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*Attorney for Petitioner Guadalupe Gabriel Martinez Mairena*

IN THE DISTRICT COURT OF UTAH FOURTH JUDICIAL DISTRICT, UTAH COUNTY	
<b>GUADALUPE GABRIEL MARTINEZ MAIRENA</b> Petitioner v. <b>CAROLA MARIA SILVA VALLE</b> Respondent	<b>DIVORCE DECREE AND JUDGMENT</b>  Case No. 254401697  Judge Hon. TONY F GRAF JR  Commissioner: MARLA SNOW

The court decrees:

## **DIVORCE**

1. **GUADALUPE GABRIEL MARTINEZ MAIRENA** and **CAROLA MARIA SILVA VALLE** should be granted a divorce based on the Declaration of Jurisdiction and Grounds and the contents of his Petition. The divorce will become final upon entry of the divorce decree.

## **CHILDREN**

5. **Guadalupe Gabriel Martinez Mairena** and **Carola Maria Silva Valle** are the legal parents of the following children (Utah Code 78B-15-101 et seq.):

**Gabriela María Martínez Silva**

**Born 02/15/2003**

<b>Alma Janice Martinez Silva</b>	<b>Born 09/21/2005</b>
<b>Miguel Adán Martinez Silva</b>	<b>Born 03/25/2008</b>
<b>Fergie Carola Martinez Silva</b>	<b>Born 09/07/2011</b>

This court has jurisdiction to make orders about the following children:

<b>Miguel Adán Martinez Silva</b>	<b>Born 03/25/2008</b>
<b>Fergie Carola Martinez Silva</b>	<b>Born 09/07/2011</b>

**CHILDREN – JURISDICTION OVER CUSTODY AND PARENT-TIME ISSUES** (Utah Code 78B-13-102(7), 201(1), and 208)

6. Utah has jurisdiction over the custody and parent-time issues in this case because:

Utah is the home state of the parties' minor children's biological father under Utah Code 78B-13- 102(7), or

This case meets the criteria under Utah Code 78B-13-201(1), 207, and 208.

During the last five years, the minor children have lived at the following places and with the following people:

a. **Miguel Adan Martinez Silva**

Address: **Bello Amanecer, del Centro de salud de Bello Amanecer 1 cuadra al Oeste, 2 cuadras al Norte, 1 cuadra al Oeste, Managua, Nicaragua**

Began living there: **since birth**

Resided With: **Carola Maria Silva Valle and Guadalupe Gabriel Martinez Mairena**

Relationship to this child: **Parents**

Current Address of **Carola Maria Silva Valle and Guadalupe Gabriel Martinez Mairena**: **Carola Maria Silva Valle: Bello Amanecer, del Centro de salud de Bello Amanecer 1 cuadra al Oeste, 2 cuadras al Norte, 1 cuadra al Oeste, Managua, Nicaragua, and Guadalupe Gabriel Martinez Mairena: 419 S 400 E Springville UT, 84663-2260.**

b. **Fergie Carola Martinez Silva**

Address: **Bello Amanecer, del Centro de salud de Bello Amanecer 1 cuadra al Oeste, 2 cuadras al Norte, 1 cuadra al Oeste, Managua, Nicaragua**

Began living there: **since birth**

Resided With: **Carola Maria Silva Valle and Guadalupe Gabriel Martinez Mairena**

Relationship to this child: **Parents**

Current Address of **Carola Maria Silva Valle and Guadalupe Gabriel Martinez Mairena**: **Carola Maria Silva Valle: Bello Amanecer, del Centro de salud de Bello Amanecer 1 cuadra al Oeste, 2 cuadras al Norte, 1 cuadra al Oeste, Managua, Nicaragua, and Guadalupe Gabriel Martinez Mairena: 419 S 400 E Springville UT, 84663-2260.**

### **CHILDREN – OTHER COURT PROCEEDINGS**

(Utah Rule of Civil Procedure 100; Utah Uniform Child Custody Jurisdiction and Enforcement Act, UCCJEA, Utah Code 78B-13-101 et seq.; Utah Uniform Interstate Family Support Act, UIFSA, Utah Code 78B-14-101 et seq.)

7. I say the following:

a. There are no custody, child support, or parent-time cases about **Guadalupe Gabriel Martinez Mairena** and **Carola Maria Silva Valle's** minor children in any court or government agency. This includes filed, pending, and completed cases.

**Guadalupe Gabriel Martinez Mairena** does not know of any criminal, delinquency, or protective order cases involving **Guadalupe Gabriel Martinez Mairena**, or their children.

a. **Carola Maria Silva Valle** has physical custody of **Miguel Adan Marinez Silva and Fergie Carola Martinez Silva**, our children. We are the only people who have custody, child support, and parent-time rights to **Miguel Adan Marinez Silva and Fergie Carola Martinez Silva**.

