

Amended

Samantha K Gonzalez

Name

2723 n timpview drive

Address

Provo, Utah 84604

City, State, Zip

385-866-7580

Phone

skgusername@gmail.com

Email

In the Court of Utah

FOURTH Judicial District UTAH County

Court Address 137 NORTH FREEDOM BOULEVARD, PROVO, UT 84606

In the Matter of (select one)

☒ the Marriage of (for a divorce with
or without children, annulment,
separate maintenance, or
temporary separation case)

Samantha K Gonzalez

(name of Petitioner)

and

Benjamin Gonzalez Cerda

(name of Respondent)

Other parties (if any)

Divorce Decree

264400413

Case Number

Denise M Porter

Judge

Snow

Commissioner (domestic cases)

The court decrees:

Divorce

1. Samantha K Gonzalez is granted a divorce based on the Declaration of Jurisdiction and Grounds signed by Samantha K Gonzalez. The divorce will become final upon entry of the divorce decree.

Children (Utah Code 81-6-101(7))

2. **Samantha K Gonzalez** and **Benjamin Gonzalez Cerda** are the legal parents of the following children (Utah Code 81-5-102 et seq.)

- a. Any unborn child listed is expected to be born within 300 days of the entry of the decree.

Minor Children

a.

Child Name: **Margo Violet Gonzalez**

Date of Birth: **Aug 3, 2024**

Children – Jurisdiction over custody and parent-time issues (Utah Code 81-11-101, 81-11-201, and 81-11-208)

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

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

a.

Child Name: **Margo Violet Gonzalez**

Date of Birth: **Aug 3, 2024**

i.

Move-out Date: **This is the child's current address**

Move-in Date: **Feb 9, 2026**

Address: **2723 n timpview drive, Provo, Utah 84604 United States**

(1).

Caretaker at this address: **benjamin gonzalez**

Caretaker current address: **47 w 700 n, orem, Utah 84057 United States**

(2).

Caretaker at this address: **samantha gonzalez**

Caretaker current address: **2723 n timpview drive, Provo, Utah 84604**

United States

Children – Other court proceedings

(Utah Rule of Civil Procedure 100; Utah Uniform Child Custody Jurisdiction and Enforcement Act, UCCJEA, Utah Code 81-11-101 et seq.; Utah Uniform Interstate Family support Act, UIFSA, Utah Code 81-8-102 et seq.)

I say the following:

5. There are no custody, child support, or parent-time cases about **Samantha K Gonzalez** and **Benjamin Gonzalez Cerda's** minor children in any court or government agency. This includes filed, pending, and completed cases.

6. **Samantha K Gonzalez** and **Benjamin Gonzalez Cerda** have physical custody of our child(ren), and are the only people who have custody, child support, and parent-

time rights to our child(ren).

PARENTING PLAN

This Parenting Plan is being filed in good faith.

This parenting plan is agreed to by **Samantha K Gonzalez** and **Benjamin Gonzalez Cerda**.

Children - custody

(Utah Code Title 81, Chapter 9, Part 3)

7. It is in the children's best interest that the parties be awarded Joint Legal Custody and that **Samantha K Gonzalez** be awarded Sole Physical custody. **Benjamin Gonzalez Cerda** should have parent-time at reasonable times and places. **Samantha K Gonzalez** is filing this Parenting Plan and verifies the plan is filed in good faith.

Parent-time

8. The parents will follow a custom parent-time schedule:

The parents will follow a custom parent-time schedule.

a. **Samantha and Benjamin with alternate weekends with Margo. This will change as Margo gets older, and will then switch to the state standard for visitation in her age group. Both parties will also get to enforce first right of refusal. Whoever will be receiving Margo will have to pick up. Unless expressed and agreed upon by other party.**

Parent-time for special occasions

9. 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 81-9-302, 303).

