

4B-301. Application for informal appointment of personal representative (no will).  
[for use with Rule 1B-304 NMRA]

STATE OF NEW MEXICO  
IN THE PROBATE COURT  
MORA COUNTY

IN THE MATTER OF THE ESTATE OF  
\_\_\_\_\_, DECEASED.

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

**APPLICATION FOR INFORMAL  
APPOINTMENT OF PERSONAL REPRESENTATIVE  
(NO WILL)**

I, \_\_\_\_\_, state that

1. I had the following relationship with \_\_\_\_\_, the person who died (the decedent), that qualifies me to act as personal representative of the estate of the decedent:

*(Choose one)*

*(Review the priorities for appointment set out in Section 45-3-203 (A) NMSA 1978 and Rule 1B-304 NMRA)*

I am the surviving spouse of the decedent.

I am one of the heirs of the estate of the decedent.

I am an interested person, including a creditor of the decedent, and forty-five (45) days have elapsed since the date of death of the decedent.

Because of the relationship, I have an interest in the estate of the decedent, and I am willing to serve as personal representative of the estate of the decedent. I am not disqualified to act as personal representative. I do not know of anyone else who is interested in serving as personal representative who has priority to serve.

*(Check if applicable)*

Anyone who has equal or higher priority to serve has consented below to my appointment by signing this form.

2. The decedent died on \_\_\_\_\_ (date), at the age of \_\_\_\_\_. At death, the decedent

(Choose one)

lived in \_\_\_\_\_ County, New Mexico.

did not live in New Mexico, but lived in \_\_\_\_\_ County, State of \_\_\_\_\_, And owned property in \_\_\_\_\_ County, New Mexico.

3. I have carefully searched for all the names and addresses of the decedent's spouse, children, and other heirs [including myself]. I have discovered the following

Name	Address	Relationship To decedent	Age (if minor)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. I have looked carefully and thoroughly for a will of the decedent and did not find one. I believe that the decedent died without a will.

5. A personal representative has not been appointed in New Mexico or anywhere else.

6. I do not know of any other probate action either in New Mexico or anywhere else.

7. (Choose one)

I have checked with the district court clerk about a demand of notice and found no such demand. I have not received, and do not know of, any demand from anyone for notice of any probate or related proceeding.

I am aware of demand for notice and have sent the required notice to each person who demanded notice.

8. *(Choose one)*

The decedent died more than one hundred twenty (120) hours ago and less the three (3) years ago.

The decedent died more than three (3) years ago, but an informal appointment is necessary to confirm title in the successors to the estate of the decedent.

WHEREFORE, I ask this court to

- A. Appoint me as the personal representative of the estate of the decedent;
- B. Allow me to serve without posting a bond, in an unsupervised administration;
- C. Ask the court clerk to issue Letters of Administration to me; and
- D. Order any other relief as this court believes to appropriate.

I affirm under penalty of perjury under the laws of the State of New Mexico that all of the above statements are true and correct.

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Street address

\_\_\_\_\_  
City, State, and ZIP code

\_\_\_\_\_  
Telephone number and Email (optional)

*(If anyone has an equal or higher priority than you for appointment representative, as discussed in the instructions for this form, Step 1, have each sign below to show that person's consent to your serving as personal representative. )*

I consent to the appointment of the personal representative listed above.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Relationship to decedent: \_\_\_\_\_

Street address: \_\_\_\_\_

City, State & ZIP code \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Relationship to decedent: \_\_\_\_\_

Street address: \_\_\_\_\_

City, State & Zip code: \_\_\_\_\_

#### USE NOTE

1 See NMSA 1978, section 45-3-203 for priority among persons seeking appointment as personal representative and NMSA 1978, Section 45-3-301 for informal appointment of a personal representative

2 If the applicant is an heir as defined in Rule 1B-102 NMRA, use the bracketed language.

[Approved, effective September 15, 2000; as amended by Supreme Court Order No. 07-8300-005, effective March 1, 2007; 4B-101 recompiled and amended as 4B-301 by Supreme Court Order No. 18-8300-14, effective for all cases pending or filed on or after December 31, 2018.]

