

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF
JOHN W. ACHTTIEN.

NANCY ACHTTIEN CLAPP,
Appellant,
vs.
BLAKE N. HICKOK,
Respondent.

No. 40107

FILED

JUN 07 2004

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE


This is a proper person appeal from a district court order denying appellant's contest of the will and codicil of John "Jack" W. Achttien, and appointing respondent as executor/personal representative of Achttien's estate. Appellant contends that the signed, witnessed and notarized will and codicil admitted into probate by the district court were forged, and that a typewritten codicil dated October 6, 2001, which was not witnessed or notarized, should have been admitted as Achttien's last will and testament.


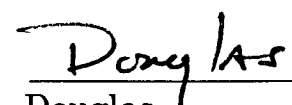
Having reviewed the record on appeal, we conclude that the district court did not err in: 1) concluding that the October 6, 2001 codicil did not meet the statutory requirements for a valid will,¹ and 2) admitting the September 21, 1993 will and October 5, 2001 codicil as Achttien's last

¹NRS 133.040 requires all wills, except electronic or holographic wills, to be in writing, signed by the testator, and attested by at least two competent witnesses who subscribe their names to the will in the presence of the testator. NRS 133.090 requires the signature, date and material provisions of a holographic will to be written by the hand of the testator, whether or not it is witnessed or notarized.

will and testament, thereby appointing respondent as executor/personal representative. Accordingly, we affirm the district court's order in its totality.

It is so ORDERED.²


Shearing C.J.


Rose, J. 
Douglas J.

cc: Hon. Robert E. Estes, District Judge
Brooke Shaw Zumpft
Nancy Achttien Clapp
Douglas County Clerk

²Although appellant has not been granted permission to file documents in proper person, see NRAP 46(b), we have considered all proper person documents received in this matter, and we conclude that the relief requested is not warranted. Furthermore, we deny as moot respondent's motion to dismiss and motion for order denying permission to file forensic examiner's report.