

At a term of the Surrogate's Court held
in and for the County of Chemung at
Elmira, New York, in said County on the
11th day of December, 2025.

PRESENT: Hon. Ottavio Campanella, Surrogate

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF CHEMUNG

In the Matter of the Estate

of

FRITZ KLEINER,
Deceased.

ORDER FOR SERVICE
OF CITATIONS

File No. 2025-394

Upon reading and filing the Petition for Probate of Robert N. Colicchio, verified on November 4, 2025, the Family Tree Affidavit of decedent, Fritz Kleiner, sworn to on July 12, 2017, the Application for Service of Process by Court Order under SCPA 307 subd 3 of John R. McGlenn, Esq., sworn to on November 5, 2025, and the affidavit of Robert N. Colicchio sworn to on November 4, 2025, made in support of said Application, and Citations having been duly issued in the above-captioned proceeding to probate the Last Will and Testament of decedent, Fritz Kleiner, the first Citation addressed to:

The father of Fritz Kleiner (deceased) whose name and whereabouts is unknown, if living, and if deceased and having died prior to September 2, 2025, then to his issue, if any, whose names and whereabouts are unknown, and if none or if such issue is deceased and having died prior to September 2, 2025, then to his parents if living, and if deceased and having died prior to September 2, 2025, to their issue, if any, whose names and whereabouts are unknown; and if he be deceased and having died after September 2, 2025, to his executors, administrators, distributees, beneficiaries, next-of-kin, and heirs-at-law, if any there be, whose existence, names, and whereabouts are unknown and cannot after due diligence be ascertained

and the second Citation addressed to:

The issue of Luzia (Gorezkaja Kleiner) Portenlaenger, mother of Fritz Kleiner, deceased, if any, whose names and whereabouts are unknown, if living, and if deceased and having died prior to September 2, 2025, or if none, then to the parents of Luzia Portenlaenger whose names and whereabouts are unknown, if living, and if deceased and having died prior to September 2, 2025, then to their issue and, in either event, if the issue of Luzia Portenlaenger or her parents or their issue died after September 2, 2025, to his or her executors, administrators, distributees, beneficiaries, next-of-kin, and heirs-at-law, if any there be, whose existence, names, and whereabouts are unknown and cannot after due diligence be ascertained

each Citation made returnable before this Court on January 15, 2026, and it appearing to the satisfaction of the Court that said "paternal distributees", if any, are nondomiciliary alien(s); that said nondomiciliary alien(s) is/are citizens of the Federal Republic of Germany and domiciled outside the State of New York; and that service of Citation upon said "paternal distributees" by personal delivery of a copy of the Citation either within or without the State of New York cannot be made; and that the whereabouts and address(es) of said "paternal distributees" is/are unknown,

AND it is further appearing to the satisfaction of this Court that said "maternal distributees" if any, are nondomiciliary alien(s); that said nondomiciliary alien(s) is/are citizens of Belarus and domiciled outside the State of New York; and that service of Citation upon said "maternal distributees" by personal delivery of a copy of the Citation either within or without the State of New York cannot be made; and that the whereabouts and address(es) of said "maternal distributees" is/are unknown.

NOW, on motion of John R. McGlenn, attorney for petitioner, for an order directing the manner of service of the Citations upon said "paternal distributees" and "maternal distributees" pursuant to SCPA 307 subd 3, it is

ORDERED, that a copy of the Citation addressed to decedent's "paternal distributees" in the above-entitled probate proceeding, together with a copy of decedent's Will dated July 12, 2017, and this Court's Virtual Appearance Notice, and Notice of Commencement of Proceeding Subject to Mandatory Electronic Filing be served upon the "paternal distributees" by digital publication in Global Legal Notices, LLC, a publication of general circulation in Germany, for a period of two (2) consecutive weeks, and it is further

ORDERED, that a copy of the Citation addressed to decedent's "maternal distributees" in the above-entitled probate proceeding, together with a copy of decedent's Will dated July 12, 2017, and this Court's Virtual Appearance Notice, and Notice of Commencement of Proceeding Subject to Mandatory Electronic Filing be served upon the "maternal distributees" by digital publication in Global Legal

Notices, LLC, a publication of general circulation in Belarus, for a period of two (2) consecutive weeks, and it is further

ORDERED, that proof of such digital publications be filed with the Court as soon as possible following the completion of such publications.