STATE OF NEW MEXICO  
IN THE PROBATE COURT  
MORA COUNTY

IN THE MATTER OF THE ESTATE OF  
\_\_\_\_\_, DECEASED.

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

ORDER OF INFORMAL  
APPOINTMENT OF PERSONAL REPRESENTATIVE  
(NO WILL)

This matter comes before the court of the application for Informal Appointment of Personal Representative of the estate of the decedent and the court having considered the application, FINDS that

1. The Application for Informal Appointment of Personal Representative is complete;
2. The applicant has affirmed under penalty of perjury under the laws of the State of New Mexico that the statement contained in the application are true and correct;
3. On the basis of the statements in the application, this court has jurisdiction;
4. On the basis of the statements in the application, venue is proper;
5. The applicant has affirmed under penalty of perjury under the laws of the State of New Mexico that after the exercise of reasonable diligence, the applicant is unaware of any unrevoked last will and testament or other testamentary instrument relating to property in this state or under the laws of New Mexico, and the request for the appointment does not relate to any will;
6. On the basis of the statement in the application, the applicant gave notice of the filing limitations prescribed to each person demanding notice, if any;
7. It appears from the application that this proceeding was commenced within the time limitations prescribed by the laws of the State of New Mexico;
8. The applicant is an interested person as defined by law, and is not disqualified to serve as personal representative of the estate of the decedent;
9. From the statements in the application, the applicant has priority entitling the applicant to be appointed as personal representative of the estate of the decedent; and
10. According to the application, no other personal representative has been appointed in New Mexico or in any other state.

THEREFORE, THIS COURT ORDERS that

- A. The application is granted;

B. The applicant \_\_\_\_\_ (name of applicant) is informally appointed as the personal representative of the estate of the decedent, without bond, in an unsupervised administration and;

C. Letters of Administration shall be issued to the applicant=s acceptance of the office of personal representative.

\_\_\_\_\_  
Probate Judge:

Joanne E. Padilla-Salas

Submitted by:

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Street address

\_\_\_\_\_  
City, State and Zip code

\_\_\_\_\_  
Telephone number, Email (optional)

#### USE NOTE

*SEE NMSA 1978, Section 45-3-308 for proof and findings prior to appointment of personal representative and NMSA 1978, Section 45-3-307 for informal appointment of personal representative.*

*[Approved, effective September 15, 2000, as amended by supreme Court Order No. 07-8300-005, effective March 1, 2007, 4B-103 recompiled and amended as 4B-303 by Supreme Court Order No. 18-8300-014, effective for all cases pending or filed on or after December 3, 2018]*

4B-305. Acceptance of appointment as personal representative (no will) (will)  
[For use with Rule 1b-304 and 1B-306 NMRA]

**STATE OF NEW MEXICO  
IN THE PROBATE COURT  
MORA COUNTY**

**IN THE MATTER OF THE ESTATE OF**  
\_\_\_\_\_, **DECEASED**

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

**ACCEPTANCE OF  
APPOINTMENT AS PERSONAL REPRESENTATIVE  
(NO WILL) (WILL)**

I \_\_\_\_\_, accept the duties of personal representative of the estate of the decedent, and agree to perform the duties of the office to the best of my abilities according to the law.

I affirm under penalty of perjury under the laws of the State of New Mexico that all the above statements are true and correct

Date: \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Address, City, State and ZIP code

\_\_\_\_\_  
Telephone number, Email (optional)

**USE NOTE**

*SEE N.M.S.A. 1978, Section 45-3-307 and N.M.S.A. 1978, Section 45-3-601 for acceptance of appointment of personal representative.*

*[Approved, effective September 15, 2000, as amended by Supreme Court Order No. 07-8300-005, effective March 1, 2007, 4B-105 recompiled and amended as 4b-305 by Supreme Court Order No. 13-8300-014, effective for all cases pending or filed on or after December 31, 2015]*

4B-306. Letters of administration (no will).  
[For use with Rule 1B-304 NMRA]

STATE OF NEW MEXICO  
IN THE PROBATE COURT  
MORA COUNTY

IN THE MATTER OF THE ESTATE OF \_\_\_\_\_,  
\_\_\_\_\_, DECEASED.

