STATE OF NEW YORK

SUPREME COURT : COUNTY OF

In the Matter of the Application of**PETITION TO DISCHARGE**

*(****Insert name of Petitioner)* GUARDIAN**

Petitioner,

Index No.

Pursuant to Art. 81 of the Mental Hygiene RJI No.

Law for the Appointment of a Guardian

of the Person and Property of Judge Assigned:

Hon. David H. Guy

***(Insert name of Incapacitated Person),***

an Alleged Incapacitated Person

TO THE SUPREME COURT OF THE STATE OF NEW YORK:

Petitioner alleges as follows:

1. Petitioner ***(Insert name of Petitioner),*** residing at ***(Insert address of***

***Petitioner)*** was duly appointed Guardian of the Person and Property of ***(Insert name of Incapacitated Person)*** by Order of this Court (the “Order”) dated ***(Insert date of Order Appointing Guardian)***. A copy of said Order is attached as Exhibit “A” and made a part hereof.

2. ***(Insert name of Incapacitated Person)*** resided at ***(Insert address of***

***Incapacitated Person)***.

3. ***(Insert name of Incapacitated Person)*** died a resident of ***(Insert name of***

***facility or town)*** on ***(Insert date of death)***. A copy of the death certificate is attached hereto as Exhibit “B”.

4. ***(State date a Will was probated, or state that no Will was probated.)***

5. The Guardian’s Initial Report dated ***(Insert date of Initial Report)***

was filed in the ***(Insert name of County)*** County Clerk’s Office on ***(Insert date Initial Report was filed)***.

6. Subsequently, the Guardian filed Annual Reports in the ***(Insert***

***name of County)*** County Clerk’s Office for the years  ***(Insert years for which Annual Reports were filed.)***

7. The Guardian’s most recent Annual Report covering the year ***(Insert***

***year the Annual Report covers)*** was filed in the ***(Insert name of County)*** County Clerk’s Office on ***(Insert date Annual Report filed)***, and showed assets on hand at the end of said year in the amount of ***(Insert amount of assets)***. The Guardian’s proposed Final Report covering the period ***(Insert period Final Report covers)*** is annexed hereto and made a part hereof as Exhibit “C”.

8. Petitioner submits that the only interested parties to this proceeding, all of

whom are adults and competent, are the following:

***(Insert names of persons to be notified of the proceeding, as listed in the Order and Judgment Appointing Guardian).***

9. Petitioner seeks to be discharged as Guardian of the Person and

Property, for which no previous application has been made.

WHEREFORE, Petitioner respectfully requests that an Order be made herein judicially approving Petitioner’s Final Report and that a Decree be issued releasing and discharging the Petitioner.

Dated:

Guardian

**INDIVIDUAL VERIFICATION**

STATE OF NEW YORK )

) ss:

COUNTY OF BROOME )

On this day of , in the year , before me, the undersigned, a notary public in and for said state, personally appeared personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

My Commission Expires: