

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

**FOR COURT USE ONLY**

— RICHARD G. ANDERSON 041246  
ANDERSON & LEBLANC, A.P.L.C.  
1365 WEST FOOTHILL BLVD., SUITE 2  
UPLAND, CA 91786

TELEPHONE NO.: (909) 949-2226 FAX NO. (Optional): (909) 985-7553

E-MAIL ADDRESS (Optional): andersonlaw@live.com

ATTORNEY FOR (Name): PETITIONER

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO

STREET ADDRESS: 247 WEST THIRD STREET

MAILING ADDRESS: 247 WEST THIRD STREET

CITY AND ZIP CODE: SAN BERNARDINO, CA 92415-0212

BRANCH NAME: SAN BERNARDINO PROBATE

ESTATE OF (Name):

SUSAN MAGYAR

DECEDENT

**NOTICE OF PETITION TO ADMINISTER ESTATE OF**  
**(Name): SUSAN MAGYAR**

CASE NUMBER:

PROB30097

1. To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of (specify all names by which the decedent was known): SUSAN MAGYAR
2. A Petition for Probate has been filed by (name of petitioner): SUSAN GRAFF AND THOMAS VERSACE in the Superior Court of California, County of (specify): SAN BERNARDINO
3. The Petition for Probate requests that (name): SUSAN GRAFF AND THOMAS VERSACE be appointed as personal representative to administer the estate of the decedent.
4. ☒ The petition requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.
5. ☒ The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.
6. A hearing on the petition will be held in this court as follows:
- |          |             |       |         |        |     |       |  |
|----------|-------------|-------|---------|--------|-----|-------|--|
| a. Date: | JUN 22 2023 | Time: | 9:00 am | Dept.: | S35 | Room: |  |
|----------|-------------|-------|---------|--------|-----|-------|--|
- b. Address of court: ☒ same as noted above ☒ other (specify): 247 WEST THIRD STREET  
SAN BERNARDINO, CA 92415-0212
7. If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.
8. If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.  
Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.
9. You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.
10. ☐ Petitioner ☒ Attorney for petitioner (name): RICHARD G. ANDERSON, ESQ.  
(Address): ANDERSON & LEBLANC, A.P.L.C., 1365 WEST FOOTHILL BOUEVARD, SUITE 2,  
UPLAND, CA 91786  
(Telephone): (909) 949-2226

**NOTE:** If this notice is published, print the caption, beginning with the words NOTICE OF PETITION TO ADMINISTER ESTATE, and do not print the information from the form above the caption. The caption and the decedent's name must be printed in at least 8-point type and the text in at least 7-point type. Print the case number as part of the caption. Print items preceded by a box only if the box is checked. Do not print the italicized instructions in parentheses, the paragraph numbers, the mailing information, or the material on page 2.

ESTATE OF (Name): SUSAN MAGYAR	CASE NUMBER: PROSE2300571
DECEDENT	

**PROOF OF SERVICE BY MAIL**

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is (specify):  
 1365 WEST FOOTHILL BOULEVARD, SUITE 2, UPLAND, CALIFORNIA, 91786
3. I served the foregoing *Notice of Petition to Administer Estate* on each person named below by enclosing a copy in an envelope addressed as shown below AND
  - a. ☒ depositing the sealed envelope with the United States Postal Service on the date and at the place shown in item 4, with the postage fully prepaid.
  - b. ☐ placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

4. a. Date mailed: May 10, 2023      b. Place mailed (city, state): UPLAND, CALIFORNIA

5. ☒ I served, with the *Notice of Petition to Administer Estate*, a copy of the petition or other document referred to in the notice.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 10, 2023

ROBERTA M. MUSSER

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

*Roberta M. Musser*

(SIGNATURE OF PERSON COMPLETING THIS FORM)

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED**

	Name of person served	Address (number, street, city, state, and zip code)
1.	SUSAN GRAFF	1402 WEST LEMONWOOD DRIVE UPLAND, CA 91786
2.	THOMAS VERACE	7414 LAYTON AVENUE RANCHO CUCAMONGA, CA 91730
3.		
4.		
5.		
6.		

☐ Continued on an attachment. (You may use form DE-121(MA) to show additional persons served.)

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code section 54.8.)



