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**IN THE SECOND JUDICIAL DISTRICT COURT
FARMINGTON DEPARTMENT
DAVIS COUNTY, STATE OF UTAH**

In the matter of the marriage of:

MIKA CHARLES,

Petitioner.

and

MARCOS CHARLES ,

Respondent.

DECREE OF DIVORCE

Case No. 254700914

Judge: Williams

Commissioner: Winkler

This matter comes before the Court pursuant to default judgment against Respondent. The Court, having reviewed the pleadings and being fully advised in the premises, and having previously entered its Findings of Fact and Conclusions of Law, now makes and enters the following Decree.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. Residency: Petitioner is a bona fide resident of Davis County, State of Utah three months immediately prior to the filing of this action.

2. Marriage Statistics: The parties were married on October 7, 2008 in Okinawa, Japan, and are presently married.
3. Separation: The parties separated on or about December 31, 2024.
4. Grounds: The parties have experienced irreconcilable differences making it impossible to continue the marriage.
5. Children. The parties have no minor children and none are expected.

FINANCIAL AND ASSET DIVISION

6. Real Property. During the marriage the parties acquired a house and lot located at 2439 W. 1600 N. Clinton, Utah 84015. Said house and lot, and all equity therein, shall be awarded to Petitioner. The Respondent shall be awarded the house and lot located in St. Croix, subject to any debt thereon, and the house and lot located at 3246 Stephens Ave Ogden, UT 84401, subject to any debt thereon.
7. Personal Property. During the marriage the parties acquired various items of personal property. Said items of personal property shall be awarded and divided as follows, subject to any debt thereon:

- a. Petitioner:

- i. Personal belongings and effects
- ii. Items acquired previous to marriage
- iii. Toyota Camrys (x2)

- b. Respondent:

- i. Personal belongings and effects
- ii. Items acquired previous to marriage
- iii. Jeep automobile

c. All other personal property shall be divided equitably between the parties as the parties may agree. If the parties cannot agree, they shall return to mediation within 120 days of the entry of the decree of Divorce. If they still cannot agree, either may bring a motion within 180 days of the Decree of Divorce to have the court make a determination by motion, without disturbing the remaining provisions of this document. After the 180 days, unless a motion is pending with the court, the personal property shall be awarded as held at that time.

8. Debts. The parties shall be responsible for all debts and obligations incurred in their names.

9. Accumulation of Debt: Neither party will incur any additional liability on joint credit cards or other debts.

10. Checking And Saving Accounts. Each party shall be awarded their individual checking and savings accounts in their names.

11. Retirements: Petitioner has acquired an interest in Respondent's various retirement accounts and pensions. Petitioner shall be awarded her equitable marital share of said accounts. Said accounts should be divided between the parties pursuant to the formula set forth in Woodward v. Woodward. Specifically, the retirement accounts shall be divided as follows:

12. Thrift Savings Plan (TSP). Petitioner is awarded her marital portion of Respondent's Thrift Savings Plan ("TSP"). The marital portion shall be determined by multiplying fifty percent (50%) times a fraction, the numerator of which is the total number of months of Respondent's participation in the TSP during the marriage (from the date of marriage through the date of entry of the Decree of Divorce), and the denominator of which is the total number of months of Respondent's participation in the TSP as of the date of division. Petitioner's awarded share shall include any gains or losses attributable thereto from the date of division until the date of distribution. This division shall be effectuated by a Retirement Benefits Court Order ("RBCO") or other appropriate order acceptable to the Thrift Savings Plan administrator. The parties shall cooperate in the preparation and submission of such order, including providing the necessary documentation to prepare the order.

13. Federal Employment Retirement System (FERS). Petitioner is awarded fifty Percent (50%) of the marital portion of Respondent's Federal Employees Retirement System (FERS) annuity. The marital portion shall be determined by a fraction, the numerator of which is the total number of months of Respondent's creditable civilian service under FERS accrued during the marriage, from the date of marriage to the date of entry of this Decree, and the denominator of which is the total number of months of Respondent's creditable civilian service under FERS at the time of retirement. This award is intended as a division of marital property pursuant to the formula found in *Woodward v. Woodward*, and shall be administered by the United States Office of Personnel

Management (OPM). Petitioner shall receive a proportionate share of all cost-of-living adjustments applied to Respondent's FERS annuity. Payments to Petitioner shall commence at the same time Respondent's FERS annuity commences. The parties shall cooperate in the preparation and submission of such order, including providing the necessary documentation to prepare the order. If the government is unable or unwilling to pay Petitioner her marital portion of the retirement directly, then Respondent will be responsible to pay the monthly amount to Petitioner. Petitioner is awarded a former spouse survivor annuity under Respondent's FERS retirement. In the event Petitioner elects to maintain such survivor benefits, Petitioner shall be solely responsible for any costs associated with that election, which shall be deducted from Respondent's annuity.

14. Disposable Military Retirement Pay. Petitioner is awarded a percentage of Respondent's disposable military retired pay, to be computed by multiplying 50% times a fraction, the numerator of which is the total amount of Reserve retirement points earned during the period of the marriage, divided by Respondent's total number of Reserve retirement points earned as of the date of divorce. This award is intended to constitute a division of marital property pursuant to the formula in *Woodward v. Woodward* and shall be administered through the Defense Finance and Accounting Service. Petitioner shall receive a proportionate share of any cost-of-living adjustments applied to Respondent's retired pay. Petitioner shall elect former-spouse coverage under the Survivor Benefit Plan with Petitioner as the beneficiary. The cost of the Survivor Benefit Plan coverage shall be deducted from the gross retired pay, and Petitioner shall be solely responsible for such

cost. Both parties will cooperate fully in the timely completion of the necessary order dividing Respondent's Military Retirement Pay including providing any and all information necessary for the completion of the necessary Orders, including any and all necessary forms required by the U.S. military and its ancillary agencies to complete the division of Respondent's Military Retirement Pay. If the government is unable or unwilling to pay to Petitioner her marital portion of the retirement pay directly, then Respondent will be responsible to pay the monthly amount to Petitioner.

15. If any specific language is required to effectuate the division of the retirements listed above, the parties shall cooperate in amending any Order accordingly.

16. Business: The parties have acquired no interest in any businesses.

17. Deeds and Titles: Both parties shall sign whatever documents are necessary to transfer title and quit claim deeds or any other documents necessary to implement the Decree of Divorce.

18. Name Change: Petitioner shall be allowed to be restored to her maiden name if she so desires.

19. Alimony: Respondent shall pay to Petitioner alimony in the amount of \$2,641 per month, commencing on the first day of the month following entry of this Decree, and continuing for a period of two hundred ten (210) months thereafter (length of the parties' marriage), unless sooner terminated by the death of either party, Petitioner's remarriage, or cohabitation as defined by Utah law.

20. Attorney's Fees and Costs: The parties will pay their own respective attorney's fees.

21. Deeds and Titles: Both parties shall sign whatever documents are necessary to transfer title and quit claim deeds or any other documents necessary to implement the terms outlined above.

***THIS DOCUMENT CONSTITUTES A BINDING ORDER OF THE COURT
WHEN IT BEARS THE JUDGE'S SEAL AT THE TOP OF THE FRONT PAGE***