

1 ERIC B. JONES (*IN PRO PER*)  
2 ADDRESS  
3 CITY, CA ZIP  
4 Tel: (415) 123-4567  
5 Email: email address

6  
7 In pro per, as Trustee of the LARRY LASAGNA 2002 REVOCABLE TRUST,  
8 and as Executor of the ESTATE OF LARRY LASAGNA, Deceased,  
9

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF [NAME COUNTY]**  
12

13	IN RE THE ESTATE OF JUDY [SURNAME]	) <b>CASE NO. RP21094431</b> ) <b>NAME OF THE DOCUMENT FOR</b> ) <b>EXAMPLE "EX PARTE APPLICATION</b> ) <b>REQUESTING COURT ISSUE A</b> ) <b>TEMPORARY RESTRAINING ORDER</b> ) <b>AGAINST DEFENDANT BENEFICIARY</b> ) ) <b>Date: February 9, 2024</b> ) <b>Time: 10:30 AM</b> ) <b>Dept.: Probate, 201</b> ) <b>Action Filed: July 13, 2021</b> ) <b>Reservation ID: 780799297986</b> ) )
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23 1.  
24 DATED: \_\_\_\_\_, 2023

Respectfully submitted,

LAW OFFICE OF DAVID W. TATE

By: \_\_\_\_\_

DAVID W. TATE, ESQ.  
Attorneys for all Respondents and  
Moving Parties

1  
2 Judy Brakebill Jones 2008 Revocable Trust,  
3 SUCCESSION TO  
4 REAL PROPERTY  
5 (Probate Code § 850)

PETITION TO DETERMINE

6 Hearing Date: [TBD BY COURT]

7 Hearing Time: [TBD BY COURT]

8 Dept.: [TBD BY COURT]

9 JURISDICTION AND VENUE

10 1. This Court has jurisdiction over this matter pursuant to Probate Code sections 850(a)(3)  
11 (B), 17200(a), and 17200(b)(1) because the property at issue belongs to the Judy Brakebill Jones  
12 2008 Revocable Trust ("Trust"), which was validly created by the settlor.

13 BACKGROUND FACTS

14 4. The real property located at 17742 Berta Canyon Road, Salinas, CA 93907 was acquired  
15 by the Settlor and was intended to be held as an asset of the Trust.

16 5. According to Schedule A of the Trust and the Settlor's clear intent as evidenced by the  
17 Trust document and its First Amendment dated July 13, 2016, the property was designated as a  
18 Trust asset.

19 6. [Additional facts as needed]

20 LEGAL ARGUMENT

21 8. [Continue legal argument, citing Estate of Heggstad (1993) 16 Cal. App. 4th 943]

22 WHEREFORE, Petitioner prays for:

23 1. An order determining that the Judy Brakebill Jones 2008 Revocable Trust, dated March  
24 18, 2008, is valid;

25 3. An order confirming that all right, title, and interest in and to the real property commonly  
26 known as 17742 Berta Canyon Road, Salinas, CA 93907, with legal description set forth in  
27 Exhibit A, is an asset of the Judy Brakebill Jones 2008 Revocable Trust;

28 4. Such other and further relief as the Court deems just and proper.

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DATED: \_\_\_\_\_

VERIFICATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this verification was executed on \_\_\_\_\_ at Los Angeles, California.

\_\_\_\_\_