<p>ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NO.: _____</p> <p>NAME: RICHARD G. ANDERSON 041246</p> <p>FIRM NAME: ANDERSON &amp; LEBLANC, A.P.L.C.</p> <p>STREET ADDRESS: 1365 WEST FOOTHILL BLVD., SUITE 2</p> <p>CITY: UPLAND _____ STATE: CA ZIP CODE: 91786</p> <p>TELEPHONE NO.: (909) 949-2226 FAX NO.: (909) 985-7553</p> <p>E-MAIL ADDRESS: andersonlaw@live.com</p> <p>ATTORNEY FOR (name): PETITIONER</p>	<p style="text-align: right;">DE-111</p> <p style="text-align: center;">FOR COURT USE ONLY</p> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">FILED</p> <p style="text-align: center;">SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN BERNARDINO SAN BERNARDINO DISTRICT</p> <p style="text-align: center; font-weight: bold;">MAY 03 2023</p> <p style="text-align: center;">BY <u>Betsy Dignow</u> DEPUTY</p>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO</b></p> <p>STREET ADDRESS: 247 WEST THIRD STREET</p> <p>MAILING ADDRESS: 247 WEST THIRD STREET</p> <p>CITY AND ZIP CODE: SAN BERNARDINO, CA 92415-0210</p> <p>BRANCH NAME: SAN BERNARDINO PROBATE</p>	
<p>ESTATE OF (name): SUSAN MAGYAR</p>	
DECEDENT	
<p>PETITION FOR <input checked="" type="checkbox"/> Probate of <input type="checkbox"/> Lost Will and for Letters Testamentary</p> <p><input type="checkbox"/> Probate of <input type="checkbox"/> Lost Will and for Letters of Administration</p> <p><input type="checkbox"/> Letters of Administration with Will Annexed</p> <p><input type="checkbox"/> Letters of Special Administration <input type="checkbox"/> with general powers</p> <p><input checked="" type="checkbox"/> Authorization to Administer Under the Independent Administration of Estates Act <input type="checkbox"/> with limited authority</p>	
<p>CASE NUMBER: PROSB2300571</p>	
<p>HEARING DATE AND TIME: JUN 22 2023 9:00AM</p>	<p>DEPT.: S35</p>

ESTATE OF (name):  
SUSAN MAGYAR

CASE NUMBER:

PROB230074

DECEDENT

3. d. Character and estimated value of the property of the estate (complete in all cases):

- (1) Personal property: \$ 171,375.69  
 (2) Annual gross income from  
     (a) real property: \$  
     (b) personal property: \$  
 (3) Subtotal (add (1) and (2)): \$ 171,375.69  
 (4) Gross fair market value of real property: \$  
 (5) (Less) Encumbrances: (\$ )  
 (6) Net value of real property: \$ 0.00  
 (7) Total (add (3) and (6)): \$ 171,375.69

- e. (1) ☒ Will waives bond. ☐ Special administrator is the named executor, and the will waives bond.  
 (2) ☐ All beneficiaries are adults and have waived bond, and the will does not require a bond. (Affix waiver as Attachment 3e(2).)  
 (3) ☐ All heirs at law are adults and have waived bond. (Affix waiver as Attachment 3e(3).)  
 (4) ☐ Sole personal representative is a corporate fiduciary or an exempt government agency.

- f. (1) ☐ Decedent died intestate.  
 (2) ☒ Copy of decedent's will dated: AUGUST 23, 2012 ☐ codicil dated (specify for each):

are affixed as Attachment 3f(2). (Include typed copies of handwritten documents and English translations of foreign-language documents.)

- ☒ The will and all codicils are self-proving (Prob. Code, § 8220).  
 (3) ☐ The original of the will and/or codicil identified above has been lost. (Affix a copy of the lost will or codicil or a written statement of the testamentary words or their substance in Attachment 3f(3), and state reasons in that attachment why the presumption in Prob. Code, § 6124 does not apply.)

g. Appointment of personal representative (check all applicable boxes):

- (1) Appointment of executor or administrator with will annexed:  
 (a) ☒ Proposed executor is named as executor in the will and consents to act.  
 (b) ☐ No executor is named in the will.  
 (c) ☐ Proposed personal representative is a nominee of a person entitled to Letters. (Affix nomination as Attachment 3g(1)(c).)  
 (d) ☐ Other named executors will not act because of ☐ death ☐ declination  
☐ other reasons (specify):

☐ Continued in Attachment 3g(1)(d).

- (2) Appointment of administrator:  
 (a) ☐ Petitioner is a person entitled to Letters. (If necessary, explain priority in Attachment 3g(2)(a).)  
 (b) ☐ Petitioner is a nominee of a person entitled to Letters. (Affix nomination as Attachment 3g(2)(b).)  
 (c) ☐ Petitioner is related to the decedent as (specify):  
 (3) ☐ Appointment of special administrator requested. (Specify grounds and requested powers in Attachment 3g(3).)  
 (4) ☐ Proposed personal representative would be a successor personal representative.

h. Proposed personal representative is a

- (1) ☒ resident of California.  
 (2) ☐ nonresident of California (specify permanent address):

- (3) ☒ resident of the United States.  
 (4) ☐ nonresident of the United States.

ESTATE OF (name): SUSAN MAGYAR

CASE NUMBER:

PROSB2300571

DECEDENT

4. ☒ Decedent's will does not preclude administration of this estate under the Independent Administration of Estates Act.
5. a. Decedent was survived by (check items (1) or (2), and (3) or (4), and (5) or (6), and (7) or (8))
- (1) ☐ spouse.
  - (2) ☒ no spouse as follows:
    - (a) ☐ divorced or never married.
    - (b) ☒ spouse deceased.
  - (3) ☐ registered domestic partner.
  - (4) ☐ no registered domestic partner. (See Fam. Code, § 297.5(c); Prob. Code, §§ 37(b), 6401(c), and 6402.)
  - (5) ☒ child as follows:
    - (a) ☒ natural or adopted.
    - (b) ☐ natural adopted by a third party.
  - (6) ☐ no child.
  - (7) ☐ issue of a predeceased child.
  - (8) ☒ no issue of a predeceased child.
- b. Decedent ☐ was ☒ was not survived by a stepchild or foster child or children who would have been adopted by decedent but for a legal barrier. (See Prob. Code, § 6454.)
6. (Complete if decedent was survived by (1) a spouse or registered domestic partner but no issue (only a or b apply), or (2) no spouse, registered domestic partner, or issue. (Check the **first** box that applies):
- a. ☐ Decedent was survived by a parent or parents who are listed in item 8.
  - b. ☐ Decedent was survived by issue of deceased parents, all of whom are listed in item 8.
  - c. ☐ Decedent was survived by a grandparent or grandparents who are listed in item 8.
  - d. ☐ Decedent was survived by issue of grandparents, all of whom are listed in item 8.
  - e. ☐ Decedent was survived by issue of a predeceased spouse, all of whom are listed in item 8.
  - f. ☐ Decedent was survived by next of kin, all of whom are listed in item 8.
  - g. ☐ Decedent was survived by parents of a predeceased spouse or issue of those parents, if both are predeceased, all of whom are listed in item 8.
  - h. ☐ Decedent was survived by no known next of kin.
7. (Complete only if no spouse or issue survived decedent.)
- a. ☐ Decedent had no predeceased spouse.
  - b. ☐ Decedent had a predeceased spouse who
    - (1) ☐ died not more than 15 years before decedent and who owned an interest in **real property** that passed to decedent,
    - (2) ☐ died not more than five years before decedent and who owned **personal property** valued at \$10,000 or more that passed to decedent, (If you checked (1) or (2), check only the **first** box that applies):
      - (a) ☐ Decedent was survived by issue of a predeceased spouse, all of whom are listed in item 8.
      - (b) ☐ Decedent was survived by a parent or parents of the predeceased spouse who are listed in item 8.
      - (c) ☐ Decedent was survived by issue of a parent of the predeceased spouse, all of whom are listed in item 8.
      - (d) ☐ Decedent was survived by next of kin of the decedent, all of whom are listed in item 8.
      - (e) ☐ Decedent was survived by next of kin of the predeceased spouse, all of whom are listed in item 8.
    - (3) ☐ neither (1) nor (2) apply.
8. Listed on the next page are the names, relationships to decedent, ages, and addresses, so far as known to or reasonably ascertainable by petitioner, of (1) all persons mentioned in decedent's will or any codicil, whether living or deceased; (2) all persons named or checked in items 2, 5, 6, and 7; and (3) all beneficiaries of a trust named in decedent's will or any codicil in which the trustee and personal representative are the same person.

ESTATE OF (name): SUSAN MAGYAR

CASE NUMBER:

PR08B2300571

DECEDENT

8. Name and relationship to decedent  
 SUSIE GRAFF - DAUGHTER  
 NAMED CO-EXECUTOR

Age  
 Adult 1402 WEST LEMONWOOD DRIVE  
 UPLAND, CA 91786

THOMAS VERSACE - GRANDSON  
 NAMED CO-EXECUTOR

Age  
 Adult 7414 LAYTON AVENUE  
 RANCHO CUCAMONGA, CA 91730

☐ Continued on Attachment 8.

9. Number of pages attached: 5

Date: 4/24/2023

RICHARD G. ANDERSON

(TYPE OR PRINT NAME OF ATTORNEY)

\*(Signatures of all petitioners are also required. All petitioners must sign, but the petition may be verified by any one of them (Prob. Code, §§ 1020, 1021; Cal. Rules of Court, rule 7.103).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 4-24-2023

SUSIE GRAFF

(TYPE OR PRINT NAME OF PETITIONER)

THOMAS VERSACE

(TYPE OR PRINT NAME OF PETITIONER)

Signatures of additional petitioners follow last attachment.

(SIGNATURE OF ATTORNEY)\*

(SIGNATURE OF PETITIONER)

(SIGNATURE OF PETITIONER)