

Present: HON. PETER J. KELLY
SURROGATE

SURROGATE'S COURT: QUEENS COUNTY

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Probate Proceeding, Will of

ROBERT RICHARD MILLER,

File No. 2015-934

Deceased.

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In this probate proceeding, the Objectants move for an order directing the Petitioner to comply with outstanding discovery demands, directing the Petitioner to permit the Objectants to examine any demanded will documents, striking the probate petition and denying probate to the instrument dated February 5, 2007 and granting temporary letters of administration to the Public Administrator of Queens County.

The motion is granted without opposition to the extent that the Petitioner is directed to provide a response to all outstanding discovery demands within 10 days of the date of this order.

Upon the submission of an affirmation of non-compliance with this order by the Objectant's counsel the Petitioner shall be precluded from offering evidence at trial in support of her contentions or in opposition to Objectant as relates to any unresponded discovery demands.

The remaining branches of the motion are denied.

This is the Decision and order of the court.

Dated: September 30, 2016



SURROGATE