

FILED
For Judicial District Court
of Utah County, State of Utah
10/12/01 Deputy

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IN THE FOURTH JUDICIAL DISTRICT COURT OF UTAH COUNTY
STATE OF UTAH

GARRETT L. SEDGWICK,

Petitioner,

vs.

PAULA SEDGWICK,

Respondent.

DECREE OF DIVORCE

Civil No. 014401569
Division No. 6
Commissioner Patton

THE ABOVE-ENTITLED matter having come before the Court upon Petitioner's Amended Verified Petition for Divorce and Respondent's Default, the Court having taken all matters herein under advisement, and being fully advised in the premises, having heretofore entered its Findings of Fact and Conclusions of Law, and for good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

JURISDICTION

1. Both Petitioner and Respondent are bona fide residents of Utah County, State of Utah, and have been for three months immediately prior to the filing of this action.

1 2. The parties maintained their marital domicile in Utah County, State of Utah and the acts
2 complained of by the Petitioner occurred in the State of Utah.

3 3. Petitioner and Respondent are husband and wife, having married on the 21th day of June,
4 2000, in Utah County, State of Utah. The parties had previously been married on December 4, 1980 and
5 subsequently granted a decree of divorce on February 2, 2000.
6

7 **GROUND FOR DIVORCE**

8 4. During the course of the marriage the parties have experienced difficulties that cannot be
9 reconciled and that have prevented the parties from pursuing a viable marriage relationship.
10

11 **CHILDREN**

12 5. There are no children issue born of this marriage. Previously, Petitioner was awarded
13 primary physical custody of the minor children in a decree dated February 2, 2000.
14

15 **ALIMONY**

16 6. Because of the short duration of the marriage and because each party is fully capable of
17 supporting themselves, neither party is be awarded alimony.

18 **REAL PROPERTY**

19 7. Prior to the marriage of the parties, the Petitioner acquired a home and real property located
20 at 1032 East, 420 South, Provo, Utah. There is a mortgage on the home and due to multiple refinances,
21 there is currently no equity value in the home. Petitioner is awarded the exclusive use and possession of
22 the parties' home to care for his five (5) minor children that were awarded to him in a previous decree
23 under the same conditions as the previous decree dated February 2, 2000.
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PERSONAL PROPERTY

8. During the course of the marriage relationship, the parties have acquired personal property. When Respondent left the residence, she took many items of personal property, and under good faith and belief has stored those items in a storage unit. Said personal property of the parties are distributed as follows:

- (a) *To Respondent:* Everything she put in storage with the exception of the following: the washer and dryer, the stainless steel set of flatware, the DVD player, the 27" TV set, and any stainless steel pots or pans that are part of the matching set of pots and pans that were left at the residence.
- (b) *To Petitioner:* The washer and dryer, the stainless steel set of flatware, the DVD player, the 27" TV set, and any stainless steel pots or pans that are part of the matching set of pots and pans that were left at the residence. All remaining personal property at the residence with the exception of the 19" TV set which is awarded to Respondent.
- (c) All remaining personal property is awarded to each of the parties as they have heretofore divided it.

9. All property and all property rights which may be vested in either party as a result of acquisition prior to the marriage, family inheritance, trusts, or similar sources is awarded to the party from whose family it came.

DEBTS AND OBLIGATIONS

1 10. During the course of the marriage, the parties have acquired numerous debts and
2 obligations. Each party is ordered to assume and pay the following:

- 3 (a) **Petitioner:** (1) the mortgage on the residence, and (2) one-half of the Visa card
4 debt that currently has a balance of approximately \$4,000.00.
5
6 (b) **Respondent:** (1) her student loans, (2) her restitution obligation to the state of
7 Utah for food stamp fraud, (3) one-half of the Visa credit card debt that currently
8 has a balance of approximately \$4,000.00, and (4) Respondent's current dental
9 bills incurred since June.
10
11 (c) All remaining debts and obligations incurred after the separation of the parties are
12 the responsibility of the party who incurred the particular debt.

13 **PENSION AND TAXES**

14 11. Petitioner has a S-IRA account with an approximate balance of \$2,500.00 through his
15 place of employment into which the majority of the funds were deposited prior to this marriage.
16
17 Petitioner is awarded this account as his sole and exclusive property.

18 12. Petitioner and Respondent shall file a separate tax returns for the year 2001.

19 13. Any income tax refund received for the year immediately preceding the filing of this
20 Petition (2000) is awarded to Petitioner.
21

22 **MISCELLANEOUS PROVISIONS**

23 14. The Petitioner and Respondent have been married for a very short period of time. All of
24 their efforts toward reconciliation of their differences have been futile and it is impossible for the parties
25 to continue their marriage. Based upon their short marriage and their attempt at reconciliation, which

1 has failed, and the fact that there are no children of the marriage, the best interest of both parties would
2 be served by this Court ordering the waiting period pursuant to UCA 30-3-18 set aside, the Court orders
3 the waiting period set aside.

4
5 15. Each party is ordered to assume their own costs and attorney's fees incurred in
6 prosecuting this action.

7 16. Each party is ordered to execute and deliver to the other such documents as are required
8 to implement the provisions of the Decree of Divorce entered by the Court.

9
10 **DIVORCE**

11 17. The Bonds of Matrimony and the marriage contract heretofore existing by and between
12 the Petitioner and Respondent be, and the same are hereby dissolved, and Petitioner is hereby awarded a
13 Decree of Divorce from Respondent on the grounds of irreconcilable differences, said Decree to become
14 absolute and final upon entry by the Court in the Registrar of Actions.

15
16
17 DATED this 11 day of September, 2001.

18 BY THE COURT

19
20 Anthony W. Sikefield
21 Judge/Commissioner
22
23
24
25

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I personally mailed a true and correct copy of the foregoing DECREE
OF DIVORCE on this 11th day of September, 2001, by first-class, U.S. mail, postage
prepaid to the following:

Michael S. Thompson
881 South Orem Blvd., Ste 3
Orem, UT 84058
United States of America

Jacqueline F. De Gaston
3214 North University #224
Provo, UT 84604
United States of America

Brittney Haufen
Secretary