### **CHILDREN - CUSTODY**

8. It is in the children's best interest that **Carola Maria Silva Valle** be awarded sole legal and sole physical custody. **Guadalupe Gabriel Martinez Mairena** will have parent-time at reasonable times and places as agreed upon by the parties.

### **PARENT-TIME**

9. The parents will follow the parent-time schedule in the statute(s) unless the parties decide **by mutual agreement**.

The children will live with **Carola Maria Silva Valle** and will have parent-time with **Guadalupe Gabriel Martinez Mairena** as set by the parties by mutual agreement or, alternatively, according to the statutory parent-time schedule. **Carola Maria Silva Valle** will be the “custodial” parent:

A copy of the following statute(s) is attached to the Parenting Plan.

Children 5-18 (Utah Code 30-3-35)

**FOR ALL CHILDREN (Children under 5 will visit along with children 5 to 18 years):**

**Midweek – School in Session:** During the time a child's school is in session, one weekday evening to be specified by the noncustodial parent, or Wednesday evening if not specified, from 5:30 - 8:30 p.m.; or, at the election of the noncustodial parent, one weekday from the time the child's school is regularly dismissed until 8:30 p.m.

**Midweek – School not in Session:** During the time a child's school is not in session, one weekday from approximately 9:00 a.m., accommodating the custodial parent's work schedule, until 8:30 p.m., if the noncustodial parent is available to be with the child.

**Changes to Midweek Schedule:** Once the weekday is designated, it may not be changed except by mutual written agreement of the parents, or court order.

**Alternate Weekends:** Alternating weekend parent-time shall begin the first **weekend** after the entry of the decree.

**Alternate Weekends - School in Session:** During the time a child's school is in session alternating weekend parent-time shall be from 6:00 p.m. on Friday until 7:00 p.m. on Sunday, or, at the election of the non-custodial parent, from the time a child's school is regularly dismissed on Friday until 7:00 p.m. on Sunday.

**Alternate Weekends - School not in Session:** During the time a child's school is not in session a noncustodial parent may elect alternating weekend parent-time to begin on Friday from approximately 9:00 a.m., if the noncustodial parent is available to be with the child and in accommodation with the custodial parent's work schedule, until 7:00 p.m. on Sunday.

**Pick Up by Non-Parent:** A step-parent, grandparent, or other responsible adult designated by the noncustodial parent, may pick up the child if the custodial parent is aware of the identity of the individual, and the parent will be with the child by 7 p.m.

**Changes to Weekends:** Weekend parent-time elections shall be made by the noncustodial parent at the time of entry of the divorce decree or court order, and may

be changed by mutual agreement, court order, or by the noncustodial parent in the event of a change in the child's schedule.

**Holiday Parent-time:** Holidays as specified below in the Special Occasion table.

**Extended Parent-time:** Extended parent-time with the non-custodial parent may be up to four consecutive weeks when school is not in session, at the option of the non-custodial parent including weekends normally exercised by the noncustodial parent, but not holidays;

- a. two weeks shall be uninterrupted time for the noncustodial parent;
- b. the remaining two weeks shall be interrupted parent-time and be subject to parent-time for the custodial parent for weekday parent-time but not weekends, except a custodial parent may exercise a holiday as specified below in the Special Occasion table. Within ten days of receiving notice of a parent's intent and schedule for taking interrupted parent-time, the parent receiving that notice must give notice of any plan to interrupt the parent-time; and
- c. the custodial parent shall have an identical two-week period of uninterrupted time when school is not in session for purposes of vacation.

Each parent shall provide notice to the other of their plan to exercise extended parent- time during summer break as follows:

**Extended Parent-time notice - in odd numbered years,** the noncustodial parent shall provide notification of extended parent-time to the custodial parent by May 1<sup>st</sup> and the custodial parent shall provide notification to the noncustodial parent of uninterrupted extended parent-time by May 15<sup>th</sup>.

**Extended Parent-time notice - in even numbered years,** the custodial parent shall provide notification of uninterrupted extended parent-time with a child to the noncustodial parent by May 1<sup>st</sup> and the noncustodial parent shall provide notification to the custodial parent of extended parent-time by May 15<sup>th</sup>.

**Extended Parent-time notice - if not provided timely by a parent,** the complying parent may determine the schedule for non-complying parent, so long as the complying parent's notification is timely.

**Extended Parent-time notice - if neither parent's notification is timely,** the first parent to give notice may determine the schedules of both parents for extended parent- time.

**Electronic communication:** Telephone contact shall be at reasonable hours and for a reasonable duration. Virtual parent-time, if the equipment is reasonably available and the parents reside at least 100 miles apart, shall be at reasonable hours and for reasonable duration, provided that if the parties cannot agree on whether the

equipment is reasonably available, the court shall decide whether the equipment for virtual parent- time is reasonably available, taking into consideration the best interest of the child, each parent’s ability to handle any additional expenses for virtual parent-time; and any other factors the court considers material.

For children 5-18:

**Weekday parent-time** will be Wednesday. (30-3-35)

**On school days:** Parent-time begins at 5:30 p.m. and ends at 8:30 p.m. (Utah Code 30-3-35)

**On days when school is not in session:** Parent-time begins at 5:30 p.m. and ends at 8:30 p.m. (Utah Code 30-3-35)

## PARENT-TIME FOR SPECIAL OCCASIONS

10. The parents will follow the schedule for special occasions below. If there is more than one child and the children's school schedules vary for purpose of a holiday, at the option of the parent exercising the holiday or the parent's half of the holiday, the children may remain together for the holiday period beginning the first evening that all children's schools are let out for the holiday and ending the evening before any child returns to school. (Utah Code 30-3-35, 35.1)

Holiday	Holiday Time Period	Years and Parent Granted Holiday	Years and Parent Granted Holiday
<b>Labor Day Children under 5 years of age (Utah Code 30-3-35.5)</b>	(1) Holiday begins Friday at: (a) 6 p.m.; or (b) 9 a.m. if the parent is available to be with the child (2) Holiday ends at 7 p.m. on Labor Day.	<b>Odd Years Guadalupe Martinez</b>	<b>Even Years Carola Silva</b>
<b>Labor Day Children 5 to 18 years of age (Utah Code 30- 3-35)</b>	(1) Holiday begins Friday at: (a) 6 p.m.; or (b) 9 a.m. if school is not in session and the parent can be with the child (2) Holiday ends at 7 p.m. on the day before school resumes.	<b>Odd Years Guadalupe Martinez</b>	<b>Even Years Carola Silva</b>
<b>Columbus Day Children under 5 years of age (Utah Code 30-3-35.5)</b>	(1) Holiday begins at 6 p.m. on the day before Columbus Day. (2) Holiday ends at 7 p.m. on Columbus Day.	<b>Even Years Guadalupe Martinez</b>	<b>Odd Years Carola Silva</b>
<b>Columbus Day Children 5 to 18 years of age</b>	(1) Holiday begins at 6 p.m. on the day before Columbus Day. (2) Holiday ends at 7 p.m. on	<b>Even Years Guadalupe Martinez</b>	<b>Odd Years Carola Silva</b>

<b>(Utah Code 30-3-35)</b>	<b>Columbus Day.</b>		
<b>Fall Break Children under 5 years of age (Utah Code 30-3-35.5)</b>	(1) Holiday begins at 6 p.m. on the day school is dismissed for fall break. (2) Holiday ends at 7 p.m. on the day before school resumes.	<b>Odd Years Guadalupe Martinez</b>	<b>Even Years Carola Silva</b>
<b>Fall Break Children 5 to 18 years of age (Utah Code 30-3-35)</b>	(1) Holiday begins at 6 p.m. on the day that school dismisses for fall break. (2) Holiday ends at 7 p.m. on the day before school resumes.	<b>Odd Years Guadalupe Martinez</b>	<b>Even Years Carola Silva</b>
<b>Halloween Children under 5 years of age (Utah Code 30-3-35.5)</b>	(1) Holiday begins on October 31st or the day that Halloween is traditionally celebrated in the local community: (a) at the time that school is dismissed; or (b) at 4 p.m. if there is no school. (2) Holiday ends at 9 p.m. on the same day the holiday begins.	<b>Even Years Guadalupe Martinez</b>	<b>Odd Years Carola Silva</b>
<b>Halloween Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)</b>	(1) Holiday begins on October 31st or the day that Halloween is traditionally celebrated in the local community: (a) at the time that school is dismissed; or (b) at 4 p.m. if there is no school. (2) Holiday ends at 9 p.m. on the same day the holiday begins.	<b>Even Years Guadalupe Martinez</b>	<b>Odd Years Carola Silva</b>
<b>Veterans Day Children 5 to 18 years of age (Utah Code 30-3-35)</b>	(1) Holiday begins at 6 p.m. on the day before Veterans Day. (2) Holiday ends at 7 p.m. on Veterans Day.	<b>Odd Years Guadalupe Martinez</b>	<b>Even Years Carola Silva</b>
<b>Veterans Day Children under 5 years of age (Utah Code 30-3-35.5)</b>	(1) Holiday begins at 6 p.m. on the day before Veterans Day. (2) Holiday ends at 7 p.m. on Veterans Day.	<b>Odd Years Guadalupe Martinez</b>	<b>Even Years Carola Silva</b>
<b>Thanksgiving Break Children under 5 years of age (Utah Code 30-3-35.5)</b>	(1) Holiday begins at 6 p.m. on the day that school dismisses for Thanksgiving. (2) Holiday ends at 7 p.m. the day before school resumes.	<b>Even Years Guadalupe Martinez</b>	<b>Odd Years Carola Silva</b>
<b>Thanksgiving Break Children 5 to 18 years of age</b>	(1) Holiday begins at 6 p.m. on Wednesday. (2) Holiday ends at 7 p.m. the day before school resumes.	<b>Even Years Guadalupe Martinez</b>	<b>Odd Years Carola Silva</b>

(Utah Code 30-3-35)			
Winter Break (First Half) Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins at 6 p.m. on the day that school dismisses for winter break. (2) Holiday ends on December 27th at 7 p.m.	Odd Years Guadalupe Martinez	Even Years Carola Silva
Winter Break (First Half) Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	(1) Holiday begins at 6 p.m. on the day that school dismisses for winter break. (2) Holiday ends on December 27th at 7 p.m.	Odd Years Guadalupe Martinez	Even Years Carola Silva
Christmas Eve (4 pm to 9 pm)	(1) Holiday begins on December 24th at 4 p.m. (2) Holiday ends on December 24th at 9 p.m.	Odd Years Guadalupe Martinez	Even Years Carola Silva
Christmas Day (9 pm 24th to 9 pm 25th)	(1) Holiday begins on December 24th at 9 p.m. (2) Holiday ends on December 25th at 9 p.m.	Odd Years Guadalupe Martinez	Even Years Carola Silva
New Year's Eve (4 pm 31st to 9 am 1st)	(1) Holiday begins on December 31st at 4 p.m. (2) Holiday ends on January 1st at 9 a.m.	Odd Years Guadalupe Martinez	Even Years Carola Silva
New Year's Day (9 am 1st to 9 pm 1st)	(1) Holiday begins on January 1st at 9 a.m. (2) Holiday ends on January 1st at 9 p.m.	Odd Years Guadalupe Martinez	Even Years Carola Silva
Dr. Martin Luther King Jr. Day Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on Friday at: (a) 6 p.m.; or (b) 9 a.m. if the parent is available to be with the child. (2) Holiday ends at 7 p.m. on Dr. Martin Luther King Jr. Day.	Odd Years Guadalupe Martinez	Even Years Carola Silva
Dr. Martin Luther King Jr. Day Children 5 to 18 years of age (Utah Code 30-3-35)	(1) Holiday begins Friday at: (a) 6 p.m. or (b) 9 a.m. if school is not in session and the parent can be with the child. (2) Holiday ends at 7 p.m. on the day before school resumes.	Odd Years Guadalupe Martinez	Even Years Carola Silva
President's Day Children under	(1) Holiday begins on Friday at: (a) 6 p.m.; or	Even Years Guadalupe Martinez	Odd Years Carola Silva



5 years of age (Utah Code 30-3-35.5)	(b) 9 a.m. if the parent is available to be with the child (2) Holiday ends at 7 p.m. on President's Day.		
President's Day Children 5 to 18 years of age (Utah Code 30-3-35)	(1) Holiday begins Friday at: (a) 6 p.m. or (b) 9 a.m. if school is not in session and the parent can be with the child. (2) Holiday ends at 7 p.m. on the day before school resumes.	Even Years Guadalupe Martinez	Odd Years Carola Silva
Spring Break Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins at 6 p.m. on the day that school dismisses for spring break. (2) Holiday ends at 7 p.m. on the day before school resumes.	Odd Years Guadalupe Martinez	Even Years Carola Silva
Spring Break Children 5 to 18 years of age (Utah Code 30-3-35)	(1) Holiday begins at 6 p.m. on the day that school dismisses for spring break. (2) Holiday ends at 7 p.m. on the day before school resumes.	Odd Years Guadalupe Martinez	Even Years Carola Silva
Mother's Day Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on Mother's Day at 9 a.m. (2) Holiday ends on Mother's Day at 7 p.m.	All Years Carola Silva	All Years Carola Silva
Mother's Day Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	(1) Holiday begins Mother's Day at 9 a.m. (2) Holiday ends on Mother's Day at 7 p.m.	All Years: Carola Silva	All Years: Carola Silva
Memorial Day Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on Friday at: (a) 6 p.m.; or (b) 9 a.m. if the parent is available to be with the child. (2) Holiday ends at 7 p.m. on Memorial Day.	Even Years Guadalupe Martinez	Odd Years Carola Silva
Memorial Day Children 5 to 18 years of age (Utah Code 30-3-35)	(1) Holiday begins Friday at: (a) 6 p.m. or (b) 9 a.m. if school is not in session and the parent can be with the child. (2) Holiday ends at 7 p.m. on the day before school resumes.	Even Years Guadalupe Martinez	Odd Years Carola Silva
Father's Day Children under 5 years of age (Utah Code	(1) Holiday begins on Father's Day at 9 a.m. (2) Holiday ends on Father's Day at 7 p.m.	All Years Guadalupe Martinez	All Years Guadalupe Martinez

<b>30-3-35.5)</b>			
<b>Father's Day Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)</b>	(1) Holiday begins on Father's Day at 9 a.m. (2) Holiday ends on Father's Day at 7 p.m.	<b>All Years: Guadalupe Martinez is the father</b>	<b>All Years: Guadalupe Martinez is the father</b>
<b>Juneteenth National Freedom Day Holiday Children under 5 years of age (Utah Code 30-3-35.5)</b>	(1) Holiday begins (a) the day before Juneteenth National Freedom Day at 6 p.m. if the day before Juneteenth National Freedom Day is not Father's Day; or (b) on Juneteenth National Freedom Day at 9 a.m. if the day before Juneteenth National Freedom Day is Father's Day. (2) Holiday ends at 6 p.m. on the day following Juneteenth National Freedom Day.	<b>Even Years Guadalupe Martinez</b>	<b>Odd Years Carola Silva</b>
<b>Juneteenth National Freedom Day Holiday Children 5 to 18 years of age (Utah Code 30-3-35)</b>	(1) Holiday begins (a) the day before Juneteenth National Freedom Day at 6 p.m. if the day before Juneteenth National Freedom Day is not Father's Day; or (b) on Juneteenth National Freedom Day at 9 a.m. if the day before Juneteenth National Freedom Day is Father's Day. (2) Holiday ends at 6 p.m. on the day following Juneteenth National Freedom Day.	<b>Even Years Guadalupe Martinez</b>	<b>Odd Years Carola Silva</b>
<b>Summer Break Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)</b>	Guadalupe Martinez will have up to two weeks of uninterrupted extended summer Parent-time when school is not in session, at the option of Guadalupe Martinez. Guadalupe Martinez will have an additional two weeks of extended Summer Parent- time at the option of Guadalupe Martinez, subject to weekday parent-time for Carola Silva, but not weekends normally exercised by Carola Silva. Guadalupe Martinez will notify Carola Silva of the summer break extended parent-time by May 1 each year. Carola Silva will also have two weeks of uninterrupted		

	extended parent time when school is not in session, at the option of Carola Silva. Carola Silva will notify Guadalupe Martinez of the summer break extended parent-time by May 15 each year. If the notification by Guadalupe Martinez is not timely, Carola Silva may determine the schedule for extended parent-time for Guadalupe Martinez, so long as		
	Carola Silva has provided timely notice. If neither parent provides timely notice, the first parent to provide notice may determine the schedule of extended parent-time for the other parent.	Odd Years Guadalupe Martinez	Even Years Carola Silva
Independence Day Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on July 3rd at 6 p.m. (2) Holiday ends on July 5th at 6 p.m.	Odd Years Guadalupe Martinez	Even Years Carola Silva
Independence Day Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	(1) Holiday begins on July 3rd at 6 p.m. (2) Holiday ends on July 5th at 6 p.m.	Odd Years Guadalupe Martinez	Even Years Carola Silva
Pioneer Day Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on July 23rd at 6 p.m. (2) Holiday ends on July 25th at 6 p.m.	Even Years Guadalupe Martinez	Odd Years Carola Silva
Pioneer Day Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	(1) Holiday begins on July 23rd at 6 p.m. (2) Holiday ends on July 25th at 6 p.m.	Even Years Guadalupe Martinez	Odd Years Carola Silva
Day of Child's Birthday Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m. (3) A parent may bring other siblings along for the child's birthday.	Even Years Guadalupe Martinez	Odd Years Carola Silva
Day of Child's	(1) Holiday begins at 3 p.m.	Even Years	Odd Years

<b>Birthday Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)</b>	<b>(2) Holiday ends at 9 p.m.</b>	<b>Guadalupe Martinez</b>	<b>Carola Silva</b>
<b>Day Before or After Child's Birthday Children under 5 years of age (Utah Code 30-3-35.5)</b>	<b>(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m. (3) A parent may bring other siblings along for the child's birthday.</b>	<b>Odd Years Guadalupe Martinez</b>	<b>Even Years Carola Silva</b>
<b>Day Before or After Child's Birthday Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)</b>	<b>(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m.</b>	<b>Odd Years Guadalupe Martinez</b>	<b>Even Years Carola Silvai</b>

## **PARENT-TIME TRANSFERS**

**11.** Pick-up and drop-off ("transfers") of the children for parent-time will be as described as follows: The parties will make arrangements for pick up, delivery and return of the children prior to each scheduled parent-time.

## **EDUCATION PLAN**

**12.** The school the children will attend is based on **Carola Maria Silva Valle's** home residence. **Carola Maria Silva Valle** has authority to check the children out of school. **Guadalupe Gabriel Martinez Mairena** has authority to check the children out of school. **Carola Maria Silva Valle** has access to the children during school. **Guadalupe Gabriel Martinez Mairena** has access to the children during school.

## **COMMUNICATION WITH EACH OTHER**

**13.** Parents will communicate with each other by any method.

## **COMMUNICATION WITH THE CHILDREN**

**14.** The parents agree they will:

provide age-appropriate help to the children to communicate with the other parent.

give the children privacy during their communication with the other parent. The parents will not interfere with or monitor communication between the children and the other parent.

Parents and children may communicate with each other whenever the children choose.

By any method

## **RECORDS AND INFORMATION SHARING**

**15.** Both parents will have access to records and the ability to consult with providers regarding education, child care, and health care.

## **TRAVEL BY THE CHILDREN**

**16.** During their parent-time, the parent may consent for the children to travel with a sports team, religious group, school group, relatives, friends, by themselves, or with others.

## **RELOCATION OF A PARENT (Utah Code 30-3-37)**

**17.** The parties agree with the relocation of **all children** to the parent's home country: Nicaragua.

**18.** If either parent lives more than 149 miles away from the other, or if the parents live in different countries, parent-time will be as the parties agree. If they are unable to agree or the children return to the United States permanently and live within 149 miles from the non-custodial parent, the following will be the minimum parent-time for the noncustodial parent:

## **RELOCATION SCHEDULE (Utah Code 30-3-37)**

**19.** In years ending in odd number, the minor children will spend the following holidays with the noncustodial parent:

- i. Thanksgiving holiday beginning Wednesday until Sunday; and
  - ii. spring break, if applicable, beginning the last day of school before the holiday until the day before school resumes;
- b. in years ending in an even number, the minor children will spend the following holidays with the noncustodial parent:
- i. the entire winter school break period; and

- ii. the fall school break beginning the last day of school before the holiday until the day before school resumes; and
- c. extended parent-time equal to  $\frac{1}{2}$  of the summer or off-track time for consecutive weeks. The children will be returned to the custodial home no later than seven days before school begins. This week will be counted when determining the amount of parent-time to be divided between the parents for the summer or off-track period. The parties will mutually agree on this extended time each year. If they are unable to agree, the noncustodial parent will select the dates for the extended time period.
- d. One weekend per month at the option and expense of the noncustodial parent. The noncustodial parent's monthly weekend entitlement is subject to the following restrictions.
  - i. If the noncustodial parent has not designated a specific weekend for parent-time, the noncustodial parent will receive the last weekend of each month unless a holiday assigned to the custodial parent falls on that particular weekend. If a holiday assigned to the custodial parent falls on the last weekend of the month, the noncustodial parent will be entitled to the next to the last weekend of the month.
  - ii. If a noncustodial parent's extended parent-time or parent-time over a holiday extends into or through the first weekend of the next month, that weekend will be considered the noncustodial parent's monthly weekend entitlement for that month.
  - iii. If a child is out of school for teacher development days or snow days after the children begin the school year, or other days not included in the list of holidays in Subsection (5) and those days are contiguous with the noncustodial parent's monthly weekend parent-time, those days will be included in the weekend parent-time.
- e. The custodial parent is entitled to all parent-time not specifically allocated to the noncustodial parent.

**20.** If either parent lives more than 149 miles away from the other or the parents live in separate countries, costs for the children's travel expenses for parent-time will be shared equally. If a parent has been found in contempt for not being current on all support obligations, and they do not have primary physical care of the child, they will be responsible for the child's related travel expenses.

Reimbursement of the child's travel expenses must be made within 30 days of receipt of documents detailing those expenses.

**INCOME: CAROLA MARIA SILVA VALLE** (Utah Code 78B-12-203)

**21. Carola Maria Silva Valle's** gross monthly income for child support purposes is **\$600.00**. Her base child support amount using the sole custody calculation is **\$250.00** per month per child. She receives the following gross monthly income:

**a. Carola Maria Silva Valle** is currently self-employed. She earns **\$600.00** gross (pre-tax) monthly income working a 40-hour a week job or less.

