FILED IN THE 20TH JUDICIAL DISTRICT

District Court Boulder County, Colorado Court Address: 1777 Sixth Street, Boulder, Colorado 80306-4249	2016 SEP 27 PM 3:48 DATE FILED: September 27, 2016
In re the Marriage of: Petitioner: Frank Minh Che and Co-Petitioner/Respondent: Linh Thuy Vo	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): Phone Number: E-mail: FAX Number: Atty. Reg. #:	Case Number: 16DR837 Division 1 Courtroom

PETITION FOR: ☐DISSOLUTION OF MARRIAGE ☐LEGAL SEPARATION
PURSUANT TO § 14-10-106, C.R.S.
********IF CHILDREN ARE PART OF THIS ACTION, PLEASE CHECK HERE ☐********

1. This Petition is for ☐Dissolution of Marriage **or** ☐Legal Separation.

2. The Marriage is irretrievably broken.

3. **Information about the Wife:** ☐Petitioner ☐Co-Petitioner/Respondent Check if in Military ☐
   Full Legal Name: Linh Thuy Vo Date of Birth: 04/24/1981
   Length of **Current Residency in Colorado:** 0 Yrs (Years/months) Dates: n/a
   Current Mailing Address: 18/116 Phan Van Hon, Ap 7, To 14, Khu Dan Cu Dai Hai, Xa Xuan Thoi Thuong
   City: Ho chi Minh City State: Vietnam Zip Code: Home Phone #:
   Email Address: Cell Phone #:

4. **Information about the Husband:** ☐Petitioner ☐Co-Petitioner/Respondent Check if in Military ☐
   Full Legal Name: Frank Minh Che Date of Birth: 02/02/1962
   Length of **Current Residency in Colorado:** 29 Yrs (Years/months) Dates: since 1987
   Current Mailing Address: 9271 Julian Way
   City: Westminster State: CO Zip Code: 80031 Home Phone #:
   Email Address: Cell Phone #: (303) 999-9271

5. Date of the Marriage: 09/28/2014 Place of Marriage: Ho Chi Minh City, Vietnam (City/State)

6. Date the parties separated: 07/07/2016

7. The Wife is ☐pregnant ☐not pregnant.

© 2012 Colorado Judicial Department for use in the Courts of Colorado

8. The following child(ren) was/were born or adopted of this marriage. (attach a second sheet, if necessary):

Full Name of Child	Present Address	Sex	Date of Birth
None			

9. The child(ren) listed above have lived in Colorado for a minimum of 182 days prior to the filing of this Petition or since birth if under six months of age. ■**Yes** ❑**No** If **No,** please state the name of child, name of person child lived with and the month, date and year when each child most recently moved to Colorado.

Full Name of Child	Name of Person Child Lived with	State Moved From	Month	Day	Year

10. I/We understand that a request for genetic tests shall not prejudice the requesting party in matters concerning allocation of parental responsibilities pursuant to §14-10-124(1.5), C.R.S. If genetic tests are not obtained prior to a legal establishment of paternity and submitted into evidence prior to the entry of the final decree of dissolution or legal separation, the genetic tests may not be allowed into evidence at a later date.

11. **Each party has a continuing duty to inform the Court of any proceeding in this or any other state that could affect the current proceeding.**

12. **I/We understand that the Court may review any case involving the children, Petitioner, Co-Petitioner/ Respondent and other parties named in this Petition that have been filed in any Court.**

13. I/We have participated in the following proceeding(s) regarding the child(ren) as a party or a witness, or in any other capacity concerning the allocation of parental responsibilities including decision-making, child support and parenting time with the child(ren). Identify name of court, case number, state, date, and type of proceeding if any.

Name of Court	Case Number	State	Date of Proceeding	Type of Proceeding
None				

14. I/We know of the following proceeding(s) that could affect the current proceeding including, but not limited to proceedings relating to domestic violence or domestic abuse, enforcement of Court orders, protection/restraining orders, termination of parental rights, and adoptions. Identify name of court, case number, state, date, and type of proceeding if any.

Name of Court	Case Number	State	Date of Proceeding	Type of Proceeding
None				

© 2012 Colorado Judicial Department for use in the Courts of Colorado

15. The following people are not parties in this matter, but have physical custody of the child(ren) or claim rights of parental responsibilities, legal custody or physical custody, or visitation/parenting time with the child(ren). Identify name and address of those persons, if any.

