

The Order of the Court is stated below:

Dated: May 14, 2026
09:37:29 AM

/s/ PATRICK CORUM
District Court Judge



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IN THE THIRD JUDICIAL DISTRICT COURT
OF SALT LAKE COUNTY, SALT LAKE CITY DISTRICT, STATE OF UTAH

In the Matter of the Marriage of

CANDACE DAWN GRACE,
Petitioner,

DECREE OF DIVORCE

and

JESSE NEIL GRACE,
Respondent.

Civil No. 254902674
Judge: Hon. Patrick Corum
Commissioner: Kim M. Luhn

This matter comes before the above entitled court, with the honorable Patrick Corum, District Court Judge presiding. The Petitioner, Candace Dawn Grace, is represented by counsel, Heather Seegmiller, SeegLawUtah. The Respondent, Jesse Neil Grace, is unrepresented. The Honorable Patrick Corum presides in this case.

WHEREAS the Petitioner has filed a Petition for Divorce (*Docket 1*), and the Court has entered the Order Granting Petitioner's Motion for Rule 37(b) Sanctions (*Docket 121*) in which the Court found Respondent has engaged in a pattern of noncompliance with discovery obligations despite prior court orders and warnings; Respondent's noncompliance is willful and has prejudiced Petitioner. The court has sanctioned Respondent under Rule 37(b), and Respondent's pleadings have been stricken and default entered. The Court has found that the factual allegations of the Petition are deemed established for all substantive issues, including custody, support, alimony, property, debts, and attorney fees.

Based thereon the Court hereby ORDERS, ADJUDGES, AND DECREES as follows:

1. The bonds of matrimony are hereby dissolved between the parties and the parties are granted a divorce on the grounds of irreconcilable differences.
2. Three children have been born as issue of this marriage: A.C.G., DOB 09/2012; L.J.G., DOB 04/2014; M.N.R., DOB 02/2019.
3. The children are resident(s) of Salt Lake County, State of Utah, and presently reside at 8450 S. 1575 E, Sandy, UT 84093.
4. In compliance with Utah Code § 78B-13-209, the children have resided with their parents during the last five years.
5. Utah is the home state of the parties' minor children, pursuant to Utah Code § 78B-13-102(7), and Utah has jurisdiction over this matter, pursuant to Utah Code § 78B-13-201(1), in

that the children have lived in Utah with a parent for at least six consecutive months immediately prior to the commencement of this action.

6. Pursuant to Utah Rule of Civil Procedure 100(a), there is a protective order case (civil no. 254901641, Third District Court) which has bearing on the above-named minor children filed.

7. Pursuant to Utah Code § 78B-13-209, Petitioner has participated as a party or witness or in any other capacity, in the protective order case (Civil No. 254901641, Third District Court). In that case, the court has made Supplemental Order Findings of Fact Supporting Entry of Protective Order, entered 8/4/2025, which state:

“1. The Court recognizes that the Petitioner has a long and thorough list of issues and incidents that she has represented to the Court at the hands of the Respondent including choking, breaking Petitioner’s nose to the point of disfiguration, repeated and violent abuse.

2. Respondent represents that he is “the good one”, “the kind one”, “the gentle one”. Respondent represents that he is a good father and good husband. Respondent represents that the Petitioner is the problem; that she is a drunkard and suicidal; yet he is a kind, gentle, and loving person despite the Petitioner’s shortcomings. Respondent represents that the children would also say that he is “the good one” and “the kind one”.

3. The Court takes into consideration the Respondent’s comments that the Petitioner “needed a taste of her own medicine” and “she {Petitioner} knows what buttons to push to get me to do things”.

4. The Court is absolutely shocked that the Respondent indicates that he is the kind and loving one and not an abusive man.