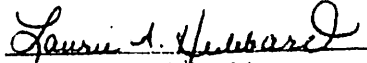
Dated: December 11, 2025



Hon. Ottavio Campanella, Surrogate

ENTER

NOTICE OF ENTRY
PLEASE BE ADVISED THAT THIS DOCUMENT
WAS ENTERED INTO THE COURT RECORDS
SUPREME COURT CLERK'S OFFICE ON THE
11 DAY OF December 2025


CHIEF CLERK

PROBATE CITATION

File No. 2025-394

SURROGATE'S COURT - CHEMUNG COUNTY

CITATION

THE PEOPLE OF THE STATE OF NEW YORK,
By the Grace of God Free and Independent

TO the father of Fritz Kleiner (deceased) whose name and whereabouts is unknown, if living, and if deceased and having died prior to September 2, 2025, then to his issue, if any, whose names and whereabouts are unknown, and if none or if such issue is deceased and having died prior to September 2, 2025, then to his parents if living, and if deceased and having died prior to September 2, 2025, to their issue, if any, whose names and whereabouts are unknown; and if he be deceased and having died after September 2, 2025, to his executors, administrators, distributees, beneficiaries, next-of-kin, and heirs-at-law, if any there be, whose existence, names, and whereabouts are unknown and cannot after due diligence be ascertained

A petition has been duly filed by Robert N. Colicchio, who is domiciled at 44 Wiggins Road, Chemung, NY 14825.

YOU ARE HEREBY CITED TO SHOW CAUSE before the Surrogate's Court, Chemung County, at 203-205 Lake Street, Elmira, New York, on January 15, 2026, at 9:30 o'clock in the fore noon of that day, why a decree should not be made in the estate of Fritz Kleiner, lately domiciled at 44 Wiggins Road, Chemung, NY 14825 admitting to probate a Will dated July 12, 2017, a copy of which is attached, as the Will of Fritz Kleiner, deceased, relating to real and personal property, and directing that

Letters Testamentary Issue to Robert N. Colicchio

The return of this Citation will be held electronically, via Microsoft TEAMS. If you would like the Court to e-mail you a link to appear by TEAMS, please contact the Clerk of this Court at 607-873-9440 or by email at lhubbard@nycourts.gov

Dated, Attested and Sealed
December 12

2025



Hon. OTTAVIO CAMPANELLA

Surrogate
Laurel J. Hubbard
Chief Clerk

John R. McGlenn

607-734-1519

Attorney for Petitioner

Telephone Number

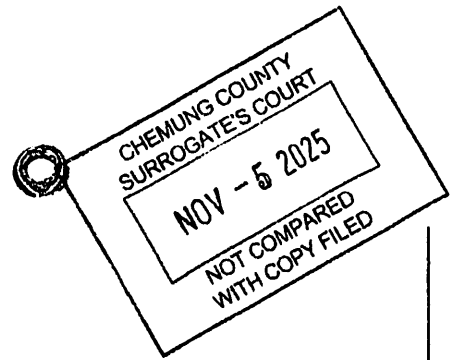
449 East Water Street, Elmira, NY 14901

Address of Attorney

[NOTE: This citation is served upon you as required by law. You are not required to appear. If you fail to appear it will be assumed you do not object to the relief requested. You have a right to have an attorney appear for you.]

P-5 (10/96)

And further take notice that you and each of you above-named are hereby served with this Citation by publication pursuant to an Order of the Court authorizing and directing such service duly granted herein on the 11th day of December, 2025; and in the event of your neglect or failure to appear on said date of return, a guardian ad litem will be appointed by the Surrogate to represent your interests in said matter as a person under disability as provided by law.



LAST WILL AND TESTAMENT

I, **FRITZ KLEINER**, of the Town of Chemung, County of Chemung and State of New York, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all wills and codicils by me at any time heretofore made.

FIRST: I direct that my funeral expenses and the expenses of the administration of my estate be paid as soon as practicable after my death. It is my wish that I be cremated following my death and that my ashes be spread on my property located in the Town of Chemung, County of Chemung, New York, by my executor, if owned by me at the time of my death. It is also my desire that there be no calling hours following my death and that there be no cemetery monument or burial plot.

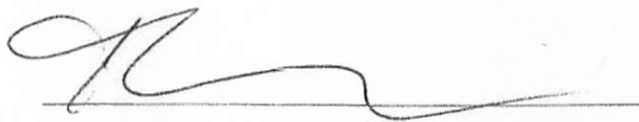
SECOND: I give and bequeath all of my tangible personal property owned by me at the time of my death to my friend, **ROBERT N. COLICCHIO**, if he shall survive me. In the event that **ROBERT N. COLICCHIO** shall not survive me, I give and bequeath all such tangible personal property to my friend, **CHRISTOPHER O'BRIEN**.

