

APN: 007-380-22

Recording Requested By:

Name: Robert J. Wines, Prof. Corp.

Address: 687 6th Street, Suite 1

City, State, Zip: Elko, NV 89801

Send Tax Statement To:

Name: Randy B. Stucki, Jr.

Address: 3368 McFather Avenue

City, State, Zip: Vernon, FL 32462

EUREKA COUNTY, NV

2021-245048

Rec:\$37.00

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06/02/2021 11:58 AM

ROBERT J. WINES, PROF. CORP.

LISA HOEHNE, CLERK RECORDER

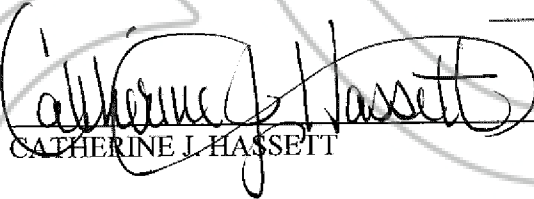
Order to Set Aside Without Administration
(Title of Document)

Please complete the cover page, check one of the following and sign below.

☒ I the undersigned hereby affirm that this document submitted for recording does not contain a social security number.

OR

☐ I the undersigned hereby affirm that this document submitted for recording contains a social security number of a person as required by law:


CATHERINE J. HASSETT

Agent

Title

1 CASE NO. PR-2104-010

2 Dept. I

RECEIVED

APR 28 2021

Eureka County Clerk

NO. _____ FILED

MAY 26 2021

By *[Signature]*
Eureka County Clerk

3
4
5
6 IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA

8
9 IN THE MATTER OF THE ESTATE OF
10 RANDY B. STUCKI, SR., aka
RANDY BRUCE STUCKI, SR.,

**ORDER TO SET ASIDE
WITHOUT ADMINISTRATION**

11 Deceased.

12
13 RANDY B. STUCKI, JR., filed herein his Petition to Set Aside Without Administration in
14 the Matter of the Estate of RANDY B. STUCKI, SR., aka RANDY BRUCE STUCKI, SR.,
15 deceased; Notice of Hearing has been given for the time, and in the manner, required by law; Notice
16 has been given to State of Nevada, Medicaid Estate Recovery as required by law; this is the time and
17 place scheduled for a hearing on this matter; no-one has appeared to object, and the Court being fully
18 informed, hereby finds as follows:

19 1. That Petitioner is over the age of majority, and is a resident of Vernon, Florida.
20 Petitioner has never been convicted of a felony. The Petitioner is the surviving child of the above
21 named Deceased.

22 2. That the above-named Deceased died intestate on November 21, 2020, in Eureka,
23 Nevada, and at the time of his death, he was a resident of Eureka, Nevada. A copy of his Certificate
24 of Death is contained in the file.

25 3. That at the time of Decedent's death, he was unmarried and was survived by one (1)
26 child. He was not survived by his parents. That the heirs-at-law and devisees of Decedent, and their
27 respective relationships and addresses are as follows:

28 ///

1 **NAME AND ADDRESS**

RELATIONSHIP

2 Randy B. Stucki, Jr.
3 3368 McFather Ave.
4 Vernon, FL 32462

Son

4 4. There is an allegation that Decedent is the father of a second child, but Petitioner has
5 been unable to discover proof of acknowledgment of paternity, and the Decedent is not listed as the
6 father of the child on his Certificate of Birth. Petitioner does not know where he resides. His
7 identity is as follows:

8 **NAME AND ADDRESS**

RELATIONSHIP

9 Michael Glenn Rollins
10 (address unknown)

Unknown

11 5. At the time of Decedent's death, he owned the following described parcel of real
12 property, located in the County of Eureka, State of Nevada; that the value of such real property does
13 not exceed the sum of \$100,000.00; that all of said Estate is within the jurisdiction of the above
14 entitled Court and more particularly described as follows:

15 Ranchette "C" as shown on the Parcel Map and Record of Survey of Parcel 6, Lot 9,
16 in Section 29, Township 20 North, Range 53 East, M.D.B.&M., as filed in the office
17 of the County Recorder of Eureka County, State of Nevada, on October 6, 1981, as
18 File Number 82287.

19 EXCEPTING THEREFROM oil and gas lying in and under said land, as reserved in
20 Patent from the United States of America, recorded March 21, 1966, in Book 10,
21 Page 20, of Official Records, Eureka County, Nevada.

22 TOGETHER WITH any and all buildings and improvements situate thereon.

23 TOGETHER WITH the tenements, hereditaments and appurtenances thereunto
24 belonging or in anywise appertaining, and the reversion and reversions, remainder
25 and remainders, rents, issues and profits thereof.

26 SUBJECT TO all exceptions, reservations, restrictions, restrictive covenants,
27 assessments, easements, rights and rights of way of record.