Holiday	Period	Benjamin Gonzalez Cerda	Samantha K Gonzalez
Labor Day	(1) Holiday begins on Friday at: (a) 9 a.m. if school is not in session and the parent can be with the child; (b) the time that school is regularly dismissed; or (c) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7 p.m. on Labor Day.	Odd years	Even years
Columbus Day	(1) Holiday begins at 6 p.m. on the day before Columbus Day. (2) Holiday ends at 7 p.m. on Columbus Day.	Even years	Odd years
Fall Break	(1) Holiday begins 6 p.m. on the day that school dismisses for	Odd years	Even years

Holiday	Period	Benjamin Gonzalez Cerda	Samantha K Gonzalez
	fall break. (2) Holiday ends at 7 p.m. on the day before school resumes.		
Halloween	(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.	Even years	Odd years
Veterans Day	(1) Holiday begins at 6 p.m. on the day before Veterans Day. (2) Holiday ends at 7 p.m. on Veterans Day.	Odd years	Even years
Thanksgiving Break	(1) Holiday begins on Wednesday at: (a) 6 p.m.; or (b) the time school is regularly dismissed for Thanksgiving at the election of the parent granted the holiday. (2) Holiday ends at 7 p.m. on day before school resumes.	Even years	Odd years
Winter Break (First Half)	(1) Holiday begins at: (a) 6 p.m. on the day that school dismisses for winter break; or (b) the time school is regularly dismissed on the day that school dismisses for winter break at the election of the parent granted the holiday. (2) Holiday ends on December 27th at 7 p.m.	Odd years	Even years
Winter Break (Second Half)	(1) Holiday begins on December 27th at 8:30 p.m. (2) Holiday ends at 8:30 p.m. on the day before school resumes after the winter break.	Even years	Odd years
Dr. Martin Luther King Jr. Day	(1) Holiday begins Friday at: (a) 9 a.m. if school is not in session and the parent can be with the child; (b) the time that school is regularly dismissed; or (c) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7 p.m. on Dr. Martin Luther King Jr. Day.	Odd years	Even years
President's Day	(1) Holiday begins Friday at: (a) 9 a.m. if school is not in session and the parent can be with the child; (b) the time that school is regularly dismissed; or (c) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7 p.m. on the day before school resumes.	Even years	Odd years
Spring Break	(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	Even years
Memorial Day	(1) Holiday begins Friday at: (a) 9 a.m. if school is not in session and the parent can be with the child; (b) the time that school is regularly dismissed; or (c) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7 p.m. on Memorial Day.	Even years	Odd years
Mother's Day	(1) Holiday begins on Mother's Day at 9 a.m. (2) Holiday ends on Mother's Day at 7 p.m.		All years: Samantha K Gonzalez is the mother
Father's Day	(1) Holiday begins on Father's Day at 9 a.m. (2) Holiday ends on Father's Day at 7 p.m.	All years: Benjamin Gonzalez Cerda is the father	
Summer Break	Benjamin Gonzalez Cerda will have up to two weeks of uninterrupted extended summer Parent-time when school is not in session, at the option of Benjamin Gonzalez Cerda. Benjamin Gonzalez Cerda will have an additional two weeks of extended	Odd years	Even years

Holiday	Period	Benjamin Gonzalez Cerda	Samantha K Gonzalez
	Summer Parent-time at the option of Benjamin Gonzalez Cerda, subject to weekday parent-time for Samantha K Gonzalez, but not weekends normally exercised by Samantha K Gonzalez. Benjamin Gonzalez Cerda will notify Samantha K Gonzalez of the summer break extended parent-time by May 1 each year. Samantha K Gonzalez will also have two weeks of uninterrupted extended parent time when school is not in session, at the option of Samantha K Gonzalez. Samantha K Gonzalez will notify Benjamin Gonzalez Cerda of the summer break extended parent-time by May 15 each year. If the notification by Benjamin Gonzalez Cerda is not timely, Samantha K Gonzalez may determine the schedule for extended parent-time for Benjamin Gonzalez Cerda, so long as Samantha K Gonzalez 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.		
Juneteenth National Freedom Day	(1) Holiday begins at: (a) 6 p.m. on the day before Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is not Father's Day; or (b) 9 a.m. on Juneteenth National Freedom Day 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.	Even years	Odd years
Independence Day	(1) Holiday begins on July 3rd at 6 p.m. (2) Holiday ends on July 5th at 6 p.m.	Odd years	Even years
Pioneer Day	(1) Holiday begins on July 23rd at 6 p.m. (2) Holiday ends on July 25th at 6 p.m.	Even years	Odd years
Day of Child's Birthday	(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	Odd years
Day Before or After Child's Birthday	(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.	Odd years	Even years
Samantha K Gonzalez's Birthday	Samantha K Gonzalez will have parent-time each year on Samantha K Gonzalez's birthday from 3:00 p.m. until the following morning when Samantha K Gonzalez delivers the child to school, or 8:00 a.m. if there is no school. Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.		All years
Benjamin Gonzalez Cerda's Birthday	Benjamin Gonzalez Cerda will have parent-time each year on Benjamin Gonzalez Cerda's birthday from 3:00 p.m. until the following morning when Benjamin Gonzalez Cerda delivers the child to school, or 8:00 a.m. if there is no school. Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.	All years	

