

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
IN THE MATTER OF:)
)
(Decedent))

IN THE PROBATE COURT

**APPLICATION FOR RESTRAINT OR PERFORMANCE
OF PERSONAL REPRESENTATIVE**

CASE NUMBER:

The undersigned states as follows:

I request a Temporary Order of *RESTRAINT* *PERFORMANCE* of _____,
Personal Representative in this Estate, because (set out your specific demands; attach additional sheets if necessary):

Executed this _____ day of _____, 20____.

Signature: _____

Print Name: _____

Address: _____

Telephone (Work): _____

(Home): _____

(Cell): _____

Email: _____

Relationship to Decedent/Estate: _____

Attorney: _____

Address: _____

Telephone: _____

Email: _____

SWORN to before me this _____ day of _____,
_____, 20____

Notary Public for South Carolina
My commission expires: _____

TEMPORARY ORDER OF RESTRAINT/PERFORMANCE

IT IS HEREBY ORDERED that the following conditions be imposed on _____, the Personal Representative in the above Estate.

RESTRICTIONS:

PERFORMANCE DUTIES:

Executed this day of _____, 20 .

Amy W. McCulloch, Probate Court Judge

ORDER FOR HEARING

IT IS ORDERED that a hearing on this matter be set for:

DATE: _____

TIME: _____

PLACE: _____

Pursuant to SCPC 62-3-607(b), the Applicant is ordered to give Notice of this hearing by serving a copy of this Application, Temporary Order, and Order for Hearing upon the Personal Representative by ***one of the following methods:** (1) Personal Delivery, (2) Acceptance of Service, or (3) Delivery by one of the methods above to the Agent of a non-resident Personal Representative, if one has been appointed to receive service of process.

An Affidavit of Service or Proof of Delivery (FORM 120PC) confirming service as outlined above shall be filed with the Court prior to or at the time of the hearing.

In addition to service upon the Personal Representative and/or his/her agent, the Attorney of Record for the Personal Representative, if any, or his/her Agent shall be notified by ordinary mail or personal delivery. An Affidavit of Service or a Proof of Delivery (FORM 120PC) confirming service in this manner shall be filed with the Court prior to or at the time of the hearing.

* In that this proceeding is one for restraint without prior notice to the Personal Representative, the other methods of service listed on the FORM 120PC may not be used without obtaining prior written Court approval.

Executed this day of , 20 .

Amy W. McCulloch, Probate Court Judge