**INCOME: GUADALUPE GABRIEL MARTINEZ MAIRENA** (Utah Code 78B-12-203)

**22. Guadalupe Gabriel Martinez Mairena's** gross monthly income for child support purposes is **\$1,435.23**. He receives the following gross monthly income:

**a. Guadalupe Gabriel Martinez Mairena** is currently self-employed. He earns **\$1,435.23** gross (pre-tax) monthly income working a 40-hour a week job or less.

**Child support** (Utah Code 78B-12-202 et seq.)

**23. The parties agree on the child support amount below. In addition, the parties agree that child support will not end in case either party gets remarried and/or has other children, biologically or through adoption.**

**24. It is in the best interest of the children that Guadalupe Gabriel Martinez Mairena be ordered to pay child support to Carola Maria Silva Valle as follows:**

**a. \$250.00 (one hundred and fifty dollars)** per month per child (total: 2 or \$500.00) food, education, comprehensive health, recreation, housing, clothing, and land or air transportation, or any other expense necessary and in the best interest of the child.

**25. Unless the Court orders otherwise, support for each child ends when:**

a child turns 18 or has graduated from high school during the child's normal and expected year of graduation, whichever occurs later, or

a child dies, marries, becomes a member of the United States armed forces, or is emancipated (Utah Code 78A-6-801).

**The parties agree that child support will end when each child turns 21 years old provided they do not marry prior to turning 21 years old and continue to pursue an education.**

26. Child support payments will start the month immediately following entry of the order. The payment schedule will be:

one half by the 15<sup>th</sup> day of each month, and

the other half by the last day of each month.

Child support not paid by the 15<sup>th</sup> day of the month is past due on the 16<sup>th</sup> day of the month. Child support not paid by the last day of the month is past due on the 1<sup>st</sup> day of the month. If the Office of Recovery Services is used to collect support, their payment schedule will be followed.

27. The person ordered to receive child support can request mandatory income withholding (Utah Code 26B-9 parts 3 and 4). If support is past due, the State of Utah may take federal or state tax refunds or rebates and apply the amounts to the child support owed.

Withheld income will be sent to the Office of Recovery Services (ORS) until all past-due support is paid. Child support payments will be sent to:

Office of Recovery  
Services PO Box 45011  
Salt Lake City, Utah 84145-0011

unless ORS gives notice that payments should be sent elsewhere.

If ORS begins mandatory income withholding, child support is due on the first day of each month and will be past due on the first day of the next month.

28. **Guadalupe Gabriel Martinez Mairena** will pay any ORS fees. If **Carola Maria Silva Valle** is the ORS applicant and the fees are withheld from payments to **Carola Maria Silva Valle**, **Guadalupe Gabriel Martinez Mairena** will reimburse **Carola Maria Silva Valle**.



29. The issue of past-due child support may be decided by future court or administrative action.

30. The parties must notify each other within 30 days of any change in their income.

## **DEPENDENT CHILDREN FOR TAX PURPOSES**

31. **Guadalupe Gabriel Martinez Mairena** may claim the parties' children as dependents/exemptions for tax purposes.

### **CHILD HEALTH CARE (Utah Code 78B-12-212)**

32. The parties must provide health care coverage including dental, psychological, or hospital health expenses of each dependent child when the children are in the country the parent resides in. **However, the parties agree to share equally in the expenses included herein until each child turns 21 even during the time each child serves, of their choosing, a full-time mission for the Church of Jesus Christ of Latter-Day Saints.** Health care coverage means coverage under which medical services are provided to a dependent child through: fee for service, a health maintenance organization, a preferred provider organization, any other type of private health insurance, or public health care coverage. Utah Code 78B-12-102(13).

Both parents agree to maintain medical, hospital, dental care insurance for the dependent children if available at reasonable cost and while they are in the country. If medical insurance is not available at a reasonable cost then both parents must ensure the children have health care coverage. This may require applying for public health care coverage, such as CHIP or Medicaid.

a. If, at any time, a dependent child is covered by the medical, hospital, or dental insurance plans of both parents, the coverage will be as follows:

**Carola Maria Silva Valle's** insurance will be primary coverage.

**Guadalupe Gabriel Martinez Mairena's** insurance will be secondary coverage.

b. If a parent remarries and that parent's dependent child is not covered by that parent's health, hospital, or dental insurance plan but is covered by a step- parent's plan, the coverage will be as follows:

**Carola Maria Silva Valle's** insurance will be primary coverage.

**Guadalupe Gabriel Martinez Mairena's** insurance will be secondary coverage.

- c. Both parties will equally share the out-of-pocket costs of the insurance
- d. Both parties will equally share all uninsured and unreimbursed medical and dental expenses that are reasonable and necessary. This includes deductibles, co-insurance, and co-payments paid by a party for the dependent children.
- e. The party who pays health care expenses must provide the other party written verification of the cost and payment within 30 days.
- f. If a party does not follow this order and provide written verification, they may not be able to receive credit for health care expenses or recover the other party's share of the expenses.
- g. On or before January 2 of each year, the party ordered to maintain coverage must provide verification of coverage to the other party, and ORS, if they are involved.
- h. If there is any change in coverage, within 30 days of the change the party ordered to maintain coverage must notify the other party and ORS, if they are involved.

