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Attorneys for Petitioner

**IN THE SIXTH JUDICIAL DISTRICT COURT
SANPETE COUNTY, STATE OF UTAH**

IN THE MATTER OF THE ESTATE OF
MYRNA JEAN CHRISTENSEN A/K/A
MYRNA J. CHRISTENSEN A/K/A
MYRNA JEAN BRAKE A/K/A MYRNA J.
BRAKE A/K/A MYRNA BRAKE, a
deceased person.

**PETITION FOR FORMAL
APPOINTMENT OF PERSONAL
REPRESENTATIVE**

Case No. _____
Judge _____

Petitioner, Gene Darrell Brake, states and represents to the Court that:

1. Petitioner's interest in this matter is that of an interested person and child and heir of the decedent and a person having priority for appointment as personal representative.
2. The decedent, Myrna Jean Christensen a/k/a Myrna J. Christensen a/k/a Myrna Jean Brake a/k/a Myrna J. Brake a/k/a Myrna Brake, died January 23, 2021, at the age of 68 years. The decedent passed away at the Petitioner's home located in Sevier County but was domiciled in and a resident of Sanpete County. A copy of the decedent's death certificate is on

file with the court herein.

3. Venue is proper because at the time of death the decedent was domiciled in this county.

4. The names, addresses and relationships of the heirs of the decedent, and the persons to whom notice should be given, are as follows:

<u>NAME</u>	<u>ADDRESS</u>	<u>RELATIONSHIP TO DECEDENT</u>
Gene Darrell Brake	530 E. 200 N. Richfield, UT 84701 (435) 896-3996 g.brake@yahoo.com	Child, and Proposed Personal Representative
Angie Brake	Whereabouts unknown	Child

The decedent has a grandchild, Luis Delacruz, who is the child of Angie Brake. Because of Ms. Brake's ongoing health and substance abuse issues, the decedent raised Luis throughout his childhood. However, the decedent never legally adopted Luis, and he is not the decedent's child.

5. No personal representative has been appointed in this state or elsewhere whose appointment has not been terminated.

6. Petitioner has neither received nor is aware of any demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this state or elsewhere.

7. The time limit for formal probate and appointment has not expired because even

though more than three years have passed since the decedent's death the court has continuing jurisdiction to appoint a personal representative to administer the decedent's estate under Utah Code, § 75-3-107(4)(b).

8. Having exercised reasonable diligence, petitioner is unaware of any unrevoked testamentary instrument which may relate to property subject to the laws of this state.

9. The person whose appointment as personal representative is sought is Petitioner Gene Darrell Brake, whose address is listed above. Gene Darrell Brake is qualified to act as personal representative and has priority for appointment because there are no persons with a higher or equal priority to appointment who have not been given notice of this probate petition, or waived notice.

10. The status in which such person seeks appointment is as an interested person and child and heir of the decedent.

11. Bond is not required because the exceptions of Utah Code Ann. § 75-3-603 are applicable.

WHEREFORE, Petitioner requests that:

1. The court fix a time and place of hearing.
2. Notice be given as required by law.
3. The court enter an order determining the decedent died intestate.
4. Gene Darrell Brake be formally appointed personal representative of the estate of the decedent, to act without bond.

5. Upon qualification and acceptance, Letters of Administration be issued.

DATED: July 11, 2026

FABIAN VANCOTT

/s/ Jennifer E. Decker

Jennifer E. Decker

Attorneys for Petitioner

VERIFICATION

Petitioner, Gene Darrell Brake, hereby declares that the foregoing is true and correct, subject to the penalties of perjury.

DATED: July 11, 2026

/s/ Gene Darrell Brake

Signed by Gene Darrell Brake (signed with
permission