Parent-time transfers

10. Pick-up and drop-off ("transfers") of the children for parent-time will be as described below:

Transfer at beginning of parent-time will be by **Benjamin Gonzalez Cerda** picking up/dropping off the children at this address:

Samantha Gonzalez's current Physical address she will provide to Benjamin Gonzalez

-

-, UT -

385-866-7580

skgusername@gmail.com

Transfer at end of parent-time will be by **Samantha K Gonzalez** picking up/dropping off the children at this address:

Benjamin Gonzalez's current physical address he will provide to Samantha Gonzalez

-

-, UT -

801-669-3670

glenmags9@gmail.com

Curbside transfers

(The parent/person picking up or dropping off the children does not leave the vehicle and the other parent/person does not leave the residence.)

11. There will be curbside transfers. The parent/person dropping-off or picking-up a child will remain in the vehicle and the other parent/person will remain in the residence, building, or other vehicle where that other parent/person has been waiting, so that the two parents/persons are never in each other's physical presence.

Decision-making

12. Each parent will make day-to-day decisions for the children during the time they are caring for the children. Either parent may make emergency decisions affecting the health or safety of the children. A parent who makes an emergency decision must share the decision with the other parent as soon as reasonably possible.

Joint decision-making. The parents will share responsibility for making major decisions about the children. If there is a disagreement, the parents will resolve the dispute as provided in the Resolving disputes section below.

Education plan

13. The school the children will attend is based on **Samantha K Gonzalez's** home residence.

14. Samantha K Gonzalez and Benjamin Gonzalez Cerda has authority to check the children out of school. Samantha K Gonzalez and Benjamin Gonzalez Cerda has access

to the children during school. If the parents cannot agree, education decisions will be made by Samantha K Gonzalez.

Communication with each other

15. Parents will communicate with each other by:

In person

By telephone: Samantha K Gonzalez (385) 866-7580

Benjamin Gonzalez Cerda (801) 669-3670

By email: Samantha K Gonzalez skgusername@gmail.com

Benjamin Gonzalez Cerda glenmags9@gmail.com

By texting: Samantha K Gonzalez (385) 866-7580

Benjamin Gonzalez Cerda (801) 669-3670

Communication with the children

16. 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.

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

- By any method

18. Other terms about communication with the children: **There is no restriction on communication and is at the sole discretion of MVG. She is in choice to talk to either party through which ever means she prefers for them to contact her through, or for her to contact them through reasonably necessary and available means when available.**

Records and information sharing

19. 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

20. 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.

21. If the children will be travelling for more than 3 days, the parent arranging the travel will notify the other parent at least 30 days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least 30 days in advance. In case of emergency, the parent will provide as much notice as possible.

22. Other agreements about travel by the children: **UT Code: 81-9-209 (Outlining**

notice requirements for relocating a child), and 76-5-301.2 (Which covers custodial interference/parental kidnapping if a child is taken across state lines without authorization), and 78B-13-201 (Neither party will travel internationally with MVG without the other parent's consent).

Child care

23. A child care provider for our children must be:

24. Other terms about child care: **Both parties will practice first right of refusal to care for Margo. Any licensed professional childcare provider must be approved by both parties. Both parties must know the family friend, neighbor, or relative MVG will be left alone with.**

Relocation of a parent

25. Neither parent may relocate with the minor children more than **70** miles from their current residence without a written agreement signed by the parties or further court order.

26. 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.

27. 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.

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

Resolving disputes

29. If the parents need to resolve a dispute regarding the children, they will discuss the issues in good faith and try to reach an agreement based on what is best for their children. If the parents are unable to agree, they will go to the following before bringing the issue to the court:

a. Counseling

30. Other agreements about resolving disputes:

b. **If the parties have an issue or dispute, they will first use written communication after discussing to see if something can be agreed upon. After written communication, the parties will involve a 3rd party they both agree on using. If the dispute/issue is not resolved, both parties will seek counseling. If dispute or issue is still not resolved, both parties will go to mediation prior to going to court. All expenses of this entire process will be shared 50/50 by both parties.**

Changing the plan

This plan remains in effect until changed. A change comes from a modification of a court

order.

