

**SURROGATE'S COURT OF THE STATE OF NEW YORK**  
**COUNTY OF RICHMOND**

-----X  
PROBATE PROCEEDING, \_\_\_\_\_

WILL OF: BRIDGETTE B. MARTEN a/k/a BRIDGETTE MARTEN

a/k/a BEATRICE B. MARTEN

\_\_\_\_\_  
Deceased

Filing Fee Paid \$ \_\_\_\_\_  
\_\_\_\_\_  
Certs \$ \_\_\_\_\_  
\_\_\_\_\_  
Certs \$ \_\_\_\_\_  
\$ \_\_\_\_\_ Bond, Fee: \$ \_\_\_\_\_  
Receipt No: \_\_\_\_\_ No: \_\_\_\_\_

**PETITION FOR PROBATE AND:**

- ☒ Letters Testamentary  
☐ Letters of Trusteeship  
☐ Letters of Administration c.t.a.  
☐ Temporary Administration

File No. \_\_\_\_\_

-----X  
To the Surrogate's Court, County of RICHMOND

It is respectfully alleged:

1. (a) The name, citizenship, domicile (or, in the case of a bank or trust company, its principal office) and interest in this proceeding of the petitioner are as follows:

Name: MICHAEL JAMES O'LEARY a/k/a MICHAEL O'LEARY

(First)

(Middle)

(Last)

Domicile or Principal Office: 22 Chestnut Stump Road

(Street and Number)

Northport

New York

11768

(City, Village or Town)

(State)

(Zip Code)

Mailing Address: \_\_\_\_\_

(If different from domicile)

Citizen of: USA

Interest (s) of Petitioner (s): [Check one]

☒ Executor (s) named in decedent's Will

☐ Other (Specify) \_\_\_\_\_

1. (b) The proposed Executor ☐ is ☒ is not an attorney.

[NOTE: A sole Executor-Attorney must comply with 22 NYCRR 207.16(e)]

1. (c) The proposed Executor ☐ is ☒ is not the attorney-draftsperson, a then-affiliated attorney or employee thereof.

[NOTE: An attorney-draftsperson, a then-affiliated attorney or employee thereof must comply with SCPA 2307-a]

1. (d) The proposed Executor ☐ is ☒ is not a convicted felon nor is he/she otherwise ineligible, pursuant to SCPA 707 to receive letters. If the proposed Executor is a convicted felon, submit a copy of the Certificate of Relief from Civil Disabilities.

2 The name, domicile, date and place of death, and national citizenship of the above-named decedent as follows:

(a) Name: Bridgette B. Marten a/k/a Bridgette Marten a/k/a Beatrice B. Marten

(b) Date of death October 6, 2024

(c) Place of death Northwell Health Hospital, 335 Seaview Avenue, Staten Island, NY

(d) Domicile: Street 140 Friendship Lane

City, Town, Village Staten Island

County Richmond

State New York

(e) Citizen of: USA

3 The Last Will, herewith presented, relates to both real and personal property and consists of an instrument or instruments dated as shown below and signed at the end thereof by the decedent and the following attesting witnesses:

July 6, 2010

(Date of Will)

James E. Sak and Joseph DiGuardia

(Names of All Witnesses to Will)

\_\_\_\_\_  
(Date of Codicil)

\_\_\_\_\_  
(Names of All Witnesses to Codicil)

\_\_\_\_\_  
(Date of Codicil)

\_\_\_\_\_  
(Names of All Witnesses to Codicil)

4 No other will or codicil of the decedent is on file in this Surrogate's Court, and upon information and belief, after a diligent search and inquiry, including a search of any safe deposit box, there exists no will, codicil or other testamentary instrument of the decedent later in date to any of the instruments mentioned in Paragraph 3 except as follows: **[Enter "NONE" or specify]**

None

5 The decedent was survived by distributees classified as follows: [Information is required only as to those classes of surviving relatives who would take the property of decedent pursuant to EPTL 4-1.1 and 4-1.2. State the **number** of survivors in each class. Insert "**NO**" in all prior classes. Insert "**X**" in all subsequent classes].

- a. **No** ☐ Spouse (husband/wife).  
b. **No** ☐ Child or children and/or issue of predeceased child or children.  
**[Must include marital, nonmarital, adopted, or adopted-out of child under DRL Section 117]**  
c. **No** ☐ Mother/Father.  
d. **8** ☐ Sisters and/or brothers, either of the whole or half blood, and issue of predeceased sisters and/or brothers (nieces/nephews, etc.)  
e. **X** ☐ Grandparents. [Include maternal and paternal]  
f. **X** ☐ Aunts and/or uncles, and children of predeceased aunts and/or uncles (first cousins). [Include maternal and paternal]  
g. **X** ☐ First cousins once removed (children of predeceased first cousins). [Include maternal and paternal]

6 The names, relationships, domicile and addresses of all distributees (under EPTL 4-1.1 and 4-1.2), of each person designated in the Will herewith presented as primary executor, of all persons adversely affected by the purported exercise by such Will of any power of appointment, of all persons adversely affected by any codicil and of all persons having an interest under any other will of the decedent on file in the Surrogate's Court, are hereinafter set forth in subdivisions (a) and (b).

