

At a Surrogate's Court of the State of New York held in and for the County of Suffolk at Riverhead, New York.

PRESENT: Hon. Vincent J Messina Jr, Surrogate

**Probate Proceeding, Will of
Eileen M McErlain**

aka Eileen Margaret McErlain
aka Eileen McErlain

Deceased.

DECREE GRANTING PROBATE

File No. 2023-1157/A

A verified petition having been filed by Kerry Ann Chapman praying for a decree admitting to probate a written instrument dated September 16, 2020 propounded as the Last Will and Testament of the above named decedent; and

It satisfactorily appearing that all the persons required by law to be cited or who are interested in this proceeding have either failed to appear in response to a duly served citation or by their waiver and consent in writing duly executed and filed, waived the issuance and service upon them of a citation in this proceeding or have appeared and consented to the probate of the propounded instrument; and that notice of probate has been given to all persons entitled to such notice; and

The probate not having been contested; and proofs having been duly filed on behalf of the attesting witnesses to the foregoing testamentary instrument; and it appearing by such proofs that the same were duly executed and are genuine and valid and that the decedent at the time of executing same was in all respects competent to make a will and not under restraint and upon decision dated November 13, 2023; it is

ORDERED AND DECREED, that the instrument offered for probate herein be, and the same hereby is admitted to probate as the Last Will and Testament of the above-named decedent, valid to pass real and personal property, that the Will and this Decree be recorded and that Letters Testamentary issue to Kerry Ann Chapman upon properly qualifying for such office; and that if Preliminary Letters Testamentary were issued, the same are hereby revoked.

DATED: Nov 13 2023



Vincent J. Messina Jr
Surrogate

Probate Proceeding, Will of)

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)**DECISION**

) **By:** HON. VINCENT J. MESSINA, JR.
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) EILEEN M. McERLAIN, a/k/a)
) EILEEN MARGARET McERLAIN, a/k/a)
) EILEEN McERLAIN,)

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) **Dated:** November 13, 2023
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) **File #:** 2023-1157/A
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) Deceased.)

In this probate proceeding, an instrument dated September 16, 2020 has been offered for probate as the last will and testament of this decedent.


Jurisdiction has been obtained over all necessary parties to this proceeding and no one has appeared in opposition to the requested relief.

The propounded instrument was executed during the effective period of Executive Order 207.14, which permitted the act of witnessing a will pursuant to EPTL 3-2.1 to be performed remotely provided certain conditions were met. Having reviewed the record and affidavits submitted by petitioner, the court finds that the remote witnessing was in compliance with the aforementioned order.

Further, it appears that the will was duly executed and at the time of execution, decedent was in all respects competent to make a will and not under restraint. The genuineness of the will and the validity of its execution having been shown to the satisfaction of the court, probate is hereby granted (SCPA 1408; EPTL 3-2.1).

Accordingly, letters testamentary shall issue to petitioner, she having duly qualified according to law, without bond. Further, the request for preliminary letters is dismissed.

Decree signed.



VINCENT J. MESSINA, JR., Surrogate

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