

Oneida Appeals Commission

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Trial Court

In the Matter of the Estate of
Peter Jordan, Jr.,

Docket Number 05-TC-113

Date: September 29, 2005

Probate Decision

This case has come before the Oneida Appeals Commission, Trial Court. Judicial Officers, Mary Adams, Janice McLester, and Winnifred Thomas, presiding.

I Background

On July 29, 2005, the Land Commission, through Attorney Rebecca M. Webster, petitioned the court for orders approving heirship, appointing a personal representative, and other orders found necessary to settle this estate.

On June 28, 2004, decedent, Peter Jordan, Jr., passed away. The original death certificate is on file at the Land Management office. The petition included; The Statement of Family History and, Data for Family Heirship Finding.

The decedent, Peter Jordan, Jr., had one marriage to Linda A. Brunette, a non-Indian, which ended on November 25, 1983, with a divorce. The decedent had no children from this marriage or from any previous marriage or relationship, nor did the decedent adopt any children. The decedent had one sister, Patricia J. Vandehei. The decedent did not possess an Individual Indian Money Account nor any interest in trust land. The decedent possessed a Residential Lease

through the Oneida Tribe. The decedent did not leave a will and testament nor a Designation of Successor. The Land Commission Attorney, Rebecca M. Webster, requests the Residential Lease be transferred to Patricia J. Vandehei in accordance with Real Property Law, §67.9-9(d), because decedent did not leave a surviving spouse, children, or parents. Further, the Land Commission recommends Ms. Vandehei be appointed personal representative.

On January 20, 2005 legal notices were published in the Appleton Post-Crescent, Green Bay Press Gazette and Kalihwisaks setting a deadline for March 4, 2005 for Creditors to submit claims for debt. No claims were received by the Division of Land Management.

On September 21, 2005 a hearing was held. The following were present; Land Commission Attorney, Rebecca L. Webster, Ms. Patricia J. Vandehei and Mr. Rodney Vandehei. Ms. Vandehei accepted the Land Commission's request to appoint her as the personal representative for the decedent. There were no objections.

II Decision

In accordance with Real Property Law, §67.9-9(d), this court orders the decedent's Residential Lease be transferred to Patricia J. Vandehei. In addition, Ms. Patricia J. Vandehei shall act as personal representative for the decedent.

It is so ordered.