[If the propounded will purports to revoke or modify an inter vivos trust or any other testamentary substitute, list the names, relationships, domicile and addresses of the trustee and beneficiaries affected by the will in subparagraphs (a) and (b) below. **Submit trust agreement**]

(a) All persons and parties so interested who are of full age and sound mind or which are corporations or associations, are as follows:

Name and Relationship	Domicile Address and Mailing Address	Description of Legacy, Devise or Other Interest, or Nature of Fiduciary Status
See Continuation Sheet annexed hereto and made a part hereof.		

(b) All persons so interested who are persons under disability, are as follows:

[Furnish all information specified in NOTE following 7b]

Name and Relationship	Domicile Address and Mailing Address	Description of Legacy, Devise or Other Interest, or Nature of Fiduciary Status
NONE		

7. (a) The names and domiciliary of all substitute or successor executors and of all trustees, guardians, legatees, devisees, and other beneficiaries named in the Will and/or trustees and beneficiaries of any inter vivos trust designated in the propounded Will other than those named in Paragraph 6 herewith are as follows:

Name and Relationship	Domicile Address and Mailing Address	Description of Legacy, Devise or Other Interest, or Nature of Fiduciary Status
N/A		

(b) All such legatees, devisees and other beneficiaries who are persons under disability are as follows:  
[Furnish all information specified in NOTE below]

Name and Relationship	Domicile Address and Mailing Address	Description of Legacy, Devise or Other Interest, or Nature of Fiduciary Status
N/A		

[NOTE: In the case of each infant, state (a) name, birth date, relationship to decedent, domicile and residence address, and the person with whom he/she resides, (b) whether or not he/she has a court-appointed guardian (if not, so state), and whether or not his/her father and/or mother is living, and (c) the name and residence address of any court-appointed guardian and the information regarding such appointment. In the case of each other person under a disability, state (a) name, relationship to decedent, and residence address, (b) facts regarding his disability including whether or not a committee, conservator, guardian, or any other fiduciary has been appointed and whether or not he/she has been committed to any institution, and (c) the names and addresses of any committee, person or institution having care and custody of him/her, conservator, guardian, and any relative or friend having an interest in his/her welfare. In the case of a person confined as a prisoner, state place of incarceration and list any person having an interest in his/her welfare. In the case of unknowns, describe such person in the same language as will be used in the process.]

8 (a) No beneficiary under the propounded will, listed in Paragraph 6 or 7 above, had a confidential relationship to the decedent, such as attorney, accountant, doctor, or clergyperson, except: **[Enter "NONE" or indicate the nature of the confidential relationship].** None

(b) No persons, corporations or associations are interested in this proceeding other than those mentioned above.

9 (a) To the best of the knowledge of the undersigned, the approximate total value of all property constituting the decedent's gross testamentary estate is greater than \$ \$100,000.00 but less than \$ \$200,000.00

Personal Property \$150,000.00 Improved real property in New York State \$ N/A

Unimproved real property in New York State \$ N/A

Estimated gross rents for a period of 18 months \$ N/A

(b) No other testamentary assets exist in New York State, nor does any cause of action exist on behalf of the estate, except as follows: **[Enter "NONE" or specify]**

NONE

**Probate Proceeding Will of BRIDGETTE MARTEN A/K/A BRIDGETTE MARTEN A/K/A  
BRIDGETTE B. MARTEN (DECEDENT)**

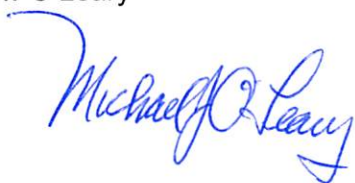
**CONTINUATION SHEET PROBATE PETITION**

**6.**

<u>NAME AND RELATIONSHIP</u>	<u>ADDRESS</u>	<u>DESCRIPTION OF LEGACY, DEVISE OR OTHER INTEREST</u>
Michael James O'Leary aka Michael O'Leary nephew (son of decedent's pre-deceased brother) Matthew O'Leary	22 Chestnut Stump Road Northport, NY 11768	1/5 share of Residuary estate, named Executor
Kathleen O'Leary DeGregorio, niece (daughter of decedent's pre-deceased brother) Matthew O'Leary	10 Meredith Lane Oakdale, NY 11769	1/5 share of Residuary estate
Eileen O'Leary Nelson, Niece (daughter of decedent's pre-deceased brother) Matthew O'Leary	10404 Greenmont Drive Tampa, FL 33626	1/5 share of Residuary estate
Kelly O'Leary Andriano Niece (daughter of decedent's pre-deceased brother) Matthew O'Leary	4 Rolling Meadow Lane Fort Salonga, NY 11768	1/5 share of Residuary estate, Successor Executor
**Pamela Simmons Henderson daughter of pre-deceased niece Patricia O'Leary Simmons	85 Slater Ave., Apt. D Jewett City, CT 06351	½ share of 1/5 share of Residuary estate
**Sean Simmons son of pre-deceased niece, Patricia O'Leary Simmons	88 Walnut St. Putnam, CT 06260	½ share of 1/5 share of Residuary estate
Maura O'Leary (daughter of decedent's pre-deceased brother, John O'Leary (date of death July 21, 1986	180 Garth Road, Unit 6F Scarsdale, New York 10583	No interest
John O'Leary (son of decedent's pre-deceased brother, John O'Leary (date of death July 21, 1986	400 Avenue N Matamoras, PA 18336	No interest

