

STATE OF NEW MEXICO COUNTY OF BERNALILLO SECC
COURT

Case Number: D-202-PB-201100653

IN THE MATTER OF THE ESTATE OF: ELIZABETH WILLIAMS NAYLOR, Deceased

COVER SHEET FOR BRIEFING PACKAGE IN SUPPORT OF PETITION TO REOPEN PROBATE

To the Honorable Judge Joshua A. Allison:

Petitioner **Elizabeth Ann Naylor Owens** respectfully submits this **Briefing Package** in accordance with the Court's **Order Denying Without Prejudice** dated **February 6, 2025**, which instructed Petitioner to:

1. Serve the petition on all interested parties pursuant to Rule 1-005(E) NMRA;
2. Submit a complete briefing package after service and the expiration of the response period, pursuant to **Rule 1-007.1 NMRA** and **LR2-119**.

Included herein:

1. **Notice of No Response to Updated Petition and Request for Consideration**
2. **Updated Petition to Reopen Probate, Compel Distribution of Estate Assets, and Order Final Accounting** (served February 19, 2025)
3. **Certificate of Service** (filed February 19, 2025)
4. **Respondents' February 10, 2025 Response** (*included for reference only, as it predates the updated petition*)
5. **Petitioner's Reply to February 10 Response** (March 24, 2025)

6. Exhibits

Exhibit A – Excerpt from 2011 estate distribution (per Will)

Exhibit B - Revised asset distribution list dated November 3, 2023, sent by Respondents' counsel

Jurisdictional Statement:

Petitioner has **narrowed the scope** of the updated petition substantially from the original January 6 filing. The relief now sought is **strictly limited to matters within this Court's probate jurisdiction**, including:

- Enforcement of estate distributions pursuant to **NMSA 1978, § 45-3-1003**;
- Compelling a full fiduciary accounting under **§ 45-3-706**;
- Ordering a professional inventory and USPAP-certified appraisal of estate assets;
- Considering appointment of an independent trustee under **§§ 45-1-302 and 45-7-306(A)** should Respondents fail to perform their statutory duties.

Background and Procedural History:

The Decedent, **Elizabeth Williams Naylor**, passed away on **November 24, 2011**. More than thirteen years later, Petitioner has still **not received any tangible estate property**, despite being a named equal beneficiary. The estate was closed administratively in 2018—yet no personal

property has been delivered to Petitioner, and no updated inventory or accounting has been provided.

Respondents' **alteration of the distribution list in 2023**, more than a decade after death, directly contradicts the Will's plain terms and requires probate review.

Petitioner affirms this is **not a civil suit**, but a request for the Court to fulfill its continuing oversight over **incomplete estate administration** as permitted under New Mexico probate law.

Request to Proceed:

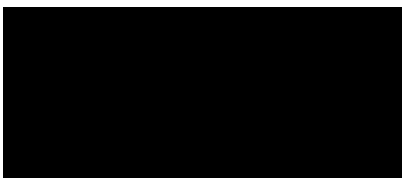
As of this filing, **no response** has been submitted by Respondents to the **operative petition** served February 19, 2025. The February 10 response predates service and does not address the updated legal and factual basis.

Petitioner respectfully requests the Court to:

- Consider the Updated Petition as unopposed;
- Rule on the petition or set a hearing as the Court deems appropriate.

Respectfully submitted this 24th day of March, 2025.

Elizabeth Ann Naylor Owens
Petitioner, Pro Se



CERTIFICATE OF SERVICE

COMES NOW, Petitioner, Elizabeth Ann Naylor Owens, and hereby certifies that on this **24th day of March, 2025**, a true and correct copy of the **Cover Sheet for Briefing Package in Support of Petition to Reopen Probate** was served upon the following interested parties as required by **Rule 1-005(E) NMRA**:

Served Parties:

1. **Guy Markley Naylor & Dr. Dale Gunn**

[REDACTED]

Method of Service: Certified Mail

2. **Kurt A. Sommer, Esq.**
Sommer Udall Law Firm, P.A.

[REDACTED]

Method of Service: Certified Mail

3. **E. Vaughn Thomas**

[REDACTED]

Method of Service: Certified Mail

I declare under penalty of perjury under the laws of the State of New Mexico that the foregoing is true and correct.

Dated this **24th day of March, 2025**.

Respectfully submitted,

Elizabeth Ann Naylor Owens, Petitioner, Pro Se

[REDACTED]