#### **CHILD CARE EXPENSES (Utah Code 78B-12-214)**

**33.** Both parties will equally share all reasonable work, career, or occupational training- related child care expenses including school and medical expenses.

- a.** The party who pays child care expenses must provide the other party written verification of the cost and identity of the child care provider. This must be done when a provider is first hired, and any time the other party asks for the information. The party incurring or paying child care expenses must notify the other party of any change of a child care provider or monthly expense. This must be done within 30 calendar days of the change.
- b.** The party not directly paying for child care must pay their share of

child care expenses as soon as they receive verification of the expenses.

c. If a party does not follow the order and provide written verification, they may not receive credit for work, career, or occupational training-related child care expenses or recover the other party's share of the expenses.

#### **TRAVEL EXPENSES**

34. The parties agree to share expenses for the children to travel to Utah to visit **Guadalupe Gabriel Martinez Mairena**. **Carola Maria Silva Valle** agrees to pay for 50% of the round trip air ticket for each child to travel to Utah from their point of origin. All other expenses will be paid for by **Guadalupe Gabriel Martinez Mairena** while the children are in Utah or until each child has left the United States.

#### **PUBLIC ASSISTANCE STATEMENT – OFFICE OF RECOVERY SERVICES (ORS)** (Utah Code 78B-12-113)

35. Neither party has received or is receiving public assistance from the State of Utah.

#### **PERSONAL PROPERTY** (Utah Code 30-3-5)

36. All personal property not addressed in the divorce should be divided as the parties have already divided it.

37. Bank and credit union accounts will be divided as agreed by the parties.

#### **DEBTS**

38. The parties are not aware of any debts from the marriage. If any debts exist, each debt will be the responsibility of the party who incurred the debt.

#### **REAL PROPERTY**

39. The parties did not acquire any real property during the course of their marriage.

#### **ALIMONY**

40. Neither party will pay alimony.

## RETIREMENT MONEY

41. The parties do not need a court order about retirement money.

## DUTY TO SIGN DOCUMENTS

42. The parties will sign all documents necessary to comply with the divorce decree within 60 days from entry of the decree. If a party fails to sign a document within 60 days, the other party may ask the court to appoint someone to sign the document. (Utah Rule of Civil Procedure 70)

## OTHER RELIEF IF EQUITABLE AND JUST

43. The parties do not need a court order on other relief.

**Guadalupe Gabriel Martinez Mairena** asks that he be granted a divorce pursuant to the terms of this petition, and for such other relief as the court deems equitable and just.

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

*Judge's signature may instead appear at the top of the first page of this document.*

Dated: \_\_\_\_\_ District Court Judge: \_\_\_\_\_

Dated: \_\_\_\_\_ District Court Commissioner: \_\_\_\_\_

If email is not an option, documents and correspondence will be sent to the following postal address until Carola Maria Silva Valle provides the court and Petitioner with an email address or a different postal address:

**Carola Maria Silva Valle**

**Bello Amanecer, del Centro de salud de Bello  
Amanecer 1 cuadra al Oeste, 2 cuadras al  
Norte, 1 cuadra al Oeste  
Ciudad Sandino Managua, NICARAGUA**

*Judge's signature may instead appear at the top of the first page of this document.*

Dated: \_\_\_\_\_ District Court Judge: \_\_\_\_\_

Dated: \_\_\_\_\_ District Court Commissioner: \_\_\_\_\_

By: /s/ Guadalupe Gabriel Martinez Mairena

Guadalupe Gabriel Martinez Mairena

Approved as to Form

### CERTIFICATE OF SERVICE

I certify that I filed with the court and am serving a copy of this *Stipulation* on the following people.

Person's Name	Service Method	Service Address	Service Date
Carola Maria Silva Valle	email	sacuanjoch3nic4@mtla.com	27/April/2026

Dated this April 27, 2026.

By: /s/ Randa Begni da Silva Vieira

RANDA BEGNI DA SILVA VIEIRA

Attorney for Petitioner **Guadalupe Gabriel Martinez Mairena**