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

In the Matter of the Child of:

SAMUELA VAITAI,

Petitioner,

and

NATALIE KEYS,

**MODIFIED DECREE OF PARENTAGE,
CUSTODY AND SUPPORT**

(Default)

Case No. 194906349

Judge: *Honorable* Kristine Johnson

Respondent.	Commissioner: <i>Honorable</i> Russell Y. Minas
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THE COURT, having made and entered its *Findings of Fact and Conclusions of Law* with respect to Respondent Natalie Keys’ (“Natalie”; “Respondent”) *Verified Petition to Modify Child Custody, Parent-Time, and Child Support* (“Petition”), filed January 20, 2026, having conducted a hearing on September 23, 2026 at which Petitioner Samuela Vaitai (“Samuela”; “Petitioner”) failed to appear, and based on the entry of Samuela’s default with respect to said Petition,

HEREBY FINDS, ORDERS, ADJUDGES, and DECREES as follows:

1. This Court has continuing jurisdiction over the parties and subject matter of this action pursuant to Utah Code Ann. § 81-1-204(3) and (4), as the Court previously issued a final order pertaining to the custody, parent-time, and support of the parties’ minor child.
2. Venue is proper in this Court pursuant Utah Code Ann. § 78B-3a-201, as both parties and the minor child reside in Salt Lake County, Utah.
3. The prior controlling order in this matter is the *Decree of Paternity* (the “Decree”), which was entered on November 30, 2022, in the Third Judicial District Court for Salt Lake County, Utah, Case No. 194906349 PA, signed by the Honorable Randall Skanchy.
4. The Decree has not been modified, superseded, or otherwise rendered moot since its entry. This Court is the only court with jurisdiction to hear the claims brought in this Petition.
5. Pursuant to Paragraph 2 of the Decree, the parties were awarded joint physical custody of O.C.V.K., with Natalie designated as the primary and residential parent.

6. Pursuant to Paragraph 3 of the Decree, the parties were awarded joint legal custody of O.C.V.K. The Decree provides that “[t]he major decisions concerning their child’s general welfare, education, discretionary medical treatment, and religious training shall be mutually agreed to by both parties.”

7. Pursuant to Paragraph 2(a) of the Decree, Samuela was awarded alternating weekend parent-time with O.C.V.K. from “Friday after school (or 5 p.m. if school is not in session and when the child starts Kindergarten this shall be 8 a.m.) until Monday morning with drop off to school (or 7 a.m. when school is not in session and when the child starts Kindergarten this shall be 8 a.m.)”

8. Pursuant to Paragraph 2(b) of the Decree, Samuela was awarded midweek overnight parent-time with O.C.V.K. “after school (or 5 p.m. if school is not in session and when the child starts Kindergarten this shall be 8 a.m.) on Wednesday until Friday morning with drop off to school (or 7 a.m. when school is not in session and when the child starts Kindergarten this shall be 8 a.m.)”

9. Pursuant to Paragraph 2(c) of the Decree, the parties were awarded 50/50 timeshare for the summer extended break, “such that each parent receives one week on and one week off with the exchange occurring on Friday at 5 p.m.”

10. Pursuant to Paragraph 18 of the Decree, Samuela was ordered to pay child support in the amount of \$566 per month. The Decree states that “[c]hild Support shall be calculated as according to Utah Code Annotated §78B-12-201 *et seq.* The Mother’s gross monthly imputed income is \$1,257 per month. The Father’s gross monthly income is \$6,250 per month.” The

Decree further provides that “[t]he Mother has 220 overnights and the Father has 145 overnights for the purpose of child support calculation on the Joint Physical Custody Worksheet.”

11. The child support calculation in Paragraph 18 of the Decree was therefore based on the joint physical custody arrangement and the parties’ gross monthly incomes at the time the Decree was entered. Child support should be updated and recalculated pursuant to the Utah Child Support Act based on the parties’ current verified gross monthly incomes and the sole custody arrangement requested herein.

12. Pursuant to Paragraph 10(i) of the Decree, the parties are subject to a mutual restraining provision which explicitly states: “The parties will not commit Domestic Violence in front of the child.”

13. Pursuant to Paragraph 12 of the Decree, the parties agreed to a dispute resolution provision requiring them to “seek the assistance of a mutually agreed upon third party or mediator before either of the parties initiates legal action.” However, Paragraph 12 also provides an exception for emergency situations, stating: “The parties both agree, however, that either of the parties may seek emergency relief from the court in the future should an emergency arise which would make formal negotiation not practical.”

14. Samuela has a significant and well-documented history of domestic violence and disregarding court orders, which predates the entry of the Decree. He has been repeatedly charged with and convicted of domestic violence offenses and violations of protective orders, demonstrating a clear proclivity for such behavior and a profound disrespect for the court’s authority.

15. Specifically, in *State of Utah v. Samuela Vaitai*, Case No. 201903525, in the Third District Court for Salt Lake County, Utah, Samuela was charged on March 26, 2020, with Violation of a Protective Order, a third-degree felony, for conduct that occurred on February 23, 2020.