END OF PARENTING PLAN

Income: Petitioner (Samantha K Gonzalez) (Utah Code 81-6-203)

31. **Samantha K Gonzalez's** gross monthly income for child support purposes is **\$1977**. **Samantha K Gonzalez** base child support amount using the **sole** custody calculation is **\$221**. **Samantha K Gonzalez** receives the following gross monthly income:

Income: Respondent (Benjamin Gonzalez Cerda) (Utah Code 81-6-203)

32. **Benjamin Gonzalez Cerda's** gross monthly income for child support purposes is **\$6760**. **Benjamin Gonzalez Cerda's** base child support amount using the **sole** custody calculation is **\$739**. **Benjamin Gonzalez Cerda** receives the following gross monthly income:

33. The adjusted gross monthly income for **Benjamin Gonzalez Cerda** is **\$6760**.

Child support (Utah Code Title 81, Chapter 6, Parts 1 and 2)

34. It is in the best interest of the children that be ordered to pay child support to as follows:

a. **\$740.00** per month base support. This amount complies with the Utah Child Support Act.

35. Once a child is no longer eligible to receive child support, the support amount for the eligible children should be recalculated using the child support worksheet (Utah Code Title 81, Chapter 6, Parts 1 and 2). The parties may not divide the base child support award by the number of children and subtract that amount from the prior child support amount.

36. The **sole** custody worksheet was used to calculate child support.

Samantha K Gonzalez's base child support amount is **\$221** per month.

Benjamin Gonzalez Cerda's base child support amount is **\$739** per month.

If physical custody of a child changes from what the court orders:

- The parent owing support must pay the support amount to whomever has physical custody of the child.
- The parent must pay the support amount without asking the court to modify the child support order.
- This does not apply to temporary parent-time changes. (Utah Code 81-6-104(4) and 81-6-205(8)(a)).

Child support reduction for extended parent-time

37. If a child lives with the non-custodial parent by court order or written agreement of the parties for:

- 25 of any 30 consecutive days, base child support will be reduced by 50% for each child who lives with the non-custodial parent during that time. (Utah Code 81-6-211(1)(a)).

- 12 of any 30 consecutive days, base child support will be reduced by 25% for each child who lives with the non-custodial parent during that time. (Utah Code 81-6-211(1)(b)).

The custodial parent's normal parent-time and holiday parent-time do not count as an interruption of the consecutive day requirement.

38. If a child receives cash assistance through the T.A.N.F. or F.E.P. programs, any agreement by the parties to reduce child support during extended parent-time must be approved by the Office of Recovery Services.

39. Child support will be paid as follows:

Benjamin Gonzalez will pay. Samantha directly, via cash, venmo, bank transfer.

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

41. **Benjamin Gonzalez Cerda** will pay any ORS fees. If is the ORS applicant and the fees are withheld from payments to , will reimburse .

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

43. The parties can ask to change this child support order by motion after three years from the date of its entry if:

- there is a difference of 10% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines,
- the difference is not temporary, and
- the amount previously ordered was not a deviation from the child support guidelines.

If the children receive TANF funds at the time an adjustment is sought, ORS will review the order and ask the court to adjust the amount if appropriate. (Utah Code 62A-11-306.2).

44. The parties can ask to change this child support order at any time by petition if there has been a substantial change in circumstances because of material changes in:

- custody;
- the relative wealth or assets of the parties;
- income of a parent of 30% or more;
- the employment potential and ability of a parent to earn;
- the medical needs of the child; or
- the legal responsibilities of either parent for the support of others.

(Utah Code 81-6-202 and 81-6-212)

The change must result in a difference of 15% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines.

The difference may not be temporary.

The court can consider natural or adoptive children born after the entry of the decree other than those in common to both parties as part of a request to modify an existing award subject to limitations in the law. (Utah Code 81-6-202(8))

45. The Office of Recovery Services (<https://ors.utah.gov/>) provides services to individuals who are seeking assistance in the collection or enforcement of child support

orders.

