NO. 412,249-401

CARL HENRY BRUNSTING, § IN PROBATE COURT

INDIVIDUALLY AND AS §

INDEPENDENT EXECUTOR OF THE §

ESTATES OF ELMER H. BRUNSTING §

AND NELVA E. BRUNSTING § NUMBER FOUR (4)

 §

vs. §

§

ANITA KAY BRUNSTING f/k/a § HARRIS COUNTY, TEXAS

ANITA KAY RILEY, individually, §

as attorney-in-fact for Nelva E. Brunsting, §

and as Successor Trustee of the Brunsting §

Family Living Trust, the Elmer H. §

Brunsting Decedent's Trust, the §

Nelva E. Brunsting Survivor's Trust, §

the Carl Henry Brunsting Personal §

Asset Trust, and the Anita Kay Brunsting §

Personal Asset Trust; §

AMY RUTH BRUNSTING f/k/a §

AMY RUTH TSCHIRHART, §

individually and as Successor Trustee §

of the Brunsting Family Living Trust, §

the Elmer H. Brunsting Decedent’s Trust, §

the Nelva E. Brunsting Survivor's Trust, §

the Carl Henry Brunsting Personal §

Asset Trust, and the Amy Ruth Tschirhart §

Personal Asset Trust; §

CAROLE ANN BRUNSTING, §

Individually and as Trustee of the §

Carole Ann Brunsting Personal Asset Trust; §

and as a nominal defendant only, §

CANDACE LOUISE CURTIS §

# ANDREW CURTIS PLEA TO THE JURISDICTION BY SPECIAL APPEARANCE

Andrew Curtis, appearing specially and not generally, herein challenges the subject matter jurisdiction of this court to hear or determine any matter related to the Brunsting Family Living Trust.

The record will show:

Decedents, Elmer H. and Nelva E. Brunsting, both had pour-over wills with a family living trust as the sole devisee and that both wills called for independent administration.

The record will further show that letters testamentary for independent administration were issued to Carl Henry Brunsting August 28, 2012; the inventory, appraisement, and list of claims were filed by the independent executor March 27, 2013 and approved by the probate court April 5, 2013. Carl Henry Brunsting filed his civil tort suit in the statutory probate court April 9, 2013 individually and as independent executor on April 9, 2013.

ESTATES OF ELMER H. BRUNSTING No 412,248

Elmer Brunsting passed April 1, 2009. Carl’s April 9, 2013 filing missed the statute of limitations for bringing claims on behalf of the Estate of Elmer Brunsting by 8 days.

The law on independent administration is clear.

THE ESTATES OF ELMER H. BRUNSTING No 412,248 and NELVA E. BRUNSTING No. 412,249

I am a person interested in the family living trust and all proceedings relevant thereto under Texas Property Code Sec. 111.004(7) and my rights cannot be affected in any proceeding that I am not a party to.

Tex. Prop. Code § 111.004 (7)"Interested person" means a trustee, beneficiary, or any other person having an interest in or a claim against the trust or any person who is affected by the administration of the trust. Whether a person, excluding a trustee or named beneficiary, is an interested person may vary from time to time and must be determined according to the particular purposes of and matter involved in any proceeding.