5. The Court finds that the Respondent is in fact an abusive man.

6. In regard to custody and parent time, the Court cites Lerman v. Lerman, 224 UT App 155 (2024) filed in the Utah Court of Appeals and speaks to the issues of abuse and domestic violence. The Court, in Lerman, discusses the importance of this Court considering abuse and domestic violence and how it affects children. The Court quotes from Lerman ¶ 44, “Likewise the Utah legislature has made evidence of domestic violence or sexual abuse of a parent the paramount factor to consider in custody decisions... This reflects a legislative determination that intimate partner violence has an adverse effect on children and that an adverse effect may be presumed whenever violence is present in the household.”

7. The Court finds that based on the representations by all parties, the Protective Order is appropriate and recommends that the Protective Order be entered.

8. The Court recommends that there be no contact between the Respondent and the minor children for 150 days.

9. The Court recommends that the District Court in the pending divorce matter look at what the Respondent will need to show prior to having any contact with the minor children.

10. Petitioner's request for child support, alimony, and child related expenses is reserved.

11. All other requests from the Petitioner are granted in full.

12. The Court feels compelled to comment on something it is shocked by: The Respondent texted the following to Petitioner, "women like you cause men to kill" and "you're gonna get smacked".

8. Petitioner is receiving public assistance for the benefit of the dependent children here in issue.

PARENTING PLAN

Custody and Parent Time

9. Petitioner has been the primary caretaker during the marriage.

10. Petitioner has been a stay-at-home mother since the children's births.

11. One child has autism and Petitioner as the stay-at-home parent has more experience and knowledge of her specialized needs and has historically been the parent to address those specialized needs.

12. Respondent has been the historical working parent during the marriage.

13. Respondent has a history of domestic violence, which impacts his ability to provide adequate care for the minor children and to safely co-parent with Petitioner.

14. Petitioner shall be awarded sole physical custody of the minor children.

15. Petitioner shall be awarded sole legal custody of the children.

16. Each party shall have the right to treat the children for emergency medical needs.

Each party shall have absolute and complete access to all educational and medical records of the children. Each party shall be listed as a parent for the purposes of school contact or medical care provider contact. Each party shall reasonably provide the other with contact information regarding schools or other educational programs, teachers, leaders of religious training, coaches or leaders of extra-curricular activities and other contact information that allows the other parent

to participate in the children's lives. Both parents shall provide notice to the other parent of issues relating to any illness or accident or other circumstance that seriously affects the children's health and welfare, as soon as reasonably possible. Both parties shall have open access to contact the necessary persons or entities so that the party will be notified of significant activities of the children, whether related to education, sports, arts, extra-curricular activities, church or other activities events in which the children participate so that both parents may attend or participate, if otherwise not prohibited by court orders or the binding agreements of the parties.

17. The Order Waiving Respondent's Divorce Education Requirements (*Docket 133*)

states:

"Any parent-time exercised by Respondent shall be suspended until Respondent complies with the divorce education and orientation course requirements and files proof with the court of such compliance."

18. Based thereon, Respondent's parent-time is suspended unless and until he complies with the divorce education and orientation course requirements and files proof of such compliance with the Court.

19. Once Respondent has filed proof of compliance with the divorce education and orientation course requirements, then Respondent's parent-time shall commence after: 1) he completes the divorce orientation and education courses; 2) he completes at a minimum the 12-hour Anger Management Class and 10-hour Domestic Violence Class offered online through Adaptive Skills; 3) he completes the High-Conflict Co-Parenting Class offered by Dr. Natalie Malovich and Cathe Madison, LCSW through Aspen Mediation; 4) he completes all treatment recommended by his criminal case; and 5) he engages in therapy and his therapist recommends that visitation begin. Respondent shall provide for this court his Certificates of Completion for each course he is required to complete. Parent-time shall not begin until Respondent files

Certificates of Completion with the court and completes the remaining requirements outlined in #19.

