

DISTRICT COURT OF APPEAL OF FLORIDA, FIFTH DISTRICT

In re Estate of Edwards

In re Estate of Edwards, 433 So. 2d 1349 (Fla. Dist. Ct. App. 1983) (Fla. 5th DCA 1983) · No. 82-1445

SUMMARY

The court affirmed denial of a petition to revoke probate, holding that the decedent possessed testamentary capacity under the three-part test requiring a general understanding of his property, his relations to natural beneficiaries, and the practical effect of his will. The decedent’s mistrust of his family did not constitute an insane delusion because his beliefs arose from reasoning based on known premises—actual incidents—rather than from a spontaneous, unfounded belief springing from a diseased mind, as defined in **Hooper v. Stokes**. Conflicting medical and lay testimony provided sufficient evidence to support the trial court’s finding of capacity.

CASE DETAILS

COURT	District Court of Appeal of Florida, Fifth District
WRITING FOR THE COURT	ORFINGER; COBB; FRANK D. UPCHURCH, Jr.
JURISDICTION	Florida
DOCKET	82-1445
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a final judgment denying a petition to revoke probate of a will.
STANDARD OF REVIEW	Sufficiency of the evidence (whether competent substantial evidence supports the trial court's finding of testamentary capacity).
PRECEDENTIAL VALUE	published
PARTIES	Louella Edwards, Juanita Ensley Mattox, Nellie Durfee, Ethel Rebecca Edwards v. Citizens National Bank of Leesburg, Richard Vance Freeman

TOPICS

- will contests
- probate
- probate procedure
- evidence
- appellate procedure

PRACTICE AREAS

- Wills, Trusts, and Estates
- Probate Litigation

QUESTIONS PRESENTED

1. Whether the decedent had testamentary capacity to execute his will on October 29, 1981, specifically whether he understood the practical effect of the will and whether he was suffering from an insane delusion that would invalidate the will.

HOLDINGS

1. The evidence was more than sufficient to support the finding that the decedent had testamentary capacity to execute the will.
2. The decedent was not suffering from an insane delusion because his beliefs and mistrust of his family arose from reasoning based upon a known premise, having some basis in real existence, rather than from a spontaneous conception of that which has no existence except in imagination.

KEY QUOTATIONS

"It is well settled that a testator is determined to be of "sound mind" when he has the ability to mentally understand in a general way (1) the nature and extent of the property to be disposed of, (2) the testator's relation to those who would naturally claim a substantial benefit from his will and, (3) a general understanding of the practical effect of the will as executed." (1350-51)

"Monomania, sometimes designated paranoia, has reference to a craze or mania for a single object or class of objects. The subject of it may be perfectly sane as to all other objects. As with an insane delusion, monomania presupposes a species of mental disease. A mere belief in a state of facts, however imperfect or illogical, will not support an insane delusion. It must be the offspring of an unsound and deranged condition of the mind. Any belief which arises from reasoning from a known premise, however imperfect the process may be, or how illogical the conclusion reached, is not an insane delusion. If one of normal faculties can put himself in the place of the subject of an insane delusion and can see how he could believe that which he is charged with believing and still be in full possession of his faculties, an insane delusion is not established; neither will such a delusion be supported on undue prejudice if based on any kind of reasoning. An insane delusion has been defined as a spontaneous conception and acceptance as a fact, of that which has no real existence except in imagination. The conception must be persistently adhered to against all evidence and reason. It has also been defined as a conception originating spontaneously in the mind without evidence of any kind to support it, which can be accounted for on no reasonable hypothesis, having no foundation in reality, and springing from a diseased or morbid condition of the mind." (1351)

FACTUAL BACKGROUND

Francis N. Edwards died in Leesburg, Florida, on November 3, 1981. His last will, executed on October 29, 1981, devised his entire estate to Richard Vance Freeman, a casual employee of five years. Edwards had a history of chronic heart disease and underwent quadruple bypass surgery in June 1981. He had long been suspicious and secretive, protective of his property, and had various conflicts with his family, including ordering a brother off his property and suspecting another brother of engineering a break-in. He discussed these family issues with the attorney who drafted the will.

PROCEDURAL HISTORY

After Francis N. Edwards died, his will was admitted to probate. His mother and sisters filed a Petition for Revocation of Probate and for Establishment of Probate of a Prior Will dated June 23, 1981. The trial court denied the petition, and petitioners appealed.

DISPOSITION

affirmed

CASES CITED

- In re Wilmott's Estate, In re Wilmott's Estate, 66 So. 2d 465 (Fla. 1953)
- In re Estate of Dunson, 141 So. 2d 601 (Fla. 2d DCA 1962)
- Hooper v. Stokes, Hooper v. Stokes, 145 So. 855 (Fla. 1933)
- In re Estate of Supplee, 247 So. 2d 488 (Fla. 2d DCA 1971)
- Zinnser v. Gregory, 77 So. 2d 611 (Fla. 1955)
- In re Estate of Hodtum, 267 So. 2d 686 (Fla. 2d DCA 1972)

CITED IN

- In re Estate of Edwards, In re Estate of Edwards, 433 So. 2d 1349 (Fla. 5th DCA 1983)
- In re Estate of Edwards, In re Estate of Edwards, 433 So. 2d 1349 (Fla. 5th DCA 1983)

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