

Complete all highlighted areas of this form. If something does not apply, use N/A.

District Court Pueblo County, Colorado Court Address: 501 N. Elizabeth, Room 116 Pueblo, CO 81003	
In re the Marriage of: Petitioner: <u>Willy John Wonka</u> and Co-Petitioner/Respondent: <u>Mary Jane Wonka – Other party.</u>	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): <u>Willy John Wonka</u> <u>123 Alphabet Street</u> <u>Pueblo, CO 12345</u> Phone Number: <u>719-696-1224</u> E-mail: <u>MJW@superstar.net</u> FAX Number: _____ Atty. Reg. #: _____	Case Number <u>14DR1030</u> Division <u>K</u> Courtroom _____
AFFIDAVIT FOR DECREE WITHOUT APPEARANCE OF PARTIES (MARRIAGE)	

Please complete the appropriate information in Numbers 1 – 7 prior to filing with the Court.

Check as appropriate.

The Petitioner and/or Co-Petitioner/Respondent files this Affidavit in support of a request for issuance of a Decree of Dissolution of Marriage or a Decree of Legal Separation without appearance of the parties.

1. The Petition for Dissolution of Marriage/Petition for Legal Separation was filed on Insert the date you filed your case. (date). On that date, Petitioner and/or Co-Petitioner/Respondent Willy John Wonka (name) had been domiciled in Colorado for more than 91 days immediately before the Petition for Dissolution of Marriage/Petition for Legal Separation was filed.

One of the parties must have lived in Colorado for at least 91 days to file in Colorado. Mark the appropriate box(s) Petitioner/Co-Petitioner/Respondent and enter the name(s).

2. The Petition and Summons were served by: **(check one)**
 - A Co-Petitioner filing. **(When both parties sign the Petition – JDF 1101) (File together.)**
 - Personal service (service by Return of Service/Affidavit of Service) on February 15, 2014 (date). **(Served by someone other than you; Sheriff, process server, or someone over 18 years of age.)**
 - Waiver of service **(Respondent signs Waiver to accept service)** signed on February 15, 2014 (date). **(The Respondent accepts papers from you and waives the right to be personally served.)**
 - Publication/Certified Mail **(Note: Service by either of these methods is only allowed by Court Order.)** The publication occurred on February 15, 2014 (date) **OR** the return receipt for Certified Mail was signed by the Respondent on _____ (date). **(When you do not know the location of the Respondent and have received approval from the Court to serve by Publication.)**

3. There are no minor child(ren) and wife is not pregnant.

Or

Check the appropriate box.

- There are minor child(ren) and each party is represented by counsel. The parties have completed a Parenting Plan that provides for the allocation of parental responsibilities (decision-making responsibilities and parenting time) and have reached an agreement with respect to child support, and medical/dental insurance of the child(ren) of the marriage. The Parenting Plan is in the best interests of the child(ren). **(The Parenting Plan must be filed with the Court.)**

Check the appropriate box(s) in each paragraph 1-8.

4. Check only one.

The parties have signed a written Separation Agreement. The parties have completed a Separation Agreement that provides for the division of all marital property and marital debts, and addresses spousal support/maintenance. The parties agree that the Separation Agreement is fair and not unconscionable. **(The Separation Agreement must be signed and notarized by both parties and filed with the Court.)**

Or

There is no marital property to be divided and there are no marital debts and neither party requests spousal support/maintenance.

5. Both parties acknowledge that they have reviewed the maintenance guidelines contained in §14-10-114, C.R.S. **(By checking this box you are saying that both parties have read the statute (law) regarding spousal support.)**

6. The parties agree that there are no genuine issues of material fact and the marriage is irretrievably broken. **(Broken beyond repair.)**

7. The Petitioner Co-Petitioner/Respondent wishes to have the prior full name of **Mary Jane Sunshine.** The restoration of the prior name will not defraud any creditors or injure third parties.

8. Other:

The Petitioner and/or Co-Petitioner/Respondent request that the attached Decree of Dissolution of Marriage/Decree of Legal Separation be entered after the statutory waiting period has elapsed. **(Request that the Decree of Dissolution of Marriage be entered after the required 91-Day waiting period has passed.)**

SIGNATURES MUST BE NOTARIZED OR WITNESSED BY COURT CLERK

Petitioner:
Sign and date here. _____ Date
 Signature _____
P.O. Box 1 _____
 Address _____
Pueblo, CO 12345 _____
 City State Zip Code
719-696-1224 719-555-1234
 Home Phone # Cell #

Co-Petitioner Respondent (check one):
Co-Petitioner signs here if filing together. _____
 Signature _____ Date _____
456 Right Street _____
 Address _____
Pueblo, CO 98765 _____
 City State Zip Code
719-696-1413 719-372-4545
 Home Phone # Cell #

Attorney Signature, if any _____

Attorney Signature, if any _____

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

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

 Notary Public/Clerk

 Notary Public/Clerk

CERTIFICATE OF SERVICE

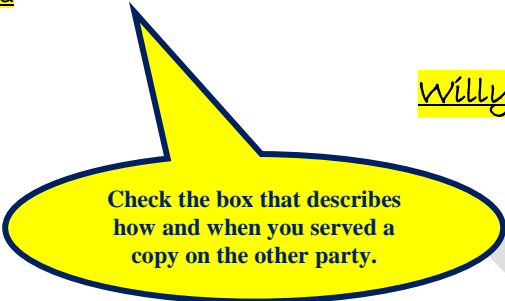
(If only one party signs this Affidavit, you must complete the Certificate of Service below.)

I certify that on 4/01/2014 (date) a true and accurate copy of the **AFFIDAVIT FOR DECREE WITHOUT APPEARANCE OF PARTIES (MARRIAGE)** was served on the other party by:

- Hand Delivery, E-filed, Faxed to this number _____, or
- by placing it in the United States mail, postage pre-paid, and addressed to the following:

To: Mary Jane Wonka
456 Right Street
Pueblo, CO 98765

Willy John Wonka _____
(Your signature)



SAMPLE