\*\*Patricia O'Leary Simmons  
pre-deceased niece (date of death  
October 19, 2013) daughter of  
decedent's pre-deceased brother,  
Matthew O'Leary

Deceased



10 Upon information and belief, no other petition for the probate of any will of the decedent or for letters of administration of the decedent's estate has heretofore been filed in any court.

WHEREFORE your petitioner (s) pray (s) that process be issued to all necessary parties to show cause why the Will and the Codicil (s) set forth in Paragraph 3 and presented herewith should not be admitted to probate; (b) that an order be granted directing the service of process, pursuant to the provisions of Article 3 of the S.C.P.A., upon the persons named in Paragraph (6) hereof whose names or whereabouts are unknown and cannot be ascertained, or who may be persons on whom service by personal delivery cannot be made; and (c) that such Will and Codicil (s) be admitted to probate as a Will of real and personal property and that letters issue thereon as follows: [Check and complete all relief requested.]

- ☒ Letters Testamentary to Michael James O'Leary a/k/a Michael O'Leary
- ☐ Letters of Trusteeship to \_\_\_\_\_ f/b/o \_\_\_\_\_  
\_\_\_\_\_ f/b/o \_\_\_\_\_  
\_\_\_\_\_ f/b/o \_\_\_\_\_
- ☐ Letters of Administration c.t.a. to \_\_\_\_\_  
and that petitioner (s) have such other relief as may be proper.

Dated: 12/29/2025

1 Michael James O'Leary a/k/a Michael O'Leary  
(Signature of Petitioner)

(Signature of Petitioner)

Michael James O'Leary a/k/a Michael O'Leary

(Print Name)

(Print Name)

3. \_\_\_\_\_  
(Name of Corporate Petitioner)

\_\_\_\_\_  
(Signature of Officer)

\_\_\_\_\_  
(Print Name and Title of Officer)



COMBINED VERIFICATION, OATH AND DESIGNATION

[For use when petitioner is an individual]

STATE OF NEW YORK \_\_\_\_\_)

COUNTY OF RICHMOND \_\_\_\_\_) ss.: \_\_\_\_\_

The undersigned, the petitioner named in the foregoing petition, being duly sworn, says:

1. VERIFICATION: I have read the foregoing petition subscribed by me and know the contents thereof, and the same is true of my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true.

2. OATH OF ☒ EXECUTOR ☐ ADMINISTRATOR c.t.a. ☐ TRUSTEE as indicated above: I am over eighteen (18) years of age, and I will well, faithfully and honestly discharge the duties of Fiduciary of the goods, chattels and credits of said decedent according to law. I am not ineligible, pursuant to SCPA 707, to receive letters and will duly account for all moneys and other property that will come into my hands.

3. DESIGNATION OF CLERK FOR SERVICE OF PROCESS: I hereby designate the Clerk of the Surrogate's Court of Richmond County, and his/her successor in office, as a person on whom service of any process, issuing from such Court may be made in like manner and with like effect as if it were served personally upon me, whenever I cannot be found and served within the State of New York after due diligence used.

My domicile is : 22 Chestnut Stump Road Northport New York 11768  
(Street Address) (City/Town/Village) (State) (Zip)

Michael James O'Leary a/k/a Michael O'Leary  
(Signature of Petitioner)  
Michael James O'Leary a/k/a Michael O'Leary

(Print Name)  
On December 29, 2025, before me personally came  
Michael O'Leary

to me known to be the person described in and who executed the foregoing instrument. Such person duly swore to such instrument before me and duly acknowledged that he/she executed the same.

Notary Public: Randi Pincus Aliotta

Commission Expires: \_\_\_\_\_

(Affix Notary Stamp or Seal)

Signature of Attorney: Randi Pincus Aliotta

Print Name: Randi Pincus Aliotta

Firm Name: \_\_\_\_\_ Tel No.: 718-816-8500

Email: rp@aliottalaw.com

Address of Attorney: 1688 Victory Boulevard, Suite 201, Staten Island, New York 10314

RANDI PINCUS ALIOTTA  
Notary Public, State of New York  
No. 43-4979483  
Qualified in Richmond County  
Commission Expires April 1, 2027