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

LETTER OF ADMINISTRATION  
(NO WILL)

TO WHOM IT MAY CONCERN:

Notice is now given that \_\_\_\_\_ (name of personal representative) has been appointed to serve as the personal representative of the estate of \_\_\_\_\_, and has qualified as the personal representative of the estate of decedent by filing with the court a statement of acceptance of the duties of that office.

The personal representative has all of the power and authorities provided by law and specifically, by Section 45-3-715 NMSA 1978.

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Clerk of the Probate Court

By: \_\_\_\_\_

Deputy Clerk

(seal)

USE NOTE

*SEE N.M.S.A. 1978, Section 45-3-103 and N.M.S.A. 1978, Section 45-3-601 for issuance of letters  
[Approved, effective September 15, 2000, as amended by Supreme Court Order No. 07-8300-005, effective March 1, 2007, 4B recompiled and  
amended as 4B-306 by Supreme Court Order No. 18-83300-014, effective for all cases pending or filed on or after December 31, 2018.]*



4B-401 Notice of informal appointment of personal representative  
[For use with Rules 1B-304, 1B-306 and 1B-401 NMRA]

STATE OF NEW MEXICO  
IN THE PROBATE COURT  
MORA COUNTY

IN THE MATTER OF THE ESTATE OF \_\_\_\_\_,  
\_\_\_\_\_, DECEASED.

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

NOTICE OF INFORMAL APPOINTMENT OF  
PERSONAL REPRESENTATIVE

YOU ARE HEREBY NOTIFIED THAT

1 This notice is being sent to heirs (and devisees) of decedent

2 On \_\_\_\_\_, 20\_\_\_\_\_(date) \_\_\_\_\_

(personal representative's name) was appointed the personal representative of the estate of the decedent in an informal proceeding under the Probate Code

3 No bond has been filed

4 All documents relating to the estate of the decedent are on file with the Probate Court of Mora County. They are available for your inspection

5 The estate of the decedent is being administered by the personal representative according to the terms of the Probate Code without supervision from the court. You are entitled to information regarding the administration of the estate of decedent from the personal representative. You may also petition the court in any matter relating to the estate of the decedent, including distribution of assets and expenses of administration

Dated \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of personal representative

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Address, City, State and ZIP Code

\_\_\_\_\_  
Telephone Number, Email (optional)

USE NOTE

See NMSA 1978, Section 45-3-705 for notice of appointment of personal representative  
[Approved, effective September 15, 2020, as amended by Supreme Court Order No. 07-8300-005, effective March 1, 2007, 4B-401 recompiled and amended as 4B-401 by Supreme Court Order No. 18-8300-014, effective for all cases pending or filed on or after December 31, 2018.]

STATE OF NEW MEXICO  
IN THE PROBATE COURT  
MORA COUNTY

IN THE MATTER OF THE ESTATE OF \_\_\_\_\_ No. \_\_\_\_\_  
\_\_\_\_\_, DECEASED.

PROOF OF NOTICE

I, \_\_\_\_\_, am the personal representative of the decedent  
I have mailed a copy of the Notice of Informal Appointment of Personal Representative to the following  
people at the addresses listed below *(list all persons named in the will, if there is a will, and all heirs, even  
if not named in a will)*

Heirs and devisees

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____

People who have demanded notice

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____

Dated: \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of personal Representative

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Address, City, State and ZIP Code.

\_\_\_\_\_  
Telephone number, Email (optional)

USE NOTE

SEE NMSA 1978, Section 45-3-705 for proof of appointment.  
*[Approved, effective September 15, 2000, as amended by Supreme Court Order No. 07-8300-005, effective March 1, 2007, 4B-202 recompiled amended as 4B-402 by Supreme Court Order No. 18-8300-014, effective for all cases pending or filed on or after December 31, 2018]*

4B-501. Notice to creditors by publication and notice to creditors by written notice (mailing or other delivery).  
[For use with rules 1B-304, 1B-306, and 1B-401 NMRA]

**STATE OF NEW MEXICO  
IN THE PROBATE COURT  
MORA COUNTY**

**IN THE MATTER OF THE ESTATE OF**  
\_\_\_\_\_, **DECEASED**

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

**NOTICE TO CREDITORS**

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the estate of the decedent. All persons having claims against the estate of the decedent are required to present their claims within four (4) months after the date of the first publication of any published notice to creditors or sixty(60) days after the date mailing or other delivery of this notice, whichever is later, or the claims will be forever barred. Claims must be presented either to the undersigned personal representative at the address listed below, or filed with the Probate Court of Mora County, New Mexico, located at the following address: P.O. Box 580 Mora NM 87732.

