

ORIGINAL

FL-120

COPY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): JAMES M. SIMON, ESQ. (SBN 109913) Hersh, Mannis & Bogen, LLP [REDACTED] TELEPHONE NO.: [REDACTED] FAX NO.: [REDACTED] E-MAIL ADDRESS: [REDACTED] ATTORNEY FOR (Name): RYAN ANDREW SWEETING		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles OCT 15 2015 Sherri R. Carter, Executive Officer/Clerk By <u>[Signature]</u> Deputy Rebecca Baker-Stiles	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: CENTRAL			
PETITIONER: KALEY CHRISTINE CUOCO RESPONDENT: RYAN ANDREW SWEETING			
RESPONSE <input checked="" type="checkbox"/> AND REQUEST FOR <input type="checkbox"/> AMENDED <input checked="" type="checkbox"/> Dissolution (Divorce) of: <input checked="" type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Legal Separation of: <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Nullity of: <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership		CASE NUMBER: BD 627722	

1. LEGAL RELATIONSHIP (check all that apply):

- a. ☒ We are married.
- b. ☐ We are domestic partners and our domestic partnership was established in California.
- c. ☐ We are domestic partners and our domestic partnership was NOT established in California.

2. RESIDENCE REQUIREMENTS (check all that apply):

- a. ☒ Petitioner ☒ Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this Petition. (For a divorce, at least one person in the legal relationship described in items 1a and 1c must comply with this requirement.)
- b. ☐ We are the same sex and were married in California but are not residents of California. Neither of us lives in a state or nation that will dissolve the marriage. This case is filed in the county in which we married.
 Petitioner's residence (state or nation): _____ Respondent's residence (state or nation): _____
- c. ☐ Our domestic partnership was established in California. Neither of us has to be a resident or have a domicile in California to dissolve our partnership here.

3. STATISTICAL FACTS

- a. ☒ (1) Date of marriage (specify): **December 31, 2013** (2) Date of separation (specify): **September 25, 2015**
 (3) Time from date of marriage to date of separation (specify): **1** Years **9** Months
- b. ☐ (1) Registration date of domestic partnership with the California Secretary of State or other state equivalent (specify below):
 (2) Date of separation (specify):
 (3) Time from date of registration of domestic partnership to date of separation (specify): _____ Years _____ Months

4. MINOR CHILDREN (children born before (or born or adopted during) the marriage or domestic partnership):

- a. ☒ There are no minor children.
- b. ☐ The minor children are:

Child's name

Birthdate

Age

CITY/CASE: BD627722
 LEA/DEF#: _____
 RECEIPT #: FIN436357027
 DATE PAID: 10/15/15 04:43
 PAYMENT: \$435.00
 RECEIVED:
 CHECK: \$435.00
 CASH: \$0.00
 CHANGE: \$0.00
 CARD: \$0.00

- (1) ☐ continued on Attachment 4b.
- (2) ☐ a child who is not yet born.

c. If there are minor children of Petitioner and Respondent, a completed Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (form FL-105) must be attached.

d. ☐ Petitioner and Respondent signed a voluntary declaration of paternity. A copy ☐ is ☐ is not attached.

PETITIONER: KALEY CHRISTINE CUOCO
RESPONDENT: RYAN ANDREW SWEETING

CASE NUMBER:
BD 627722

Respondent requests that the court make the following orders:

5. LEGAL GROUNDS (Family Code sections 2200–2210; 2310–2312)

- a. ☐ Respondent contends that the parties never legally married or registered a domestic partnership.
b. ☐ Respondent denies the grounds set forth in item 5 of the petition.
c. ☒ Respondent requests
(1) ☒ divorce ☐ legal separation of the marriage or domestic partnership based on
(a) ☒ irreconcilable differences. (b) ☐ permanent legal incapacity to make decisions.
(2) ☐ nullity of void marriage or domestic partnership based on
(a) ☐ incest. (b) ☐ bigamy.
(3) ☐ nullity of voidable marriage or domestic partnership based on
(a) ☐ respondent's age at time of registration of domestic partnership or marriage. (d) ☐ fraud.
(b) ☐ prior existing marriage or domestic partnership. (e) ☐ force.
(c) ☐ unsound mind. (f) ☐ physical incapacity.

6. CHILD CUSTODY AND VISITATION (PARENTING TIME)

- | | Petitioner | Respondent | Joint | Other |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation (parenting time) be granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- As requested in: ☐ form FL-311 ☐ form FL-312 ☐ form FL-341(C)
☐ form FL-341(D) ☐ form FL-341(E) ☐ Attachment 6c(1)
- d. ☐ Determine the parentage of children born to Petitioner and Respondent before the marriage or domestic partnership.

7. CHILD SUPPORT

- a. If there are minor children born to or adopted by Petitioner and Respondent before or during this marriage or domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party.
b. An earnings assignment may be issued without further notice.
c. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.
d. ☐ Other (specify):

8. SPOUSAL OR DOMESTIC PARTNER SUPPORT

- a. ☒ Spousal or domestic partner support payable to ☐ Petitioner ☒ Respondent
b. ☒ Terminate (end) the court's ability to award support to ☒ Petitioner ☐ Respondent
c. ☐ Reserve for future determination the issue of support payable to ☐ Petitioner ☐ Respondent
d. ☐ Other (specify):

9. SEPARATE PROPERTY

- a. ☐ There are no such assets or debts that I know of to be confirmed by the court.
b. ☒ Confirm as separate property the assets and debts in ☐ Property Declaration (form FL-160) ☐ Attachment 9b
☒ the following list. Item Confirm to

The full nature and extent of Respondent's separate property is uncertain at this time and will be more fully set forth in Respondent's Schedule of Assets and Debts.

PETITIONER: KALEY CHRISTINE CUOCO
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CASE NUMBER:
BD 627722

10. COMMUNITY AND QUASI-COMMUNITY PROPERTY

- a. ☐ There are no such assets or debts that I know of to be divided by the court.
b. ☒ Determine rights to community and quasi-community assets and debts. All such assets and debts are listed
☐ in *Property Declaration* (form FL-160) ☐ in Attachment 10b.
☒ as follows (*specify*):

The full nature and extent of the community and quasi-community assets and obligations are uncertain at this time and will be more fully set forth in Respondent's Schedule of Assets and Debts.

11. OTHER REQUESTS

- a. ☒ Attorney's fees and costs payable by ☒ Petitioner ☐ Respondent
b. ☐ Respondent's former name be restored to (*specify*):
c. ☐ Other (*specify*):

☐ Continued on Attachment 11c.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 10/11/15

RYAN ANDREW SWEETING

(TYPE OR PRINT NAME)

Date:

JAMES M. SIMON, ESQ.

(TYPE OR PRINT NAME)

(SIGNATURE OF RESPONDENT)

(SIGNATURE OF ATTORNEY FOR RESPONDENT)

NOTICE: You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child, spousal or partner support.

NOTICE—CANCELLATION OF RIGHTS: Dissolution or legal separation may automatically cancel the rights of a domestic partner or spouse under the other domestic partner's or spouse's will, trust, retirement plan, power of attorney, pay-on-death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a domestic partner or spouse as beneficiary of the other partner's or spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions. Some changes may require the agreement of your partner or spouse or a court order.

The original response must be filed in the court with proof of service of a copy on Petitioner.