COMMONWEALTH OF KENTUCKY
CRITTENDEN DISTRICT COURT
PROBATE DIVISION
Case No. 07-P-00090

IN RE: ESTATE OF MARY KATHERINE CHANDLER, deceased
DOD: 12/13/2007

ORDER DENYING PETITION/MOTION TO REOPEN THE PROBATE ESTATE OF MARY KATHERINE CHANDLER

On Petition/Motion of Steve Chandler to reopen the Administration of the Estate of Mary Katherine Chandler, and this matter having come before the Court on May 28, 2014 and June 18, 2014, and the Court having received and review the written memoranda of both the Petitioner and the Estate of Harold Keith Chandler, and the Court being otherwise sufficiently advised HEREBY FINDS AS FOLLOWS:

1. That the decedent, Mary Katherine Chandler, died testate the 13th day of December, 2007, a resident of Crittenden County, Kentucky.
2. That, in accordance with the provisions of her will, the Court appointed Keith Chandler as Executor of her Estate by Order entered December 19, 2007.
3. That on August 15, 2008, Petitioner, Steve Chandler, executed a Consent and Waiver of Final Settlement for the Estate of Mary Katherine Chandler.
4. That the Court entered an Order Approving the Final Settlement and Discharging Executor on October 8, 2008.
5. That Petitioner, Steve Chandler, did not appeal the Order Approving the Final Settlement.
6. That Keith Chandler died testate the 5th day of July, 2011. Petitioner filed a will contest against the Estate of Harold Keith Chandler resulting in a verdict for the Estate of Harold Keith Chandler. Petitioner has now appealed that verdict.

ENTERED 02-11-15
CRITTENDEN CIRCUIT/
DISTRICT COURT
MELISSA GUILL, CLERK

7. That on May 21, 2014, Petitioner filed a Petition/Motion to Reopen the Probate Estate of Mary Katherine Chandler.

NOW THEREFORE, be it ORDERED AND ADJUDGED

1. That by the execution of the Consent and Waiver of Final Settlement, Petitioner waived his right to request the reopening of his mother's estate for the purpose of distributing the personal property

2. That the Petition/Motion to Reopen the Probate Estate of Mary Katherine Chandler is barred due to Petitioner's notice of and participation in the final settlement and his subsequent failure to file an appeal of the Order Approving Final Settlement and Discharging Executor.

3. That the Petition/Motion to Reopen the Probate Estate of Mary Katherine Chandler is barred by the doctrine of laches.

4. That the Petition/Motion to Reopen the Probate Estate of Mary Katherine Chandler is DENIED.

Signed and Entered this the 11th day of February 2015

DANIEL M. HEADY, Judge
Crittenden District Court, Probate Division

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