Dated: \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of personal representative

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Address, City, State and ZIP code

\_\_\_\_\_  
Telephone number, Email (optional)

**USE NOTE**

SEE NMSA 1978, Sections 45-3-801 for notice to creditors' provision  
[Approved, effective September 15, 2000, as amended by Supreme Court Order No. 07-8300-005, effective March 1, 2007; 4B-301 recompiled and amended as 4B-501 by Supreme Court Order No. 18-8300-014, effective for all cases pending or filed on or after December 31, 2018]

**STATE OF NEW MEXICO  
IN THE PROBATE COURT  
MORA COUNTY**

**IN THE MATTER OF THE ESTATE OF**  
\_\_\_\_\_, **DECEASED**

**No.** \_\_\_\_\_

**INVENTORY**

I, \_\_\_\_\_, the personal representative of  
estate of the decedent, have prepared an inventory of the property of the estate of the  
decedent.

I am sending a copy of this document to the interested people who have requested it. The  
inventory is as follows:

ITEM	ESTIMATED VALUE ON DATE OF DEATH	MORTGAGE OR LIEN
1. _____	\$ _____	\$ _____
2. _____	\$ _____	\$ _____
3. _____	\$ _____	\$ _____
4. _____	\$ _____	\$ _____
5. _____	\$ _____	\$ _____
6. _____	\$ _____	\$ _____
7. _____	\$ _____	\$ _____
8. _____	\$ _____	\$ _____

Date: \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of personal representative

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Address, City, State, and ZIP code

\_\_\_\_\_  
Telephone number, Email (optional)

USE NOTE

SEE NMSA 1978, SECTIONS 45-3-706 TO 45-3-708 FOR PREPARATION OF INVENTORY OF PROPERTY OWNED BY THE DECEDENT.

*[Approved, effective September 15, 2000, as amended by Supreme Court Order No. 07-8300-005, effective March 1, 2007, 4B-401 recompiled and amended as 4B-601 by Supreme Court Order No. 18-8300-014. Effective for all cases pending or filed on or after December 31, 2018]*

**STATE OF NEW MEXICO  
 IN THE PROBATE COURT  
 MORA COUNTY**

**IN THE MATTER OF ESTATE OF**  
 \_\_\_\_\_, **DECEASED**

**No.** \_\_\_\_\_

**ACCOUNTING**

I, \_\_\_\_\_, the personal representative of the estate of the decedent, have prepared an accounting of the administration of the estate of the decedent.

I am sending a copy of this document to the distributees whose interest are affected by this accounting.

The accounting is as follows:

**Cash and other assets in the estate**

A. Items from inventory (not sold)	Value
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____
6. _____	\$ _____

B. Items received since the making of inventory (not sold)	Value
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____

C. Item sold	Sale Price	Sale expense	Net amount Received
1. _____	\$ _____	\$ _____	\$ _____
2. _____	\$ _____	\$ _____	\$ _____
3. _____	\$ _____	\$ _____	\$ _____

4. \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_  
 5. \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

D. Income received	Amount
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____

Total of cash and other assets: \$ \_\_\_\_\_

A. Payments to creditors and for expenses of administration	Amount Paid
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____

B. Distributions to Devisees or heirs	Value of Distributions
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____

Total of payments and distributions: \$ \_\_\_\_\_  
 (Total of cash and other assets should equal total of payments and distributions.)

Date: \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Signature of personal representative

\_\_\_\_\_  
 Printed name

\_\_\_\_\_  
 Address, City, Street, and ZIP code.



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Telephone number, Email (optional)

USE NOTE

*[Approved , effective September 15, 2000, as amended by Supreme Court Order No. 07-8300-05, effective March 1, 2007, 4B=602 by Supreme Court Order No. 18-8300-14, effective for all cases pending or filing on or after December 31, 2018]*