16. This charge, itself a domestic violence offense, stemmed from his violation of a cohabitant protective order obtained by his now ex-wife, Twila Vaitai. Although he was initially charged with a felony, Samuela ultimately pleaded guilty on January 13, 2022, to an amended charge of Violation of a Protective Order, a Class A Misdemeanor.

17. He was sentenced to 18 months of supervised probation, which included conditions that he violate no laws and obtain a mental health evaluation. This conviction establishes a clear pattern of refusing to comply with court orders designed to protect intimate partners.

18. On information and belief, Samuela violated the protective order obtained by his ex-wife on numerous occasions, further cementing his pattern of non-compliance with judicial mandates from the judiciary.

19. Since the entry of the Decree, numerous substantial changes in material circumstances have occurred, warranting a modification of the Decree. Samuela has engaged in a pattern of criminal conduct, domestic violence, and willful, deliberate violation of court orders, demonstrating that he is a direct threat to the physical and emotional well-being of the minor child.

20. Indeed, admissible, clear, and convincing evidence demonstrates that the following substantial changes in material circumstances have occurred since the entry of the Decree:

- a. On or about June 28, 2025, Samuela was arrested for domestic violence.
- b. This act of domestic violence was committed in the presence of three minor children, including the parties' child, O.C.V.K. This conduct is a direct violation of the mutual restraining provision in Section 10(i) of the Decree.
- c. On July 10, 2025, the Salt Lake County District Attorney's Office filed an Information in Case No. 251908282, charging Samuela with four Class A Misdemeanors: one count of Property Damage/Destruction and three counts of Commission of Domestic Violence in the Presence of a Child. The Information notes that Samuela has prior domestic violence convictions, making him subject to enhancement.
- d. On June 29, 2025, as a condition of his release from jail in that case, Samuela signed a Jail Release Agreement and was ordered by the court to have no contact with the any of the alleged victims of the charged crimes, including the children. As O.C.V.K. was one of the three children present during the commission of domestic violence, she was a victim of one of the alleged offenses, and Samuela was therefore prohibited from having any contact with her.
- e. Samuela, however, willfully and deliberately concealed the existence of this no-contact order from Natalie. Presumably, he did so

because he did not want Natalie to know what he had done or that he was prohibited from seeing O.C.V.K.

f. On information and belief, during the police investigation on June 28, 2025, when asked for O.C.V.K.'s name, Samuela told law enforcement that O.C.V.K.'s last name was the same as his last name, which is false (and Samuela knows this is false). Indeed, Samuela's intent was to conceal the fact that O.C.V.K. did not share his last name, hoping to prevent law enforcement from deducing that O.C.V.K. had another parent (*i.e.*, Natalie) who had a right to be informed of the events. This act of dishonesty prevented law enforcement from promptly contacting Natalie to inform her of the criminal charges and the subsequent jail release no-contact order.

g. As a result, for over a month, Natalie continued to exercise joint physical custody of O.C.V.K. with Samuela, as she was completely unaware of the criminal charges, jail release no contact order, etc., and Samuela intentionally withheld this information from her.

h. For over a month, Samuela repeatedly violated the court's no-contact provision of the jail release order.

i. In mid-August 2025, Natalie discovered the existence of the criminal charges and the no-contact order.

j. On August 15, 2025, Samuela was arrested again as a direct result of his repeated violations of the no-contact provision of the jail release order.

k. On August 19, 2025, the Salt Lake County District Attorney's Office filed criminal charges against Samuela in *State of Utah v. Samuela Vaitai*, Case No. 251910051, in the Third District Court for Salt Lake County, Utah, charging him with four counts of Violation of a Jail Release Agreement, all Class A Misdemeanors, for his prohibited contact with O.C.V.K.

l. Furthermore, on August 21, 2025, the judge overseeing the original domestic violence case (Case No. 251908282) issued a formal Pre-Trial protective order reiterating that Samuela was to have no contact with any of the alleged victims, including O.C.V.K.

m. Samuela's flagrant disregard for the court's authority was so severe that on August 21, 2025, the court in his underlying domestic violence case issued an Order of Revocation, revoking his supervised release and remanding him to the custody of the Sheriff with bail set at \$5,000. This pattern of domestic violence, willful violation of court orders, and profound dishonesty demonstrates a complete disregard for the rule of law and the safety and well-being of the minor child.

n. On information and belief, Samuela's cohabitant partner and current girlfriend, Jasmine Moors, is not cooperating with law

enforcement in the prosecution of the domestic violence charges against him. On information and belief, the original domestic violence assault charge against Samuela pertaining to his assault of Jasmine is likely to be dismissed.

o. While the charges for Commission of Domestic Violence in the Presence of a Child are still believed to be proceeding, Natalie has no confidence that Ms. Moors or anyone else in Samuela's household would be able to effectively protect O.C.V.K. from Samuela if he were to have unsupervised contact with her, given Ms. Moors' apparent willingness to overlook, conceal, and enable Samuela's violent conduct rather than hold him accountable.