20. After Respondent completes the requirements to begin parent-time as listed in #19, he shall have a ramp-up visitation period consisting of:

a. For a period of four weeks, Respondent shall exercise parent-time on one evening per week, from 5:30-8:30 p.m., supervised by a mutually agreed-upon supervisor, or, if a supervisor cannot be agreed upon, then supervised by an agency specializing in supervised visitation, with costs borne by Respondent.

b. After this initial four week period, Respondent shall exercise parent-time on alternating Saturdays from 9 a.m. until 5 p.m. for a period of four weeks, in addition to the mid-week visit from 5:30-8:30 p.m. All parent-time will continue to be supervised by a mutually agreed-upon supervisor, or, if a supervisor cannot be agreed upon, then supervised by an agency specializing in supervised visitation, with costs borne by Respondent.

c. After this second four week period, and subject to recommendations from Respondent's therapists and/or any of the children's therapists, Respondent shall begin to exercise parent-time unsupervised, consisting of a mid-week visit from 5:30-8:30 p.m. and alternating Saturdays from 9 a.m.- 5 p.m. If, at any time, Respondent and/or a minor child's therapist expresses concern with removing supervised visitation, then Respondent's parent-time shall continue to be supervised until the therapist recommends otherwise.

d. After the third four week period, with approval from Respondent and the minor children's therapists, Respondent shall begin overnight parent-time on his alternating

weekends, such that parent-time shall occur from Saturday at 9 a.m. until Sunday at 7 p.m. If, at any time, Respondent and/or a minor child's therapist expresses concern with overnight visitation, then Respondent's parent-time shall continue unaltered pursuant to the schedule being exercised (i.e. pursuant to either (b) or (c) above).

e. For the fourth four week period, Respondent's parent-time shall be pursuant to Utah Code § 81-9-302.

f. At all times Respondent's parent-time shall be subject to the constraints of the protective order in Civil No. 254901641, Third District Court.

g. In order to maintain consistency for the child, if parent-time is missed in any four week period of the ramp up schedule, Respondent shall restart the preceding ramp up period. After the ramp up is complete, if there is a month period that elapses in which Respondent does not exercise parenting time, the ramp up schedule shall be restarted when Respondent desires to restart parent-time.

21. After completing a parent-time ramp-up period, Respondent's parent-time shall be pursuant to Utah Code § 81-9-302. All parent-time shall be subject to the constraints of the protective order in civil no. 254901641, Third District Court.

22. Holiday and extended parent-time shall be as the parties may agree. If the parties are not able to agree, then parties shall follow the holiday and extended parent-time schedule of Utah Code § 81-9-302. All holiday and extended parent-time shall be subject to the constraints of the protective order in Civil No. 254901641, Third District Court.

23. The parties shall be ordered to follow the advisory guidelines found at Utah Code § 81-9-202, subject to the constraints of the protective order in Civil No. 254901641, Third District Court.

24. If either party desires to take the minor children outside of the State of Utah, he or she shall inform the other party in advance of the travel and provide the other party with the travel itinerary and make arrangements for the maintenance of contact between the children and the other party during the trip.

25. Petitioner, as the primary physical custodian, shall be permitted the right to determine the children's place and state of residence.

26. The children's school shall be determined by Petitioner's residence.

27. Both parties shall be restrained from abusing alcohol or any non-prescription, illegal drugs in the presence of the children. Both parties shall instruct any third parties who are also smoking or abusing alcohol or non-prescription, illegal drugs to refrain from doing so in the presence of the children. If they refuse to do so the party shall remove the children from that location.

28. The parties shall communicate, subject to the constraints of the protective order in civil no. 254901641, Third District Court, through email, text, or otherwise in writing, in order to document their communications, agreements, and disputes. Either party may contact the other party directly if there is an emergency regarding or during parent-time.

29. Communications shall be between the parents as much as possible rather than using other family members, friends, new romantic interests, or others. The children shall never be used as messengers between the parents.