Dependent children for tax purposes

46. The parents may claim the parties' children as dependents/exemptions for tax purposes as follows:

47. **Benjamin Gonzalez Cerda** may claim the parties' children as dependents/exemptions for tax purposes in odd numbered years. **Samantha K Gonzalez** may claim the parties' children as dependents/exemptions for tax purposes in even numbered years.

Child health care (Utah Code 81-6-208)

48. The parties must provide health care coverage for the medical expenses of the dependent children. 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 81-6-101(14),

49. The parent who is able to obtain the most affordable medical, hospital, and dental insurance for the dependent children must maintain medical, hospital, and dental care insurance for the dependent children if it is available at reasonable cost. If medical insurance is not available at 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:

- **Benjamin Gonzalez Cerda's** insurance will be primary coverage.
- **Samantha K Gonzalez'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:

- **Benjamin Gonzalez Cerda's** spouse's insurance will be primary coverage.
- **Samantha K Gonzalez's** spouse's insurance will be secondary coverage.

c. Both parties will equally share the out-of-pocket costs of the insurance premiums.

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 81-6-209)

50. All reasonable work, career, or occupational training-related child care expenses will be paid as follows

Neither party will not be paying for child care, as both parties have agreed that they do not wish for Margo to be watched by anyone who is not family, or a mutually agreed upon friend.

Public assistance statement – Office of Recovery Services (ORS) (Utah Code 81-6-106(2)-(3))

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

Personal property (Utah Code Title 81, Chapters 1, 4, 6, and 9)

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

Vehicles

53. Vehicles will be divided as follows:

a.

Year: **2012**

Make: **hundai**

Model: **genesis**

VIN: **N/A**

Owner (before divorce): **Samantha Gonzalez and Benjamin Gonzalez**

Current value: **\$7,000.00**

Amounts Estimated: **yes**

Basis of Estimation: **Kelley blue book**

Ownership After Divorce: **Benjamin Gonzalez Cerda**

Loan: **N/A**

Bank and credit union accounts

54. Bank and credit union accounts will be divided as follows:

a.

Account Number: **9957**

Account Type: **checking and savings**

Institution Name: **Macu**

Address: **1219 s 800 e, Orem, UT 84097**

Date Opened: **N/A**
Balance (US Dollars): **\$1,000.00**
Estimated: **yes**
Estimation basis: **Fluctuation**
Owner: **Samantha K Gonzalez and Benjamin Gonzalez Cerda**
Co-Owner(s): **N/A**
Divide as follows: **Split evenly between both parties**

55. This other property will be divided as follows:

dogs (Charlie) will be Benjamins. neither party will share or reimburse for any expenses from either party's animals.

Debts

56. Each party will be ordered to assume and pay debts as follows. The party assuming the debt must put the debt in their name and pay it. If they can't put the debt in their name, they must still pay it. If a party pays a debt they are not responsible for, they can recover that amount from the responsible party.

Credit Card Debt

a.

Account Number: **9957**
Institution Name: **macu**
Address: **1219 S 800 E Orem UT 84097**
Amount owed on debt (in US Dollars): **\$588.72**
Minimum Monthly Payment (in US Dollars): **\$15.00**
Owner: **Samantha Gonzalez**

The debt will be paid as follows: **Benjamin Gonzalez Cerda will pay the entire debt. Samantha K Gonzalez will provide a copy of the divorce decree to the lender.**

b.

Account Number: **6144**
Institution Name: **home depot**
Address: **N/A**
Amount owed on debt (in US Dollars): **\$1,604.53**
Minimum Monthly Payment (in US Dollars): **\$29.00**
Owner: **Samatha Gonzalez**

The debt will be paid as follows: **Benjamin will pay \$110 every month, and Samantha will pay \$90. Until the loan is payed off.**

c.

Account Number: **4091**

Institution Name: **prime visa**

Address: **N/A**

Amount owed on debt (in US Dollars): **\$141.79**

Minimum Monthly Payment (in US Dollars): **\$30.00**

Owner: **Benjamin Gonzalez**

The debt will be paid as follows: **Benjamin Gonzalez Cerda will pay the entire debt. Benjamin Gonzalez Cerda will provide a copy of the divorce decree to the lender.**

Installment Loan Debt

a.

