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Attorney for Petitioner

IN THE SECOND JUDICIAL DISTRICT COURT
IN AND FOR DAVIS COUNTY, STATE OF UTAH

GOOD CLIENT,

Petitioner,

vs.

OPPOSING PARTY,

Respondent.

VERIFIED COMPLAINT FOR DIVORCE

Case No. 123456789 DA

Judge:
Commissioner:

Petitioner, Good Client, by and through his counsel of record, Billy McBride, of Altiorem Legal Services, PLLC, hereby complains for divorce against Respondent, Opposing Party, as follows:

THREE-MONTH RESIDENCY

1. Good Client (hereinafter referred to as "Petitioner") and Opposing Party (hereinafter referred to as "Respondent") are both actual and bona fide residents of Davis County, State of Utah, and they have been for at least three months immediately prior to the filing of this action.

MILITARY MEMBERSHIP

2. Neither party is a member of any branch of the military of the United States State of America.

MARRIAGE

3. Petitioner and Respondent were married on January 1, 2015, in Layton, Davis County, Utah, and are presently married.

4. Respondent separated from Petitioner on or about January 1, 2017, and they have remained separated.

GROUND

5. Throughout the course of the marriage, the parties have experienced significant difficulties that cannot be reconciled and that have prevented them from pursuing a viable marriage relationship.

NO CHILDREN

6. There were no children born of the parties' marriage.

PROPERTY

Separate Property Generally

7. All items of property that each party acquired before their marriage on January 1, 2015, should be awarded to the party who acquired said property before the marriage, free and clear of any claims thereto by the other party.

Real Property

8. During the course of the marriage, the parties did not acquire any interests in real property together.

9. The court should recognize the real property Petitioner acquired before his marriage to Respondent as Petitioner's own separate property, and as such, Respondent should be awarded no interest in said separate property.

Petitioner's Premarital Business Interests and Property

10. Prior to the parties' marriage, Petitioner started a business called Thriving Business Company.

11. Prior to the parties' marriage, Petitioner and Thriving Business Company acquired real property and separate property used in connection with the operation of Thriving Business Company.

12. Respondent did not work at or for Thriving Business Company.

13. Respondent did not contribute to the operation, maintenance, or improvement of Thriving Business Company.

14. Respondent should be awarded no interest in Thriving Business Company or any of the property owned by Thriving Business Company and should be awarded no interest in any of the property used in connection with the operation of Thriving Business Company.

Separate Property - Personal Property

15. The following items of personal property are the separate property of Petitioner, which he acquired prior to his marriage to Respondent, and the court should recognize the property as Petitioner's separate property, and as such, Respondent should be awarded no interest in said separate personal property—to wit: all household goods, furnishings, and other property located in and on the parties' marital home, other than those items of property identified in paragraph 16 hereinbelow as items that should be awarded to Respondent.

16. The following items of personal property are the separate property of Respondent, which she acquired prior to her marriage to Petitioner, and the court should recognize the property

as Respondent's separate property, and as such, Petitioner should be awarded no interest in said separate personal property—to wit:

- a. two sage brown linen covered couches currently located, as of the date this Complaint is filed, at the parties' marital home;
- b. two small nightstands currently located, as of the date this Complaint is filed, at the parties' marital home; and
- c. Respondent's bed, which Respondent removed from the parties' marital home, and so its whereabouts are unknown to Petitioner.

MARITAL ESTATE AND DIVISION THEREOF

Personal Property Acquired by the Parties Jointly During Their Marriage

17. During the marriage the parties acquired jointly certain items of personal property that should be divided equitably between the parties as they agree, or, if they cannot agree, then the parties' personal property should be divided equitably as the court determines.

Separate Debts and Obligations

18. All debts and obligations that each party acquired before their marriage on January 1, 2015, should be the responsibility of the party who incurred the debt.

Marital Debts and Obligations

19. Any debts and obligations incurred by the parties during the course of the marriage should be fully identified and the responsibility therefor equitably divided between the parties in these proceedings.

20. Each party should be ordered solely and exclusively liable for any debts and obligations incurred in his or her own name, including, but not limited to any debts and obligations

incurred in his or her own name that are incurred subsequent to the date this complaint is filed, indemnifying and holding the other harmless from liability or any other harm associated with said debt(s) and obligation(s).

21. Both parties should be ordered to separately provide notice to any creditor(s), along with a copy of a court order under Utah Code § 30-3-5, that the debtor(s) is/are divorced and expressly advised of the separate, current addresses of each debtor either by the court order or by other written notice.

Retirement Funds, Accounts, Benefits

22. Prior to the marriage, Petitioner acquired retirement funds, accounts, benefits, and the like, which should be fully awarded to Petitioner, free and clear of any claims thereto by Respondent.

ALIMONY

23. Neither party is in need of alimony from the other; therefore, neither party should be awarded alimony.

RESTRAINING ORDERS

24. The Court should order the parties to enter an injunction when this complaint is filed; specifically, that:

- a. neither party may transfer, encumber, conceal, or dispose of any property of either party without the written consent of the other party or an order of the court, except in the usual course of business or to provide for the necessities of life;
- b. neither party may, through electronic or other means, disturb the peace of, harass, or intimidate the other party;

- c. neither party may commit domestic violence or abuse against the other party;
 - d. neither party may use the other party's name, likeness, image, or identification to obtain credit, open an account for service, or obtain a service;
 - e. neither party may cancel or interfere with telephone, utility, or other services used by the other party;
 - f. neither party may cancel, modify, terminate, change the beneficiary, or allow to lapse for voluntary nonpayment of premiums, any policy of health insurance, homeowner's or renter's insurance, automobile insurance, or life insurance without the expressed written consent of the other party or pursuant to further order of the court.
25. The injunction should remain in effect until the final Decree of Divorce is entered, the petition is dismissed, or further order of the court.
26. The court should issue in the Decree of Divorce any restraining orders that it deems necessary and appropriate to protect the parties.

ATTORNEY'S FEES

27. So long as Respondent does not contest Petitioner's Complaint for divorce, each party should be ordered responsible for his or her own attorney's fees and court costs incurred in this matter; otherwise, Petitioner should be awarded the attorney's fees and court costs he incurs in this matter.

SURNAME CHANGE

28. Respondent should be permitted to restore her surname back to her maiden name if she so desires.

EXECUTION OF DOCUMENTS

29. Both parties should be ordered to sign and fully execute whatever documents are necessary for the implementation of the provisions of their divorce decree. Should a party fail to execute a document within 60 days of the entry of their divorce decree, the other party may bring an Order to Show Cause at the expense of the disobedient party and ask that the Court appoint some other person to execute the document pursuant to Rule 70 of the Utah Rules of Civil Procedure. Any document executed pursuant to Rule 70 has the same effect as if executed by the disobedient party.

WHEREFORE, Petitioner prays that he be granted a divorce as pleaded above, and for such other relief as the court deems equitable and just under the circumstances.

DATED January 1, 2018.

Altioirem Legal Services, PLLC

/s/ Billy McBride,
Billy McBride,
Attorney for Petitioner

VERIFICATION

I hereby declare under criminal penalty under the law of Utah that the foregoing is true and correct.

Signed on: January 1, 2018

Signed at: Davis County, State of Utah

Signature: /s/ Good Client*
Good Client, Petitioner

*Signed electronically by counsel for Petitioner, with permission.