

THE COURT OF COMMON PLEAS
PROBATE DIVISION
STARK COUNTY, OHIO

Judge
Curt Werren

SEP 08 2025

In re: Estate of Linda R. Kelly, Deceased : Case No. 252541 Stark County Probate
: Court
: Judge Curt Werren

**ELECTION OF SURVIVING SPOUSE, TERRY L. KELLY,
UNDER LEGAL DISABILITY
(Ohio Revised Code §2106.08)**

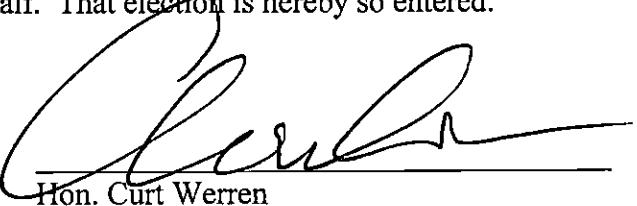
This matter came before the Court, pursuant to Ohio Revised Code §2106.08, upon the written report of investigator, John R. Frank. The report was filed on Friday, August 29, 2025.

Upon review of the investigator's report, the Court hereby finds:

- (1) that Surviving Spouse Terry L. Kelly's age, probable life expectancy, physical and mental condition, current assets, and present and reasonably anticipated future needs; and
- (2) the Ohio Supreme Court's clear command in *Estate of Cross* (1996), 75 Ohio St.3d 530, 664 N.E.2d 905

require that an election to take **AGAINST** Decedent Linda R. Kelly's last will & testament be entered on Surviving Spouse Terry L. Kelly's behalf. That election is hereby so entered.

IT IS SO ORDERED.



Hon. Curt Werren
Judge, Stark County Probate Court

cc: Attorney Kara M. Dodson, Counsel for Administrator WWA
Attorney Mackenzie C. Murphy, Counsel for Surviving Spouse
Attorney John R. Frank, Investigator