THIRD: I give the residue of my estate to my friend, **ROBERT N. COLICCHIO**, if he shall survive me. If **ROBERT N. COLICCHIO** shall not survive me, I give the residue of my estate to my friend, **CHRISTOPHER O'BRIEN**.

FOURTH: I give my executor the fullest power and authority in all matters and questions to do all acts which I might or could do if living, including, without limitation, complete power and authority to invest, sell (at public or private sale, for cash or credit, with or without security), mortgage, lease and dispose of and distribute in kind all property, real and personal, at such times and upon such terms and conditions as (s)he may deem advisable.

LASTLY: I hereby nominate and appoint my friend, ROBERT N. COLICCHIO, executor of this, my Last Will and Testament. If my said friend, ROBERT N. COLICCHIO, does not survive me, or surviving me fails to qualify, dies, resigns or ceases to act for any reason as such executor, I appoint my friend, CHRISTOPHER O'BRIEN, successor executor of this, my Last Will and Testament. I direct that no bond or other security shall be required of any executor or executrix hereunder.

IN WITNESS WHEREOF, I have hereunto subscribed my name this
12th day of July, in the year Two Thousand Seventeen.



We, whose names are hereto subscribed, do certify, that on the
12th day of July, 2017, **FRITZ KLEINER**, the testator, subscribed
his name to this Instrument, consisting of (3) typewritten pages,

including this attestation clause, in our presence and in the presence of each of us, and at the same time, in our presence and hearing, declared the same to be his Last Will and Testament, and requested us, and each of us, to sign our names thereto as witnesses to the execution thereof, which we hereby do in the presence of the testator and of each other, on the said date, and write opposite our names our respective places of residence.

John L. McHale residing at 155 West Hill Rd
Elmira, NY

A. J. C. residing at 750 Harrison St.
Elmira, NY

STATE OF NEW YORK)

) ss:

COUNTY OF CHEMUNG)

The undersigned, each being duly sworn, depose and say:

They are subscribing witnesses to the Last Will and Testament of **FRITZ KLEINER**, bearing even date with this affidavit.

The said testator did, in the presence of each of these deponents, subscribe his name at the end of said Will in writing, and at the same time did declare the Instrument so subscribed by him to be his Last Will and Testament; deponents did thereupon subscribe their own respective names at the end of said Instrument as attesting witnesses to the execution thereof, each at the request of the testator and in his presence and in the presence of each other.

The testator was at the time of so subscribing his name to said Instrument and publishing it as aforesaid upwards of the age of eighteen years and appeared to be and deponents believe he was of sound mind, memory and understanding and not under any restraint and in all respects competent to make a Will; each of these deponents saw the other sign his or her name to said Instrument in the presence of the testator.

This affidavit is made by deponents at the request of the testator concurrently with the execution of the Will.

John R. McHenry
Notary Public

Subscribed and sworn to before me
this 12th day of July, 2017.

Susan M. Nickerson
Notary Public

SUSAN M. NICKERSON
Notary Public, State of New York
Chemung Co. 01NI4645449
Comm. Expires July 31, 2021

**CHEMUNG COUNTY SURROGATE'S COURT
VIRTUAL COURT APPEARANCE NOTICE**

THE APPEARANCE SCHEDULED IN THIS MATTER IS BEING CONDUCTED ELECTRONICALLY USING MICROSOFT TEAMS. NO PHYSICAL APPEARANCES ARE TO BE MADE ABSENT PRIOR AUTHORIZATION OF THE COURT. TO ENSURE AN ACCURATE REPRESENTATION OF THE PROCEEDING, PARTICIPANTS ARE ENCOURAGED TO APPEAR BY AUDIO AND VIDEO WHENEVER POSSIBLE.

CONNECTING TO A VIRTUAL COURT APPEARANCE

BY MICROSOFT TEAMS:

Contact the clerk of the court at (607) 873-9441 or by email at lhubbard@nycourts.gov for the Microsoft TEAMS link.

At the date and time of your scheduled appearance click the **Join Microsoft Teams Meeting** link that was provided to you and then proceed per the instructions below depending on whether you will be using the Microsoft TEAMS app or via a web browser.

- **Using Microsoft TEAMS installed on your device¹:**
After clicking the TEAMS link, the TEAMS app should open, and you will be provided an opportunity to choose your video and audio options (to ensure they are on), then click **Join now**.
- **Using Microsoft TEAMS using a web browser (not installing the app):**
When prompted, click **Join on the Web**. When choosing to join on the web, your device should open the link using a web browser installed on your device. If your device has more than one compatible browser installed, you will be given an opportunity to choose which browser to use for the appearance. After choosing the browser, you will be prompted to indicate whether TEAMS may use your microphone and camera on your device. Be sure to allow it. If joining via a web browser, you will be joining as a guest so you will be prompted to enter your name in order for the court and others joining the appearance to know who is appearing.