30. The children shall be permitted to communicate with the other parent during either party's parent-time, subject to the constraints of the protective order in civil no. 254901641, Third District Court.

31. Both parties shall be restrained from disparaging the other party to or in the presence of the minor children and are to instruct third parties to also be so restrained. Both parties shall be restrained from discussing the legal action or any adult topics with the minor children or in the presence of the children and are to instruct third parties to also be so restrained.

32. Further, both parties shall be ordered to instruct any adult who discusses the divorce, adult issues, and/or disparages the other party to cease immediately and to remove the children from the presence of that person.

33. Neither party shall allow any third-party child-care provider to care for the child if that provider uses non-prescription, illegal drugs or abuses alcohol while caring for the minor child.

34. Neither party shall allow any third party to verbally or physically abuse or to physically discipline the minor child.

35. Both parties shall be ordered not to have overnight parent-time any night during which they also have an overnight guest with whom they are having romantic relations and to whom they are not married.

Payments for the Benefit of the Children

36. Petitioner shall be imputed no more than \$350 gross per month as her income for calculating child support.

37. Respondent shall be imputed no less than \$5,000 gross per month as his income for calculating child support.

38. Pursuant to the Utah Child Support Guidelines, and based upon the sole custody worksheet, Respondent shall pay \$1,316 each month to Petitioner for child support. Child

support shall be paid until each child reaches age 18 or graduates from high school in that child's normal and expected year of graduation, whichever is later.

39. Respondent shall pay child support in two increments each month; one-half on the 5th and one-half on the 20th of each month.

40. Respondent shall make child support payments directly to the other party, but if payment becomes more than 30 days overdue, the Utah Office of Recovery Services (ORS) shall be ordered to collect child support on behalf of the party receiving child support, and both parties shall assist in the filing of appropriate paperwork. The party receiving support has the right to have the income of the party paying support withheld through the ORS. If the ORS collects child support, the ORS shall also collect insurance premiums on behalf of the parties. The party insuring the children shall provide verification of coverage to the other party or to the ORS under Title IV of the Social Security Act, 42 U.S.C. § 601 and continuing, upon initial enrollment of the dependent children and thereafter on or before January 2nd of each calendar year.

41. So long as the parties have minor children, and Respondent has an associated child or spousal support obligation for which he is not current, he shall be restrained from engaging in any gambling as a way to protect his ability to pay child support.

42. Health insurance and medical expenses for the minor children shall be pursuant to Utah Code § 81-6-208 if available through employment at a reasonable cost, and the parties shall be ordered to follow the reimbursement provisions therein.

43. The parties shall be ordered to pay one-half of all work-related child care costs which are actually incurred by reason of employment during the pendency of this action consistent with the verification and reimbursement provisions of Utah Code § 81-6-209.

44. The parties shall share equally any expense associated with an agreed upon extra-curricular activity. In the event the parties are unable to agree on an extracurricular activity, the party enrolling the child shall be responsible for the associated expense.

Taxes

45. Beginning with tax year 2024, Petitioner shall claim the children as tax exemptions and be awarded any tax credits related to the children for the purpose of calculating his or her State and Federal income taxes.

46. The parties shall cooperate and work together to file any outstanding taxes, with Respondent assuming in full any tax obligation(s) and charges (including interest) related to the delinquent filings. Any refund received for the delinquent filings will be divided equally between the parties. The parties shall file their taxes separately beginning with tax year 2024.

PROVISIONS NOT PART OF THE PARENTING PLAN

Alimony

47. During the course of the marriage Petitioner has acted as a full time caregiver to the parties' minor children.

48. One of the parties' minor children has special needs which requires specialized parental care, such that Petitioner needs to remain as a full time caregiver.

49. As such, Petitioner now has a need for alimony, as she cannot cover her reasonable and necessary expenses in accordance with the historical lifestyle of the family.

