

FILED

DEC 26 2019

SONYA KRASKI
COUNTY CLERK
SNOHOMISH CO. WASH.

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

IN THE MATTER OF THE ESTATES OF:

JEAN F. NYE,

Deceased.

NO. 12-4-01513-4

PETITION TO RE-OPEN
TESTATE ESTATE OF JEAN F.
NYE WITH NO BOND AND WITH
NON COURT INTERVENTION

(RCW 11.76.250)

In accordance with RCW 9A.72.085, Personal Representative, Roy Donald Nye, Jr., by and through his attorney, Dalynne Singleton, petitions this court for an Order re-opening the Estate of Jean F. Nye, re-appointing Personal Representative (PR) Roy Donald Nye, Jr., issuing Letters Testamentary, declaring Estate solvent with no bond and non-intervention powers to said PR.

I am an attorney for the PR Roy Donald Nye, Jr. having filed my Notice of Appearance on January 4, 2019. Previous to my appearance, on June 27, 2016 this Court issued an Order of Closure for Want of Prosecution. PR Nye does not recall receiving this Order or Notice 30 days prior to its entry and therefore was unaware of the closing of this probate.

PETITION TO RE-OPEN TESTATE ESTATE OF JEAN F.
NYE, ISSUE LETTERS TESTAMENTARY WITH NO
BOND AND WITH NO COURT INTERVENTION- 1

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COPY

1 It was last week when PR Nye was in Arizona attempting to sell Estate property
2 that he was informed by the Clerk of the closure of this probate. This probate needs to be
3 re-opened as there are still assets of the estate in Washington and Arizona which need to
4 be administered. Arizona attorney William Longbottom is assisting with the sale of real
5 property in Arizona and will handle Arizona court affairs, if any, including obtaining
6 necessary court orders.
7
8

9 A status report will be filed within 30 days of this filing.

10 **1. Order Opening Intestate Probate.**

11
12 Jean F. Nye died on October 26, 2012 testate. On November 6, 2012, this Court
13 appointed Roy Donald Nye, Jr., son of Decedent, as Personal Representative of Decedent's
14 intestate estate to serve without bond and with Nonintervention Powers and ordered that
15 *Letters Testamentary* be issued to Roy Donald Nye, Jr., upon the filing of Roy Donald Nye,
16 Jr's., sworn *Oath of Personal Representative*. Letters Testamentary were issued to Roy
17 Donald Nye, Jr., on November 6, 2012. PR Nye has now retained the undersigned to assist
18 with the estate matters.
19
20

21 **2. Estate Closed by Declaration of Completion of Probate.** On June 27,
22 2016 this Court filed its *Order of Closure for Want of Prosecution*.
23

24 **3. Estate has assets which need to be Administered.** The estate still holds
25 title to real property in Arizona. There is currently a purchase and sale agreement in
26 place. PR Nye was in Arizona to execute the closing papers for the sale of Estate
27 property when he was informed the Washington probate had been closed thereby
28 voiding his authority as PR and the authority to sign a deed on behalf of the Estate.
29

1 Arizona attorney William Longbottom is assisting with the sale of real property in
2 Arizona and will handle Arizona court affairs, if any. A status report will be filed within
3 30 days of this filing.
4

5 **5. Reissuance of Letters of Administration.** As a consequence of the Court
6 closure of the probate, Roy Donald Nye, Jr.'s authority to act as PR of the estate has
7 been revoked.
8

9 Time is of the essence as Roy Donald Nye, Jr., is still in Arizona awaiting the re-
10 issuance of his Letters Testamentary so that he has authority to complete the real estate
11 transaction regarding real property of the estate.
12

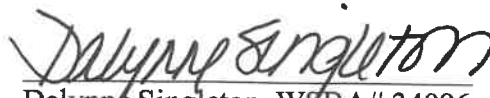
13 **7. Notice.** This Court initially granted the issuance of *Letters Testamentary* to
14 Decedent's son absent any Notice. This petition is for the re-issuance of the Letters to
15 the same PR to be appointed, therefore no such notice is required.
16

17 **WHEREFORE, I request that this Court:**

- 18 a. Appoint Roy Donald Nye, Jr., as Decedent's Personal Representative, to
19 serve without *Bond* and with Nonintervention Powers;
20
21 b. Order that *Letters Testamentary* be promptly issued to Roy Donald Nye,
22 Jr., upon filing of the Oath of Personal Representative;
23
24 c. Declare the Estate solvent.

25 Executed this 23rd day of December, 2019 at Snohomish, WA.

26 GOURLEY LAW GROUP

27 
28 Dalynne Singleton, WSBA# 34096
29 Attorney for Roy Donald Nye, Jr