

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

Estate of STEVEN WAYNE STOKER,
Deceased.

2d Civil No. B220317
(Super. Ct. No. PR080076)
(San Luis Obispo County)

DESTINY GULARTE et al.,

Petitioners and Appellants,

v.

DANINE PRADIA et al.,

Objectors and Respondents.

ORDER MODIFYING OPINION
AND DENYING REHEARING
[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on March 3, 2011, be modified as follows:

1. On page 4, the third sentence in the third paragraph is modified to read: "Decedent revoked it through his actions which included executing his 2005 will."
2. On page 7, the sentence beginning on line 1 is modified to read: "Even though it could not be probated as a will before 2009, the document was properly considered as evidence of an unequivocal signed revocation of decedent's prior will and trust."
3. On page 7, the second sentence in the first full paragraph is modified to read: "Even prior to that legislation, a probate court could properly admit the 2005 document as a part of the evidence to invalidate the 1997 will and trust."
4. On page 7, the fourth sentence in the first full paragraph is modified to read: "Before or after the amendments, the obstacle to appellants achieving their goals remained the same--revocation."

There is no change in the judgment.

Appellants' petition for rehearing is denied.