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Stan Stanart
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Harris County

DV

NO. 412.249 PROBATE COURT 4

ESTATE OF	§	IN PROBATE COURT
	§	
NELVA E. BRUNSTING,	§	NUMBER FOUR (4) OF
	§	
DECEASED	§	HARRIS COUNTY, TEXAS

CARL HENRY BRUNSTING'S APPLICATION TO RESIGN AS INDEPENDENT EXECUTOR AND CANDACE LOUISE CURTIS' APPLICATION FOR APPOINTMENT AS SUCCESSOR PERSONAL REPRESENTATIVE

TO THE HONORABLE PROBATE COURT:

COMES NOW Carl Henry Brunsting ("Carl") and files his Application to Resign as Independent Executor of the estate of Nelva E. Brunsting and request for immediate appointment of a successor personal representative. Candace Louise Curtis ("Candace") seeks appointment as successor Independent Executrix.

1. Carl was appointed personal representative of the estate of Nelva E. Brunsting on August 28, 2012.

2. Carl presents his resignation as personal representative to the Court. No funds have ever been received by the estate. Other than claims which are currently being litigated, the only known asset of the estate is a one-half interest in a 2000 Buick LaSabre automobile in the possession of Carole Brunsting. Because no funds have ever been in the estate, Carl has personally borne the expenses of the estate. Carl will file an application to address those estate expenses when funds are available to pay them.

3. A necessity still exists for the administration of this estate, and the immediate appointment of a successor personal representative is needed to pursue and manage the claims owed to the estate which are the subject of the following actions:

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a. Cause No. 412,249-401; *Carl Henry Brunsting, Individually and as Independent Executor of the Estates of Elmer H. Brunsting and Nelva E. Brunsting;* In Probate Court Number Four (4) of Harris County, Texas; and

b. Cause No. 2013-05455; *Carl H. Brunsting, Independent Executor of the Estates of Elmer H. Brunsting and Nelva E. Brunsting v. Candace L. Kunz-Freed and Vacek & Freed, PLLC, f/k/a The Vacek Law Firm, PLLC;* In the 164th Judicial District Court of Harris County, Texas.

4. Under the terms of the Will, the successor personal representative, in the event Carl steps down, is Amy Brunsting. However, having been named as a defendant in litigation filed by the estate, Amy Brunsting is disqualified from serving as personal representative of the estate.

5. The next successor personal representative named in the Will is Candace, who is an individual residing in California, but who has already retained Houston counsel. Candace is qualified to accept Letters Testamentary and seeks appointment as Independent Executrix of this estate.

6. All persons interested in the estate are already represented by counsel and have been informed of this Application.

WHEREFORE, PREMISES CONSIDERED, Applicants pray that citation issue as required by law to all persons interested in the estate, that Carl's resignation as Independent Executor be approved, that Candace be appointed Independent Executrix of the estate, that Letters Testamentary be issued to Candace, and that all such other orders be entered as the Court may deem proper.

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Respectfully submitted,

BAYLESS & STOKES

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing instrument was forwarded on the 19th day of February, 2015, as follows:

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