hearing on petition.** Advance notice of the hearing on this
11 petition is not required based upon Petitioner being named as Personal
12 Representative in the decedents' Wills. RCW 11.68.041(1).

13 WHEREFORE, petitioner prays for an order of this Court as follows:

14 1. That decedents' Wills be established as the Last Will and Testament of
15 decedent and admitted to probate;

16 2. That Petitioner be appointed as Personal Representative of the
17 decedents' joint estates, to act without bond;

18 3. That Petitioner be granted nonintervention powers entitling Petitioner
19 to administer and close the decedents' joint estates without further Court
20 intervention or supervision;

21 4. For such other and further relief as the court may deem just and
22 equitable.

1 DATED this 23rd day of September, 2020.

2 BELL & DAVIS PLLC

3
4 By: W. Jeff Davis
5 W. JEFF DAVIS, WSBA#12246
6 Attorney for Petitioner
7

8 **CERTIFICATE**

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10 1. I am the Petitioner in the above-entitled action. I have read the
11 foregoing JOINT PETITION FOR PROBATE OF WILL, APPOINTMENT OF
12 PERSONAL REPRESENTATIVE, AND ORDER GRANTING NONINTERVENTION
13 POWERS, know the contents thereof, and believe the same to be true.

14 2. I certify under penalty of perjury under the laws of the State of
15 Washington that the foregoing is true and correct.

16 DATED this 18th day of September, 2020.

17
18 Christopher Bruce Garland
19 CHRISTOPHER BRUCE GARLAND
20 Petitioner
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