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IN THE FOURTH JUDICIAL DISTRICT COURT - PROVO

IN AND FOR UTAH COUNTY, STATE OF UTAH

IN THE MATTER OF THE MARRIAGE OF: **DECREE OF ANNULMENT**

FATIMA DEL ROCIO GAONA DAVILA,

Petitioner,

Civil No. 264401551

and

Judge Derek P Pullan

KENNETH EARNIE MCCOY,

Commissioner Marian Ito

Respondent.

THE ABOVE-ENTITLED MATTER comes before the Court for a final entry of the Decree of Annulment. The Court, having signed a *Default Certificate* on June 24, 2026, and reviewed further pleadings in this matter, having entered appropriate *Findings of Fact and Conclusions of Law* consistent with Petitioner's *Verified Petition for Annulment* finding said Petition fair, equitable and in the best interests of the parties, and otherwise being fully advised in the premises, for good cause appearing, does hereby ORDER, ADJUDGE AND DECREE as

follows:

The bonds of matrimony heretofore existing by and between Petitioner and Respondent are hereby dissolved and Petitioner is hereby awarded a Decree of Annulment, to become absolute and final upon entry by the Court.

PROVISIONS RELATING TO JURISDICTION

1. Petitioner is a bona fide and actual resident of Utah County, State of Utah, and has been for more than three (3) months immediately prior to the commencement of this action.
2. Respondent is a resident of Utah County, State of Utah, and has been for more than three (3) months immediately prior to the commencement of this action.
3. The parties were married on February 11, 2026, in Provo, UT and are presently married. The parties separated on or about April 25, 2026.
4. Jurisdiction and venue are proper in this Court pursuant to Utah Code Ann. §81-4-402(1); the parties are actual residents of the State of Utah and County of Utah.

PROVISIONS RELATING TO GROUNDS

5. An Annulment shall be granted on common law grounds under Utah Code Ann. 81-4-302(2) due to false material misrepresentations to wit:
 - a. Petitioner did not inform Respondent of her immigration status. Petitioner does not have legal status. Petitioner could be required to return to her country of origin, and the continuation of the marriage would be impossible.
 - b. The marriage was of short duration, and the parties were not forthcoming of their intent to be in a loving and caring relationship.

- c. Therefore, this marriage shall be declared null and *void ab initio*.

PROVISIONS RELATING TO CHILDREN

6. There are no children at issue in this marriage.

PROVISIONS RELATING TO ALIMONY

7. Neither party shall be awarded alimony.

PROVISIONS RELATING TO BANK AND FINANCIAL ACCOUNTS

8. During the course of the marriage, the parties have acquired certain bank and financial accounts. Each party shall retain the bank accounts currently in their name free and clear of any claim from the other.

PROVISIONS RELATING TO PENSION AND RETIREMENT ASSETS

9. If the parties have acquired certain retirement accounts during the course of the marriage, each party shall be awarded any account in their own name.

PROVISIONS RELATING TO BUSINESS INTERESTS

10. There are no business interests between the parties.

PROVISIONS RELATING TO PERSONAL PROPERTY

11. During the course of the marriage, the parties acquired certain items of personal property. Said personal property has already been divided between the parties.

PROVISIONS RELATING TO REAL PROPERTY

12. During the course of the marriage, the parties did not acquire any real property.

PROVISIONS RELATING TO DEBTS AND OBLIGATIONS

13. During the course of the marriage, the parties have acquired certain debts, which shall be divided as follows: Each party shall be responsible for the debt in his/her own

name.

14. Any debt not herein listed shall be the responsibility of the party that incurred the debt.

15. The parties shall be restrained from incurring any debt or obligation on any joint account and on any account in the name of the other party.

PROVISIONS RELATING TO MUTUAL NON-HARASSMENT

16. The parties shall be subject to the following Mutual Restraining Order:

a. Both parties are mutually restrained from harassing, annoying, swearing at, demeaning, or otherwise bothering the other party in person or online. Should the parties need to communicate, communication shall be respectful.

b. Neither party shall enter the residence and/or work location of the other party unless they are invited to do so.

ATTORNEY'S FEES

17. Each party shall pay their own attorney's fees.

MISCELLANEOUS PROVISIONS

18. On June 24, 2026, the court signed the Default Certificate due to Respondent's failure to answer the Petition.

19. Each party shall be ordered to execute and deliver to the other such documents as are required to implement the Decree of Annulment entered by the Court.

20. The Court shall grant other relief as the Court deems to be equitable.

SO ORDERED

COURT SIGNATURE AT TOP

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of June, 2026, the office of Michael T. Thornock electronically filed the foregoing **DECREE OF ANNULMENT** with the Clerk of the Court using the ECF system and sent the foregoing to Respondent via U.S. Mail:

Kenneth Earnie McCoy
48 W 400 N,
Springville, UT 84663
Respondent

/s/ Michael T. Thornock