

Oneida Appeals Commission

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Probate Hearing

Docket No. 03-TC-246

In the Matter of the Estate of
Adam Whitney Metoxen, a.k.a.
Whitney A. Metoxen

Date: August 14, 2003

Decision

This petition has come before the Oneida Appeals Commission. Judicial Officers Mary Adams, Marjorie Stevens, and Winnifred Thomas, presiding.

I Background

The Division of Land Management petitioned the Oneida Appeals Commission for orders approving heirship and distribution of all assets, approving payment of creditors, and other orders found by the Oneida Appeals Commission to be necessary to settle this estate.

On August 12, 2003 a hearing was held regarding the Adam Whitney Metoxen, a.k.a. Whitney A. Metoxen estate. The parties agreed to the stipulation of Adam A. Metoxen's Will and Testament for the following,

1. Crystal V. Metoxen to receive the family portrait.
2. Sandra A. Schelk is sole heir of remainder of decedent's estate, to include Residential Lease Number RE-2145(90) and is personal representative of the decedent.

Contesting the Will was Steve A. Metoxen. Mr. Metoxen stated he was unable to provide the court with documentation stating he was to inherit the decedent's estate. Mr. Metoxen stated the decedent signed a Will prior to the Will which was submitted to the court. Attorney Webster, representative for Division of Land Management, stated that the latest Will supercedes all

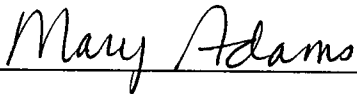
previous Wills. The only Will provided to this court was signed by the Adam Whitney Metoxen, dated on June 3, 1997 and witnessed by Arleen J. Elm and Joanne Close. Black's Law Dictionary definition of Last Will;

Term used alone or with "and testament" to designate the instrument which ultimately fixes the disposition of real and personal property at death. Usually used in reference to most recent will of deceased.

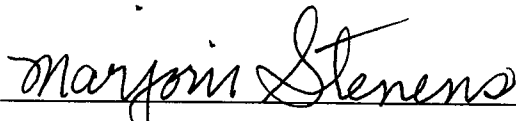
II Decision

It is the finding of this court that Sandra A. Schelk is sole heir and rightful heir to the estate of Adam Whitney Metoxen. The stipulation read into the record of the probate proceedings and reference herein is the order of this court.

By authority vested in the Oneida Appeals Commission pursuant to Resolution 8-19-91-A, by the Oneida General Tribal Council, we so hold on this 14th day August 2003, in the matter of the Estate of Adam Whitney Metoxen, deceased, Docket No. 03-TC-246.



Mary Adams, Lead Judicial Officer



Marjorie Stevens, Judicial Officer



Winnifred Thomas, Judicial Officer