

JUL 09 2026

THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH

By  **SALT LAKE COUNTY**

Deputy Clerk

IN THE MATTER OF THE MARRIAGE
OF:

GARRETT DEAN MITCHELL,

Petitioner,

and

LAUREN MCCARTNEY,

Respondent.

DECREE OF DIVORCE

Case No. 234904607

Judge Vernice S. Trease

This matter came before the Court for a trial on July 8, 2026. Both parties appeared pro se. At the conclusion of the trial, the Court took the matter under advisement to prepare Findings of Fact and Conclusions of Law, as the parties were pro se and the Court did not want to place the responsibility on them to prepare these documents. The Court, having considered the evidence presented at trial, including the testimony of the parties, arguments, and for good cause appearing in the record, issued Findings of Fact and Conclusions of Law and this Decree of Divorce granting the divorce and ORDERING AS FOLLOWS:

Jurisdiction, Venue, and Grounds for Divorce

1. Petitioner and Respondent are residents of Salt Lake County, State of Utah, and have been for at least three (3) months prior to the filing of this case.
2. On or about February 22, 2018, the parties were married in Salt Lake City, Salt Lake County, Utah.
3. Petitioner and Respondent do not have any children of this marriage.

4. Petitioner and Respondent are granted a divorce effective immediately on the grounds of irreconcilable differences that have developed between the parties, which, despite their best efforts, they have been unable to resolve. Such differences, thus being irreconcilable, have caused the continuation of the marriage to become an impossibility.

Real Property

5. The marital assets do not include any real property.

6. Petitioner received a portion of his brother, Rocky Lee Mitchell's ("Rocky"), estate through Rocky's will that was probated in Case No. 243901580. Rocky's estate included real property located at 2730 S. 3860 W., West Valley City, Utah 84120. The Court's ruling regarding Rocky's estate and Respondent's contention that she is entitled to a portion of Rocky's estate are addressed in the Findings, Conclusions, and the Decree.

Personal Property - Vehicles

7. The marital assets include certain vehicles (and/or the sale of certain vehicles) as follows: \$600 received from the sale of the 1999 GMC Yukon and \$3,000 from the sale of the 2009 Yamaha V-Star motorcycle for a total of \$3,600.

8. Each party is entitled to fifty percent (50%) of the \$3,600 or \$1,800.

9. However, based on the monthly expenses for the cats paid by Petitioner (\$1,080) and 50% of \$4,500 in carpeting damages, offset against the amount Respondent is entitled to from the sale of her personal property (\$833) and from the vehicles (and/or proceeds there from) that are marital assets, Respondent is not entitled to her \$1,800.

Bank Accounts

10. During the marriage and at the time of separation, the parties had two (2) bank accounts: A bank account with American First Credit Union in Petitioner's name and a USAA bank account in Respondent's name.

11. The America First Bank Account: This account was in Petitioner's name and is part of the marital assets. At the time of separation, this account had an estimated value of \$9. Since the separation, this account has been closed.

12. The USAA Account: This account is part of the marital assets. This account was used primarily to pay the parties' vehicle(s) insurance. The balance on this account is a debt owing estimated at \$500. Respondent testified that this balance is still owing.

13. Respondent and Petitioner shall be equally (50/50) responsible for this \$500 debt.

Other Personal Property

14. The parties had personal property that was part of the marital assets and owned separately and together by the parties, including eight (8) cats that appear to belong primarily to Respondent.

15. Regarding the cats, Respondent wants the cats but agrees that since August 2023, she has not been able to retrieve the cats because she has not had a place to keep them. On the date of the trial, Respondent's homeless status had not changed, and she acknowledged she could not take the cats to a shelter. Petitioner agrees that Respondent should have her cats but contends that after a year and a half of caring for the cats, paying \$60 per month for the expenses, the damages to the carpeting in Rocky's house, and Respondent not retrieving the cats, it is reasonable for Petitioner to dispose of the cats.

16. It is reasonable, after caring for and paying the expenses for the eight (8) cats that Respondent may have retrieved but did not, that Petitioner would dispose of the cats to avoid

further expenses that he was paying. If, in fact, Petitioner was paying \$60 per month in cat expenses for a year and a half (or 18 months), that totals out to \$1,080. Additionally, Petitioner paid for the carpeting damages caused by the cats of \$4,500.

17. Regarding other personal property, Respondent agrees that she has been unable to retrieve any of her personal property because she has been homeless and does not have the means to retrieve and keep/store the property. Petitioner contends that Respondent has had more than sufficient time to retrieve her property, and she has not done so.

18. The estate sale held by Petitioner appears to have included the sale of Petitioner's property, Rocky's property, and Respondent's property. The proceeds from the estate sale totaled \$2,500. Based on the information before the Court, it is fair and equitable that the estate sale proceeds be divided into three. Respondent is entitled to \$833, Rocky (and/or his personal representative) is entitled to \$833, and Petitioner is entitled to \$833.

19. Based on the monthly expenses for the cats paid by Petitioner (\$1,080) and 50% of \$4,500 in carpeting damages, offset against the amount Respondent is entitled to from the sale of her personal property (\$833), Respondent is not entitled to any money from the estate sale.

Retirement Accounts

20. Neither the Petitioner nor the Respondent has any retirement accounts.

Alimony

21. Neither party is awarded alimony.

Rocky's Home and Estate

22. The home located at 2730 S. 3860 W., West Valley City, Utah 84120, which was Rocky's home, is not marital property and has appropriately been disposed of in the probate case, Case No. 243901580.

23. The remaining assets in Rocky's estate, including the proceeds from the insurance policy, are not marital assets and have been appropriately addressed in the probate case.

The Protective Order in Case No. 234905894

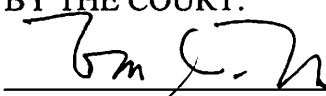
24. Petitioner desires the Protective Order to remain in place because there has been domestic violence-related criminal cases against Respondent where Petitioner has been the alleged victim.

25. Respondent desires the Protective Order to be dismissed.

26. Pursuant to UCA §78B-7-605, "if a divorce proceeding is pending between the parties to a protective order action, the court shall dismiss the protective order when the court issues a decree of divorce for the parties if: (a) the respondent files a motion to dismiss a protective order in both the divorce action and the protective order action and personally serves the petitioner; and (b)(i) the parties stipulate in writing or on the record to dismiss the protective order; or (ii) based on the evidence at the divorce trial, the court determines that the petitioner no longer has a reasonable fear of future harm, abuse, or domestic violence." Respondent has not complied with the requirements of this statute, and therefore, the Court cannot to dismiss the outstanding Protective Order in Case No. 234905894.

DATED this 8 day of July, 2026.

BY THE COURT:


Vernice S. Trease
DISTRICT COURT JUDGE