p. On information and belief, the Division of Child and Family Services has investigated Samuela and issued supported findings that he has abused O.C.V.K. as well as his children from other relationship(s), including those with Twila Vaitai. See D.C.F.S. Case No. 3287487.

q. Aside from the aforementioned criminal charges against Samuela, since the entry of the Decree Natalie has been unable to effectively co-parent with Samuela due to his abusive and threatening communications with her; and Samuela has repeatedly refused to comply with the parent-time schedule outlined in the Decree, withholding the minor child on dates and times when Natalie is authorized to pick her up.

r. There has been a breakdown in communication between the parties, and Samuela has demonstrated that he is completely unable or unwilling to co- parent in a mature and respectful manner with Natalie. This breakdown necessitates an award of sole legal custody to Natalie to ensure decisions can be made in the child's best interest without conflict and obstruction.

21. The current custody arrangement is no longer in O.C.V.K.'s best interests and is causing her direct harm. O.C.V.K. is being regularly exposed to violence and chaos in Samuela's household.

22. In addition to the violence, abuse, and chaos to which she is exposed when she is with Samuela, O.C.V.K. is being used as a pawn in Samuela's efforts to evade court orders, as he deliberately concealed information from Natalie and gave false information to law enforcement in order to continue having contact with O.C.V.K. in violation of a court order.

23. Samuela is not acting in O.C.V.K.'s best interests; rather, he is prioritizing his own desires over her safety and well-being, and he has a demonstrated a long pattern of abuse and violence that he is either unwilling or unable to change, despite the negative consequences.

24. Samuela is either incapable of or unwilling to effectively co-parent with Natalie, but instead demeans and disparages her in communications, withholds O.C.V.K. in violation of the parent-time schedule, and intentionally withholds crucial information from Natalie. He also withholds communication between Natalie and O.C.V.K. during his parent-time, in violation of the Decree.

25. The current arrangement is untenable and places O.C.V.K. at continued risk of physical and emotional harm.

26. While the parties have not recently mediated, Section 12 of the Decree explicitly allows for immediate court intervention without prior mediation in emergency situations. It states, “The parties both agree, however, that either of the parties may seek emergency relief from the court in the future should an emergency arise which would make formal negotiation not practical.” The current situation, involving an active no-contact order between Samuela and the child, his pending criminal charges for domestic violence and violating court orders, and his deliberate concealment of these facts from Natalie, constitutes such an emergency, making formal negotiation impractical and necessitating immediate court intervention to protect the child.

27. Based on the substantial and material changes in circumstances detailed above, the modifications requested by Natalie in her Petition are necessary to protect O.C.V.K. and are in her best interests, as determined by the factors outlined in Utah Code Ann. § 81-9-204.

28. The relief sought in Natalie’s Petition is what best serves O.C.V.K.’s safety, well- being, and best interests at this time.

29. Natalie is hereby awarded sole legal custody and sole physical custody of O.C.V.K., as a joint custody arrangement is no longer in O.C.V.K.’s best interests.

30. Samuela’s parent-time shall hereafter be professionally supervised at his sole expense, pursuant to Utah Code Ann. § 81-9-207, until he can affirmatively demonstrate to the Court that he no longer poses a threat to the safety of O.C.V.K.

31. Before Samuela may seek any unsupervised parent-time, he shall undergo a comprehensive domestic violence and substance abuse evaluation and fully comply with all

treatment recommendations arising from that evaluation. Additionally, Samuela shall engage in regular, ongoing therapy with a licensed therapist, not merely to satisfy the assessment recommendations, but as a continuing requirement to address his anger management issues, his disregard for authority, and his pattern of violent behavior.

32. If and/or when Samuela demonstrates to the Court that the supervision restriction should be lifted, he shall thereafter be entitled to standard parent-time as defined in Utah Code Ann. § 81-9-302. However, even in that event, it is in O.C.V.K.'s best interests that Natalie retain sole legal and physical custody.

33. Samuela's last-known verified gross monthly income was \$6,250, as stated in Paragraph 18 of the Decree, and the Court uses that same figure to recalculate child support based on the sole custody formula.

34. In light of Samuela's gross monthly income of \$6,250, Natalie's gross monthly income of \$1,257, and the sole custody formula, Samuela shall pay Natalie child support in the amount of \$745 per month, beginning February 2026, the first full month after the Petition to Modify was filed.

35. All other orders from the Decree of Paternity not expressly modified herein shall remain in full force and effect.

SO DECREED.

Judge KRISTINE JOHNSON
Commissioner RUSSELL Y. MINAS
THIRD DISTRICT COURT

Salt Lake County, Utah

**EFFECTIVE WHEN EMBOSSED WITH JUDGE'S DIGITAL
SIGNATURE AND COURT'S SEAL AT TOP OF FIRST PAGE**