Full Name of Person	Address (Street, City/State, Zip Code)

16. **Required Notice of Human Services Involvement.**

The parents or dependent child(ren) listed on this Petition has/have received within the last five years, or is/are currently receiving benefits or public assistance from the state Department of Human Services or the County Department of Social Services. ■**No** ❑**Yes** If your answer was **Yes**, complete the following:

Name of Person Receiving Benefit	Name of County and State	Case Number	Month/Year

17. **Required Notice of Prior Protection/Restraining Orders.**

Have any Temporary or Permanent Protection/Restraining Orders to prevent domestic abuse or any Criminal Mandatory Protection/Restraining Orders (MRO) or Emergency Protection Orders been issued against either party within two years prior to the filing of this Petition?

■**No** ❑**Yes** If your answer was **Yes**, complete the following:

The Protection/Restraining Order was ❑Temporary ❑Permanent ❑MRO and issued against _____ in a ❑Municipal Court ❑County Court ❑District Court in the County of _____, State of _____, in case number _____ on _____ (date).

What was the subject matter of the Protection/Restraining Order or Emergency Protection Order?

_____

_____

_____

18. **Notice of Existing Case with Child Support Enforcement (CSE)**

The parents have filed a case with CSE? ■**No** ❑**Yes** If **Yes**, identify the case number: _____

19. I/We ask that the Court enter orders regarding the ■status of the marriage, ❑best interests of the child(ren), ■maintenance (spousal support) ❑child support, ■division of property and debts, ❑attorney fees and costs, if appropriate, ❑restoration of the previous name of a party, ■and any other necessary orders.

20. The ❑Petitioner ❑Co-Petitioner requests that the Court restore his/her **prior full name** to _____.

© 2012 Colorado Judicial Department for use in the Courts of Colorado

Notice: Colorado Revised Statutes §14-10-107, provides that upon the filing of a Petition for Dissolution of Marriage or Legal Separation by the Petitioner and Co-Petitioner, or upon personal service of the Petition and Summons on the Respondent, or upon waiver and acceptance of service by the Respondent, an automatic temporary injunction shall be in effect against **both parties** until the Final Decree is entered, or the Petition is dismissed, or until further Order of the Court. Either party may apply to the Court for further temporary orders, an expanded automatic temporary injunction, or modification or revocation under §14-10-108, C.R.S. or any other appropriate statute.

1. **Both parties are restrained from transferring, encumbering, concealing, or in any way disposing of, without the consent of the other party, or an Order of the Court, any marital property, except in the usual course of business or for the necessities of life. Each party is required to notify the other party of any proposed extraordinary expenditures and to account for all extraordinary expenditures made after the injunction is in effect; and**

2. **Both parties are enjoined from molesting or disturbing the peace of the other party or the minor child(ren); and**

3. **Both parties are restrained from removing the minor child(ren) of the parties, if any, from the state without the consent of the other party or an Order of the Court; and**

4. **Both parties are restrained, without at least 14 days advance notification and the written consent of the other party or an Order of the Court, from canceling, modifying, terminating, or allowing to lapse for nonpayment of premiums, any policy of health insurance, homeowner's or renter's insurance, or automobile insurance that provides coverage to either of the parties or the minor child(ren) or any policy of life insurance that names either of the parties or the minor child(ren) as a beneficiary.**

Nothing in this automatic injunction shall prohibit either party from applying to the Court for further orders, an expanded automatic temporary injunction, or orders modifying or revoking this injunction.

Petitioner and Co-Petitioner, if any, acknowledge that he or she has received a copy of, has read, and understands the terms of the automatic temporary injunction set forth in this Petition and the Summons.

VERIFICATION AND ACKNOWLEDGEMENT

I swear/affirm under oath that I have read the foregoing Petition and that the statements set forth therein are true and correct to the best of my knowledge.

Petitioner Signature — Date: 09/27/16

Co-Petitioner Signature — Date

Petitioner's Attorney Signature, if any

Co-Petitioner's Attorney Signature, if any

Subscribed and affirmed, or sworn to before me by Frank Che
in the County of Boulder
State of Colorado, this 27th
day of Sept, 20 16.
My Commission Expires: _____

Notary Public/Clerk

Subscribed and affirmed, or sworn to before me by _____
in the County of _____,
State of _____, this _____
day of _____, 20 _____.
My Commission Expires: _____

Notary Public/Clerk

LAP NGUYEN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054010491
MY COMMISSION EXPIRES MARCH 17, 2017

© 2012 Colorado Judicial Department for use in the Courts of Colorado