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25 6. That Decedent's value in the described real property does not exceed the sum of
26 \$100,000.00. A copy of the Eureka County Assessor's Secured Property Detail Screen is attached
27 to the Petition as Exhibit "1". Pursuant thereto, the herein described real property has a value of
28 \$43,257.00. In addition, the Decedent owned a 1958 Guardian mobile home, 46' x 10', SN:

1 10846164, located on this property. The value of the 1958 Guardian, pursuant to the Eureka County
2 unsecured tax roll is \$1,060.00. Decedent possessed a bank account at Greater Nevada Credit Union,
3 which Petitioner is informed has a value of \$3,000.00, an old pickup truck, with a value of \$500.00,
4 and an 1980's AMC Eagle automobile, located in a storage facility in Texas, which has a value
5 estimated at \$3,000.00. Based thereon, the total appraised value of Decedent's property in the State
6 of Nevada has a total value of \$50,817.00, and is less than the \$100,000.00 value to allow this
7 property to be set aside.

8 7. Petitioner is informed and believes that, at the time of Decedent's death, he owed
9 certain obligation, identified as follows:

10 Medical	\$ 610.00
Pharmacy & medical equipment	\$2,850.25
11 Eye surgery	\$ 483.17
IRS	\$ 296.62
12 Storage (TX)	\$ 600.00

13 8. In addition, Decedent's funeral expense, in the amount of \$3,263.86 must be paid,
14 and Petitioner will be obligated to pay attorney fees and costs of administration.

15 9. Decedent was survived by one child, Petitioner herein. Pursuant to NRS 134.090 "if
16 the decedent leaves no surviving spouse, but there is a child or children, the estate, if there is only
17 one child, all goes to that child. If there is more than one child, the estate goes to all the children of
18 the decedent, to share and share alike".

19 10. Pursuant to NRS 146.070(2) provides:

20 "Except as otherwise provided in subsection 3, the whole estate must be assigned
21 and set apart in the following order: (a) To the payment of the petitioner's attorney's
22 fees and costs incurred relative to the proceeding under this section; (b) To the
23 payment of funeral expenses, expenses of last illness, money owed to the Department
24 of Health and Human Services as a result of payment of benefits for Medicaid and
creditors, if there are any; (c) To the payment of other creditors, if any; and (d) Any
balance remaining to the claimant or claimants entitled thereto pursuant to a valid
will of the decedent, and if there is no valid will, pursuant to intestate succession in
accordance with chapter 134 of NRS."

25 11. That pursuant to the foregoing, the person or persons entitled to receive the property
26 hereinabove described will be obligated to pay all of the hereinabove described obligations from the
27 assets received. MICHAEL GLENN ROLLINS has failed to establish that he is actually related to
28 the Decedent. Because he has failed to establish a legal familial relationship, the entire Estate should

1 be distributed to RANDY B. STUCKI, JR., subject to the obligation to pay all of the outstanding
2 creditors, up to the total value of this Estate.

3 12. That Petitioner is informed and believes that, at the time of Decedent's death, there
4 were no liens or encumbrances secured by the property; ad valorem taxes have been paid for the
5 current tax year.

6 13. Petitioner shall provide evidence of payment and resolution of any and all unpaid bills
7 and obligations. All known funeral and burial expenses for the Decedent have been paid in full.

8 14. That the Petition is made pursuant to NRS 146.070.

9 15. That Petitioner has engaged ROBERT J. WINES, PROF. CORP., to petition this
10 Court, and will incur court costs and legal fees; this Court should order Petitioner to pay to ROBERT
11 J. WINES, PROF. CORP., a reasonable fee in the amount of \$825.00, together with all costs
12 incurred.

13 16. That the real and personal property described hereinabove should be set aside
14 pursuant hereto to RANDY B. STUCKI, JR., as his sole and separate property.

15 17. That any and all other items of real or personal property hereinafter discovered with
16 a value less than \$100,000.00, and belonging to the above named Decedent should be set aside
17 pursuant hereto without further order of this Court to RANDY B. STUCKI, JR., as his sole and
18 separate property.

19 NOW THEREFORE, IT IS THE Order of this Court as follows:

20 1. That this Estate does not exceed the sum of \$100,000.00;

21 2. That RANDY B. STUCKI, JR., is obligated to pay all known creditors and all funeral
22 and burial expense;

23 3. That the real and personal property hereinabove described shall not be administered
24 upon, but is hereby assigned and set apart to RANDY B. STUCKI, JR., as his sole and separate
25 property;

26 4. That any assets or property hereinafter discovered, belonging to the Decedent, and
27 within the jurisdiction of this Court, with a value less than \$100,000.00, are hereby set apart to
28 RANDY B. STUCKI, JR., as his sole and separate property;

5. That Petitioner shall pay a reasonable attorney fee, in the amount of \$825.00, payable to ROBERT J. WINES, PROF. CORP., together with all costs incurred.

DATED this 26th day of May, 2021.

Levy D. Swerman
DISTRICT JUDGE

AFFIRMATION STATEMENT

The undersigned hereby affirms that the foregoing pleading, including any exhibits, DOES NOT contain the Social Security Number of any person or persons.

Robert J. Wines
ROBERT J. WINES

SEVENTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF EUREKA } SS
STATE OF NEVADA

I, the Undersigned County Clerk/Recorder and Ex-Officio Clerk of the
Seventh Judicial District Court do hereby certify that the foregoing is a true
and correct copy of the original on file in my office.

Witness hand and seal of the Seventh Judicial District Court
This 26th day of May 2021

Court Office Clerk

This 20th day of May, 1998
Eureka County Clerk Recorder and Ex-Officio Court Clerk
By: [Signature] Deputy Clerk Recorder (Seal Affixed)