BY TELEPHONE:

If you will be appearing by telephone, dial (833) 262-7886 (toll free) and when prompted enter the following conference ID: ID: 535 505 050#.

VIRTUAL WAITING AREA

Please note that when you initially connect to an appearance, you will enter a virtual waiting area or lobby until your case is called. When the judge is ready to call a particular case, parties are then admitted into the virtual appearance. Please be aware that prior cases may have exceeded the anticipated time so subsequent cases may not start exactly when scheduled. As long as you are in the electronic waiting area when the judge calls the case, you will be admitted into the appearance.

If you wish to make an appearance in this matter but are unable to attend via Microsoft Teams or by telephone, please contact the clerk of the court by phone at (607) 873-9441 or by email at lhubbard@nycourts.gov or visit our office in person at 203 Lake Street, Hazlett Building, First Floor, Elmira, NY 14901 for further instructions.

Guidelines for Virtual Court Appearances

Please keep in mind that virtual court appearances are not a forum for confidential communication. Any privileged discussion between attorney and client appearing electronically from separate locations must take place outside of the electronic appearance.

Parties participating in a court appearance electronically are expected to conduct themselves in the same manner as if appearing in a physical courtroom. The surrogate will ensure order and decorum in a virtual court appearance and maintains full control over remote participants.

Recording of the appearance by any of the participants is prohibited without prior permission of the court. A court reporter will be attending the appearance and will make an official record of the proceedings OR the appearance will be digitally recorded by court staff.

¹To install the Microsoft TEAMS app on your device (computer, tablet, smartphone, etc.). Instructions are particular types of devices are available on the New York State Unified Court System website at: <https://portal.nycourts.gov/knowledgebase/article/KA-01071/en-us>.

**SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF CHEMUNG**

-----X
PROBATE PROCEEDING, ESTATE

OF

File No. 2025-394

FRITZ KLEINER,

Deceased.

-----X
**NOTICE OF COMMENCEMENT OF PROCEEDING
SUBJECT TO MANDATORY ELECTRONIC FILING**

PLEASE TAKE NOTICE that the proceeding captioned above has been commenced as an electronically filed proceeding in the New York State Courts Electronic Filing System ("NYSCEF") as required by CPLR § 2111 and Uniform Rule § 207.4-aa (mandatory electronic filing). This notice is being served as required by that rule.

NYSCEF is designed for the electronic filing of documents with the court and for the electronic service of those documents, court documents, and court notices upon counsel and unrepresented litigants who have consented to electronic filing.

Electronic filing offers significant benefits for attorneys and litigants, permitting papers to be filed with the court and served on other parties simply, conveniently, and quickly. NYSCEF case documents are filed with the court by filing on the NYSCEF Website, which can be done at any time of the day or night on any day of the week. The documents are served automatically on all consenting e-filers as soon as the document is uploaded to the website, which sends out an immediate email notification of the filing.

The NYSCEF System charges no fees for filing, serving, or viewing the electronic case record, nor does it charge any fees to print any filed documents. Normal filing fees must be paid, but this can be done on-line.

Parties represented by an attorney: Counsel for parties served with this notice must either: 1) immediately record their representation within the e-filed proceeding on the NYSCEF site; or 2) file the Notice of Opt-Out form with the clerk of the court where this proceeding is pending. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the operational knowledge to comply with e-filing requirements. [Section 207.4-aa(e)]

Parties not represented by an attorney: Unrepresented litigants are exempt from e-filing. They can serve and file documents in paper form and must be served with documents in paper form. However, an unrepresented litigant may participate in e-filing.

For information on how to participate in e-filing, unrepresented litigants should contact the appropriate clerk in the court where the proceeding was filed or visit www.nycourts.gov/efile-unrepresented. Unrepresented litigants also are encouraged to visit www.nycourthelp.gov or contact the Help Center in the court where the proceeding was filed. An unrepresented litigant who consents to e-filing may cease participation at any time. However, the other parties may continue to e-file their court documents in the proceeding.

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: nyscef@nycourts.gov).

Dated: December 15, 2025


Signature

John R. McGlenn
Name

Hinman, Howard & Kattell, LLP
Firm Name

449 East Water Street
Address

Elmira, NY 14901

607-734-1519
Phone

jmcglenn@hhk.com
E-Mail

To: _____

2/24/20