50. Respondent, as the sole breadwinner of the marriage, has the ability to pay alimony.

51. Therefore, it is reasonable, necessary and proper that Petitioner be awarded monthly alimony of no less than \$1,000 per month, or in a greater amount as deemed fair and equitable by the court, given the circumstances of the parties.

52. Such alimony shall terminate upon Petitioner's remarriage, statutory cohabitation, or death.

Financial Accounts

53. During the marriage, the parties have acquired pensions, retirement benefits, 401(k)s, IRAs, and/or deferred compensation plans. The retirement assets accrued during the marriage and to the date of separation shall be divided equitably between the parties.

54. The parties have accrued investment accounts, bank accounts, and other asset accounts during their marriage.

55. The Order Granting Petitioner's Motion for Rule 37(b) Sanctions states:

As an additional sanction, the Court orders that any financial account, asset, or balance that Respondent failed to disclose at all in his Rule 26(a)(1) initial disclosures, Rule 26.1 Financial Declaration, or written discovery responses including, without limitation, any Zions Bank checking account in his sole name, any PayPal or similar online-payment or e-commerce accounts in his name, and any other later-discovered accounts or assets not identified in his sworn disclosures shall be awarded 100% to Petitioner as part of the property division.

56. Based thereon, the parties' financial accounts are awarded as follows:

- a. Petitioner is awarded all financial assets and accounts not otherwise mentioned, in existence at the time the divorce petition was filed, or acquired prior to entry of the decree of divorce, including but not limited to:
 - i. The parties' Mountain America Credit Union joint checking and savings accounts ending in 9083;
 - ii. Petitioner's Venmo & Cash App accounts;
 - iii. All cash in her possession;
 - iv. The Zions Bank Account under Respondent's name;
 - v. The PayPal or similar online-payment or e-commerce accounts in Respondent's name;

- vi. Any other Mountain America Credit Union, or other bank or credit union accounts or any other similar accounts in Respondent's name, unless otherwise specified.
- b. In the event Respondent has spent or otherwise depleted any funds from these accounts, Petitioner is entitled to, and may seek, a judgment against Respondent for those funds.
- c. Petitioner is entitled to seek any post judgment method to obtain these funds, including but not limited to garnishment, for which Respondent shall be ordered to pay her attorney fees and costs associated therewith.
- d. Respondent is awarded the Robinhood account in his separate name. (This is the only financial account disclosed by Respondent in his financial declaration, with the exception of the joint Mountain America Account, that was awarded in full to Petitioner.)
- e. Respondent is awarded no other funds or financial accounts of value.

Debts

57. During the marriage, the parties have incurred various debts and obligations, which shall be divided as follows:

Creditor/Account	Assumed by:
Chase credit card x7293	Petitioner
PayPal credit card x5872	Respondent
Mountain America Credit Union visa credit card x8383	Petitioner
Ulta credit card x6884	Petitioner
Gap credit card x8069	Petitioner

Best Buy credit card x2172	Respondent
eBay credit card x7162	Respondent
Mountain America Credit Union line of credit x1254	Respondent

58. Any debts not otherwise listed or disclosed above shall be assumed by Respondent.

59. Each party shall pay and assume all debts and obligations incurred in his or her own name subsequent to the date of separation of the parties.

Personal Property

60. All items or heirlooms received by inheritance or gift through a family-line are the sole property of the person who received the inheritance, heirloom, or gift.

61. During the marriage, the parties have acquired vehicles and currently own and possess the following vehicles: 2013 Volkswagen Passat TDI, 2011 Dodge Ram 1500. Petitioner shall be awarded the 2013 Volkswagen Passat TDI, and Respondent shall be awarded the 2011 Dodge Ram 1500, free and clear of any claims by the other.

62. Prior to and during the parties' marriage, the parties acquired various personal property, such as furniture, electronics, household goods, recreational equipment, artwork, jewelry, and other items. The parties shall each be awarded the personal property each owned prior to marriage. The parties shall equitably divide the personal property acquired during the marriage.

