

DISTRICT COURT OF APPEAL OF FLORIDA, FIFTH DISTRICT

In re Estate of Edwards

433 So. 2d 1349 (Fla. 5th DCA 1983) · No. No. 82-1445 · Decided July 7, 1983

SUMMARY

The Florida Fifth District Court of Appeal affirmed the denial of a petition to revoke probate of Francis N. Edwards's last will. The court held that the evidence supported the trial court's finding that Edwards possessed testamentary capacity and was not acting under an insane delusion when he executed the will. The court declined to address other issues that depended on invalidity of the will.

CASE DETAILS

COURT	District Court of Appeal of Florida, Fifth District
WRITING FOR THE COURT	Orfinger, Chief Judge; Cobb, J.; Frank D. Upchurch, Jr., J.
JURISDICTION	Florida
DECIDED	July 7, 1983
DOCKET	No. 82-1445
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a final judgment denying a petition to revoke probate of the decedent's last will and to establish probate of a prior will.
STANDARD OF REVIEW	Whether the evidence was sufficient to support the trial court's finding that the decedent possessed testamentary capacity and was not suffering from an insane delusion when he executed the will.
PRECEDENTIAL VALUE	Published appellate opinion
PARTIES	Louella Edwards, Juanita Ensley Mattox, Nellie Durfee, Ethel Rebecca Edwards v. Citizens National Bank of Leesburg, Richard Vance Freeman

TOPICS

- testamentary capacity
- will contests
- probate procedure
- probate
- estate litigation

PRACTICE AREAS

- Probate
- Wills and estates
- Estate litigation

QUESTIONS PRESENTED

1. Whether Edwards had testamentary capacity when he executed his October 29, 1981 will.
2. Whether Edwards's suspicions and beliefs about his family constituted an insane delusion invalidating the will.

HOLDINGS

1. The evidence was more than sufficient to support the trial court's finding that Edwards possessed testamentary capacity to execute the will.
2. Edwards was not suffering from an insane delusion when he executed the will because his feelings and beliefs about his family arose from reasoning based on known premises and had a basis in actual events.

KEY QUOTATIONS

“What is significant is not the truth or falsity of the belief, but rather whether such belief arose from reasoning from a known premise.” (1351-1352)

“What is determinative is the fact that those feelings arose from reasoning or a known premise. They had real existence and did not exist only in decedent's imagination.” (1352)

FACTUAL BACKGROUND

Francis N. Edwards died on November 3, 1981, six days after executing a will that left his entire estate to Richard Vance Freeman. Edwards had a history of chronic heart disease and had undergone quadruple bypass surgery several months before executing the will. The evidence concerning his mental condition was conflicting, but medical experts, the drafting attorney, and his attorney's employees testified or provided evidence supporting his testamentary capacity; even the petitioners' psychiatric expert testified that Edwards understood the practical effect of the will. Edwards had longstanding suspicions and disputes involving family members, including concerns about trespassing, theft, and a prior break-in.

PROCEDURAL HISTORY

Francis N. Edwards's October 29, 1981 will was admitted to probate. His mother and sisters petitioned to revoke probate and establish a June 23, 1981 prior will, asserting that Edwards lacked testamentary capacity and suffered from insane delusions when he executed the later will. After a hearing, the trial court denied the petition, and the appellants appealed.

DISPOSITION

affirmed

CASES CITED

- In re Wilmott's Estate, In re Wilmott's Estate, 66 So. 2d 465, 467 (Fla. 1953)
- In re Estate of Dunson, 141 So. 2d 601 (Fla. 2d DCA 1962)
- Hooper v. Stokes, Hooper v. Stokes, 107 Fla. 607, 145 So. 855, 856 (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)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/florida-district-court-of-appeal-of-florida-fifth-district/1983/in-re-estate-of-edwards-pjuu5dlv>