Account Number: **9957**

Institution Name: **Mountain America credit union**

Address: **N/A**

Amount owed on debt (in US Dollars): **\$12,811.58**

Minimum Monthly Payment (in US Dollars): **\$63.00**

Owner: **Samantha Gonzalez and Benjamin Gonzalez**

The debt will be paid as follows: **Samantha will be paying 6% of the loan over the course of 1 year. Benjamin will then pay the rest of it on his own.**

Real property

57. The parties acquired the following real property during the marriage:

a.

Description: **house**

Address: **47 w 700 n, orem, utah, Utah 84057 United States**

Tax ID: **37-021-0005**

Legal Description: **Joint owners of this home both on the mortgage and both on the deed.**

Date property acquired: **Jun 17, 2022**

Names on title: **Samantha Kirin Gonzalez and Benjamin Gonzalez**

Original cost: **\$400,000**

Current value: **\$417,000.00**

Property values estimated: **yes**

Estimation basis for property value: **Zillow for the estimated value**

Disposal: **This property will be sold as follows:**

Until the property is sold, Benjamin Gonzalez Cerda will have the exclusive use and possession of this property. Until the property is sold, payments, taxes, and insurance will be made as follows:

Benjamin Gonzalez Cerda will continue to be responsible for payments, taxes, and insurance until the property is sold.

The proceeds of the sale will be applied as follows:

- (i) First, pay expenses of sale.
- (ii) Second, pay all mortgages and liens. If there is money still owed on mortgages and liens, the parties will each be responsible for one half of each payment.
- (iii) Third, pay all marital debts and obligations.
- (iv) Finally, divide any remaining balance equally between the parties.

i.

Creditor: **N/A**

Names on mortgage: **Samantha Kirin Gonzalez and Benjamin Gonzalez**

Date mortgage acquired: **Jul 17, 2022**

Mortgage balance: **\$394,955.80**

Monthly payment: **\$2,929.09**

Mortgage values estimated: **no**

This mortgage will be paid as follows after the divorce: **property will be sold, and each party will evenly split the proceeds 50/50. Benjamin Gonzalez Cerda will provide a copy of the divorce decree to the lender.**

Alimony

Samantha K Gonzalez's Financial Need

58. **Samantha K Gonzalez's** net income (after taxes) is **\$1,852.25** per month. This amount is based on these sources of income:

Monthly Current Income

Work (Including self employment, wages, salaries, commissions, bonuses, tips and overtime)	\$ 1976.67
Rental income	\$ 0
Business income	\$ 0
Interest	\$ 0
Dividends	\$ 0
Retirement income (including pensions, 401(k), IRA, etc.)	\$ 0
Worker's Compensation	\$ 0
Social Security Disability (SSDI)	\$ 0

Supplemental Security Income (SSI)	\$ 0
Social Security (Other than SSDI or SSI)	\$ 0
Private Disability Insurance	\$ 0
Unemployment benefits	\$ 0
Education benefits (Including grants, loans, cash scholarships, etc.)	\$ 0
Veteran's Benefits	\$ 0
Alimony (from a prior marriage)	\$ 0
Child Support (from a prior order)	\$ 0
Payments from civil litigation	\$ 0
Victim restitution	\$ 0
Utah Cash Assistance	\$ 0
Family Employment Program (FEP), etc.	
Federal Cash Assistance	\$ 0
Temporary Assistance for Needy Families (TANF), etc.	
Financial support from household members	\$ 0
Financial support from non-household members	\$ 0
Trust income	\$ 0
Annuity income	\$ 0
	\$ 0
	\$ 0
Total Gross Monthly Income	\$ 1976.67

Monthly Tax Deductions

Type of Deductions	Amount
Federal Income Tax	\$ 66.28

State Income Tax	\$ 37.77
Municipal Income Tax	\$ 0
FICA	\$ 0
Medicare	\$ 20.37

59. **Samantha K Gonzalez's** ability to earn is limited for the following reasons:
- caring for child of the **Benjamin Gonzalez Cerda**
60. **Samantha K Gonzalez** has taken these reasonable efforts to improve their employment situation:
- Recently asked for a raise. And picks up extra hours when able.**
61. **Samantha K Gonzalez** faces these reasonable barriers to improving their employment situation:
- Samantha has a child not old enough for school in her full time care, and no one consistent enough to watch her.**
62. **Samantha K Gonzalez** will be receiving per month in child support in this case.
63. **Samantha K Gonzalez's** current reasonable monthly expenses are as follows:

Rent or Mortgage	\$ 0
Real estate taxes (if not included in mortgage)	\$ 0
Real estate insurance (if not included in mortgage)	\$ 0
Real estate maintenance	\$ 0
Food and household supplies	\$ 200
Clothing	\$ 0
Automobile payments	\$ 0
Automobile insurance	\$ 76
Automobile fuel	\$ 200
Automobile maintenance	\$ 100
Other transportation costs (public transportation, parking, etc.)	\$ 0
Utilities (such as electricity, gas, water, sewer, garbage)	\$ 0

Telephone	\$ 53	
Paid television, cable,	\$ 0	
satellite		
Internet	\$ 0	
Credit card payments	\$ 90	
Loans and other debt	\$ 63	
payments		
Alimony from previous	\$ 0	
marriages		
Child support	\$ 0	
Child care	\$ 0	
Extracurricular activities for	\$ 0	
children		
Education (children)	\$ 0	
Education (self)	\$ 0	
Health care insurance	\$ 100	
Health care expenses	\$ 0	
(excluding insurance listed		
above)		
Other		\$ 0
insurance		
Entertainment	\$ 0	
Laundry and dry cleaning	\$ 0	
Donations	\$ 0	
Gifts	\$ 0	
Union and other Dues	\$ 0	
Garnishment or income	\$ 0	
withholding order		
Retirement deposits	\$ 0	
(including pensions, 401(k),		
IRA, etc.)		
Other		\$ 0
Other		\$ 0
Total current monthly expenses		\$

64. **Samantha K Gonzalez's** marital monthly expenses (expended during the marriage) are as follows:

Rent or Mortgage	\$ 976
Real estate taxes (if not included in mortgage)	\$ 0
Real estate insurance (if not included in mortgage)	\$ 0
Real estate maintenance	\$ 0
Food and household supplies	\$ 0
Clothing	\$ 50
Automobile payments	\$ 30
Automobile insurance	\$ 100
Automobile fuel	\$ 200
Automobile maintenance	\$ 0
Other transportation costs (public transportation, parking, etc.)	\$ 0
Utilities (such as electricity, gas, water, sewer, garbage)	\$ 100
Telephone	\$ 53
Paid television, cable, satellite	\$ 0
Internet	\$ 30
Credit card payments	\$ 100
Loans and other debt payments	\$ 20
Alimony from previous marriages	\$ 0
Child support	\$ 0
Child care	\$ 0
Extracurricular activities for children	\$ 0

Education (children)	\$ 0	
Education (self)	\$ 0	
Health care insurance	\$ 230	
Health care expenses (excluding insurance listed above)	\$ 0	
Other insurance	\$ 0	
Entertainment	\$ 0	
Laundry and dry cleaning	\$ 0	
Donations	\$ 0	
Gifts	\$ 0	
Union and other Dues	\$ 0	
Garnishment or income withholding order	\$ 0	
Retirement deposits (including pensions, 401(k), IRA, etc.)	\$ 0	
Other	\$ 0	
Other	\$ 0	
Total marital monthly expenses		\$1889

65. The difference between **Samantha K Gonzalez**'s monthly net income (including child support) and monthly expenses is **\$0.00** based on **current** expenses. This is **Samantha K Gonzalez**'s monthly financial need.

Benjamin Gonzalez Cerda's Ability To Pay

66. **Benjamin Gonzalez Cerda**'s net income (after taxes) is **\$5,645.72** per month. This amount is based on these sources of income.

Work (Including self employment, wages, salaries, commissions, bonuses, tips and overtime)	\$ 6760	
Rental income	\$ 0	

Business income	\$ 0
Interest	\$ 0
Dividends	\$ 0
Retirement income (including pensions, 401(k), IRA, etc.)	\$ 0
Worker's Compensation	\$ 0
Social Security Disability (SSDI)	\$ 0
Supplemental Security Income (SSI)	\$ 0
Social Security (Other than SSDI or SSI)	\$ 0
Private Disability Insurance	\$ 0
Unemployment benefits	\$ 0
Education benefits (Including grants, loans, cash scholarships, etc.)	\$ 0
Veteran's Benefits	\$ 0
Alimony (from a prior marriage)	\$ 0
Child Support (from a prior order)	\$ 0
Payments from civil litigation	\$ 0
Victim restitution	\$ 0
Utah Cash Assistance	\$ 0
Federal Cash Assistance	\$ 0
Financial support from household members	\$ 0
Financial support from non- household members	\$ 0
Trust income	\$ 0
Annuity income	\$ 0
	\$ 0

\$ 0

Total Gross Monthly Income

\$ 6760

Monthly Tax Deductions

Type of Deductions	Amount
Federal Income Tax	\$ 423.5
State Income Tax	\$ 244
Municipal Income Tax	\$ 0
FICA	\$ 362.1
Medicare	\$ 84.68

67. **Benjamin Gonzalez Cerda** will be paying per month in child support in this case.