63. The parties shall make a list of disputed property and then alternate choosing items (one at a time) from the list until all disputed items are claimed. If either party has not initiated this process within 30 days after entry of the decree, then each party shall be deemed to have

waived this process and each party shall retain the marital personal property in their possession, unless it is distributed differently elsewhere.

Attorney Fees

64. In the Order on Petitioner's 1st & 2nd Statement of Discovery Issues (Dkt 90), Petitioner was "her reasonable attorney fees and costs incurred in connection with both the First and Second Statements of Discovery Issues and the hearings held October 21, 2025 and November 10, 2025." The court directed Petitioner to file an Affidavit of Attorney Fees and Costs. Afterwhich, Respondent was allotted fourteen (14) days thereafter to file any written response. The order stated that the Court would then determine the fee award on the written submissions without further hearing. Petitioner filed a Declaration of Attorney Fees and Costs and no objection was filed by Respondent.

The Order Granting Petitioner's Motion for Rule 37(b) Sanctions (Dkt. 121) states:

"15. Pursuant to Rule 37(b)(1) of the Utah Rules of Civil Procedure, the Court orders that:

a. The factual allegations set forth in Petitioner's Verified Petition concerning Petitioner's need for attorney fees and Respondent's ability to pay the same are hereby deemed established; and

b. Respondent is hereafter precluded from opposing Petitioner's request for attorney fees or presenting evidence related to his income, assets, debts, expenses, or any alleged inability to pay.

16. Prior to the entry of the Decree of Divorce, Petitioner shall be permitted to file a Declaration of Attorney Fees and Costs incurred in this matter. The Court shall determine the total amount of the fee award and incorporate said award into the final Decree of Divorce as a judgment against Respondent."

65. Based upon the two Declarations of Attorney Fees and Costs, the Court finds that Petitioner incurred reasonable attorney fees and costs in the amount of 31,364.92. Respondent is therefore ordered to pay that amount within 30 days of entry of the Decree, and Petitioner is awarded judgment against Respondent accordingly, together with statutory post-judgment

interest at the applicable Utah statutory rate until paid in full. In the event Respondent fails to timely satisfy the judgment, Petitioner may seek to recover all additional reasonable attorney fees and costs incurred in enforcing or collecting the judgment. Petitioner may enforce the judgment through any lawful post-judgment remedy, including execution, garnishment, supplemental proceedings, liens, and other collection remedies permitted under Utah law. Respondent shall cooperate with any institution or third party reasonably necessary to transfer, liquidate, or access accounts awarded to Petitioner. Within 10 days of written request by Petitioner, Respondent shall provide his current residential address, mailing address, employer information, income source information, and the identity of all financial institutions at which he maintains accounts or assets.

66. All amounts owed Petitioner, per the provisions of this Complaint, shall be deemed owed from the date of the separation of the parties.

67. Each party shall execute and deliver any documents reasonably necessary to effectuate the provisions of this Decree within 10 days of written request by the other party.

68. Any and all property and money received or retained by either party pursuant to the divorce shall be deemed the separate property of such party free and clear of any right, interest or claim of the other party, including the right to inherit or to be named as a beneficiary except as specifically awarded therein, and each party shall have the right hereafter to use and enjoy, independently of any claim or right of the other party, all items of real or personal property awarded to them.

69. If either party fails to comply with any provision of this Decree, the aggrieved party may seek enforcement through contempt, supplemental proceedings, execution, garnishment, or any other remedy available under Utah law, including an award of reasonable attorney fees and costs incurred in enforcing the Decree.

****END OF ORDER****

(Court's signature appears at the top of the first page.)

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2026, I served a true and correct copy of the foregoing DECREE OF DIVORCE on Respondent via email at: slabglass99@gmail.com

/s/ Merrick Bailey
Paralegal for Petitioner