68. **Benjamin Gonzalez Cerda's** current reasonable monthly expenses are as follows:

Rent or Mortgage	\$ 1952
Real estate taxes (if not included in mortgage)	\$ 0
Real estate insurance (if not included in mortgage)	\$ 0
Real estate maintenance	\$ 0
Food and household supplies	\$ 200
Clothing	\$ 100
Automobile payments	\$ 63
Automobile insurance	\$ 250
Automobile fuel	\$ 200
Automobile maintenance	\$ 100
Other transportation costs (public transportation, parking, etc.)	\$ 0
Utilities (such as electricity, gas, water, sewer, garbage)	\$ 100
Telephone	\$ 200
Paid television, cable,	

satellite	\$ 0	
Internet	\$ 0	
Credit card payments	\$ 50	
Loans and other debt payments	\$ 440	
Alimony from previous marriages	\$ 0	
Child support	\$ 0	
Child care	\$ 0	
Extracurricular activities for children	\$ 0	
Education (children)	\$ 0	
Education (self)	\$ 0	
Health care insurance	\$ 230	
Health care expenses (excluding insurance listed above)	\$ 0	
Other insurance	\$ 0	
Entertainment	\$ 0	
Laundry and dry cleaning	\$ 20	
Donations	\$ 0	
Gifts	\$ 0	
Union and other Dues	\$ 0	
Garnishment or income withholding order	\$ 0	
Retirement deposits (including pensions, 401(k), IRA, etc.)	\$ 0	
Other	\$ 0	
Other	\$ 0	
Total marital monthly expenses	\$3905	

69. The difference between **Benjamin Gonzalez Cerda's** monthly net income and monthly expenses (including child support) is **\$1,740.72**. This is **Benjamin Gonzalez**

Cerda's ability to pay alimony each month.

70. **Benjamin Gonzalez Cerda** and **Samantha K Gonzalez** have been married for 7 years and 8 months.

71. The value of real property during the marriage is **\$417,000.00**

72. The value of personal property during the marriage is **\$7,000.00**.

Alimony Payment

73. **Benjamin Gonzalez Cerda** will pay **Samantha K Gonzalez** **\$100.00** in alimony each month.

74. These are the reasons for this amount: **Benjamin has already agreed to take on some of the depts from the marriage. Due to Benjamin taking on that financial dept he will have more expenses in the future. Samantha has agreed to only ask for \$100 a month so as to ensure peace between both parties, and to ensure a better environment for Margo to grow up. Samantha is entitled to that amount, for doing Benjamins immigration paperwork, putting benjamin through school with no dept, bailing Benjamin out of jail twice, and emotional abuse during the marriage. Samantha believes she is entitled to the \$100.**

75. Alimony will start the month immediately following entry of the divorce decree.

76. The payment schedule will be:

a. **No later than the 5th of each month.**

77. **Benjamin Gonzalez Cerda's** alimony obligation will end the earliest of the following:

- **7 years and 8 months.**
- If **Samantha K Gonzalez** dies.
- If **Samantha K Gonzalez** remarries.

Retirement money

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

Duty to sign documents

79. 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)

Name after divorce

80. **Samantha K Gonzalez** changed her name when the parties married. **Samantha K Gonzalez's** name will be **Samantha Kirin Gingras** after the divorce.

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

6/25/26

Signature

JUDGE DENISE PORTER

Date

▶
Judge

Date

Signature ▶

Commissioner

Approved as to Form.

Other Party
Signature ▶

Other Party Name Benjamin Gonzalez Cerda

Certificate of Service

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

a.

Name: **Benjamin Gonzalez**
Method of service: **Hand Delivery**
Address: **47 w 700 n orem Utah 84057**
Date of Service: **Jun 4, 2026**

06/04/2026

Date

Signature ▶

Printed
Name

Samantha K Gonzalez