

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): MINDY LAOREN ROSS (SBN 100164) WINTER & ROSS 50 California Street, Suite 3230 San Francisco, CA 94111		FOR COURT USE ONLY <h1>FILED</h1> APR 24 2009 KIM TURNER Court Executive Officer MARIN COUNTY SUPERIOR COURT By: <i>R. Smith, Deputy</i>
TELEPHONE NO.: (415) 788-6060 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): SEAN PENN, Petitioner		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN STREET ADDRESS: 3501 Civic Center Drive MAILING ADDRESS: P. O. Box 4988 CITY AND ZIP CODE: San Rafael, CA 94903 BRANCH NAME:		CASE NUMBER: FL 092024
MARRIAGE OF PETITIONER: SEAN PENN RESPONDENT: ROBIN WRIGHT PENN		
PETITION FOR <input type="checkbox"/> Dissolution of Marriage <input checked="" type="checkbox"/> Legal Separation <input type="checkbox"/> Nullity of Marriage <input type="checkbox"/> AMENDED		

1. RESIDENCE (Dissolution only) 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 Dissolution of Marriage*).

2. STATISTICAL FACTS

- a. Date of marriage: April 27, 1996 c. Time from date of marriage to date of separation (specify):
 b. Date of separation: April 23, 2009 Years: 13 Months: 0

3. DECLARATION REGARDING MINOR CHILDREN (include children of this relationship born prior to or during the marriage or adopted during the marriage):

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

Child's name	Birthdate	Age	Sex
DYLAN FRANCIS PENN		18	Female
HOPPER JACK PENN		15	Male

Continued on Attachment 3b.

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

d. A completed voluntary declaration of paternity regarding minor children born to the Petitioner and Respondent prior to the marriage is attached.

4. SEPARATE PROPERTY

Petitioner requests that the assets and debts listed in *Property Declaration* (form FL-160) in Attachment 4 below be confirmed as separate property.

Item Confirm to
 Petitioner does not know the true nature and extent of the separate property of the parties at the present time, and will amend this Petition when same has been ascertained.

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 or spousal support.

SUMMONS ISSUED

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4/24/09

BY FAX

MARRIAGE OF (last name, first name of parties): FENN, SEAN and ROBIN	CASE NUMBER:
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5. DECLARATION REGARDING COMMUNITY AND QUASI-COMMUNITY ASSETS AND DEBTS AS CURRENTLY KNOWN

- a. There are no such assets or debts subject to disposition by the court in this proceeding.
- b. All such assets and debts are listed in Property Declaration (form FL-100) in Attachment 5b.
 below (specify):

Petitioner does not know the true nature and extent of the community property of the parties at the present time, and will amend this Petition when same has been ascertained.

6. Petitioner requests

- a. dissolution of the marriage based on
 - (1) irreconcilable differences. (Fam. Code, § 2310(a).)
 - (2) incurable insanity. (Fam. Code, § 2310(b).)
- b. legal separation of the parties based on
 - (1) irreconcilable differences. (Fam. Code, § 2310(a).)
 - (2) incurable insanity. (Fam. Code, § 2310(b).)
- c. nullity of void marriage based on
 - (1) incestuous marriage. (Fam. Code, § 2200.)
 - (2) bigamous marriage. (Fam. Code, § 2201.)
- d. nullity of voidable marriage based on
 - (1) petitioner's age at time of marriage. (Fam. Code, § 2210(a).)
 - (2) prior existing marriage. (Fam. Code, § 2210(b).)
 - (3) unsound mind. (Fam. Code, § 2210(c).)
 - (4) fraud. (Fam. Code, § 2210(d).)
 - (5) force. (Fam. Code, § 2210(e).)
 - (6) physical incapacity. (Fam. Code, § 2210(f).)

7. Petitioner requests that the court grant the above relief and make injunctive (including restraining) and other orders as follows:

- | | | | | | |
|--|--|------------|------------|-------------------------------------|--------------------------|
| | | Petitioner | Respondent | Joint | Other |
| a. Legal custody of children to | | | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to | | | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation be granted to | | | | <input type="checkbox"/> | <input type="checkbox"/> |
- As requested in form: FL-311 FL-312 FL-341(C) FL-341(D) FL-341(E) Attachment 7c.
- d. Determination of parentage of any children born to the Petitioner and Respondent prior to the marriage.
 - e. Attorney fees and costs payable by EACH PARTY. PAY HIS/HER. OWN
 - f. Spousal support payable to (earnings assignment will be issued)
 - g. Terminate the court's jurisdiction (ability) to award spousal support to Respondent.
 - h. Property rights be determined.
 - i. Petitioner's former name be restored to (specify):
 - j. Other (specify):

Continued on Attachment 7i.

8. Child support-if there are minor children born to or adopted by the Petitioner and Respondent before or during this marriage, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party. An earnings assignment may be issued without further notice. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

9. I HAVE READ THE RESTRAINING ORDERS ON THE BACK OF THE SUMMONS, AND I UNDERSTAND THAT THEY APPLY TO ME WHEN THIS PETITION IS FILED.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Date: April 23, 2009

SEAN FENN
(TYPE OR PRINT NAME)


(SIGNATURE OF PETITIONER)

Date: April 23, 2009

MINDY LAUREN ROSS
(TYPE OR PRINT NAME)


(SIGNATURE OF ATTORNEY FOR PETITIONER)

NOTICE: Dissolution or legal separation may automatically cancel the rights of a spouse under the other 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 spouse as beneficiary of the other 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. However, some changes may require the agreement of your spouse or a court order (see Family Code sections 231-235).

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN STREET ADDRESS: 3501 Civic Center Drive MAILING ADDRESS: P. O. Box 4988 CITY AND ZIP CODE: San Rafael, CA 94903 BRANCH NAME:	
(This section applies only to family law cases.) PETITIONER: SEAN PENN RESPONDENT: ROBIN WRIGHT PENN OTHER PARTY:	
(This section applies only to guardianship cases.) GUARDIANSHIP OF (Name):	CASE NUMBER:
Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)	

1. I am a party to this proceeding to determine custody of a child.
2. My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are (specify number): **Two (2)** minor children who are subject to this proceeding, as follows:
 (Insert the information requested below. The residence information must be given for the last FIVE years.)

a. Child's name DYLAN FRANÇIS PENN	Place of birth California	Date of birth April 13, 1991	Sex Female
Period of residence 2004 to present	Address <input checked="" type="checkbox"/> Confidential	Person child lived with (name and complete current address) ROBIN WRIGHT PENN SEAN PENN <input checked="" type="checkbox"/> Confidential	Relationship Mother Father
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	

b. Child's name HOPPER JACK PENN	Place of birth California	Date of birth August 6, 1993	Sex Male
<input checked="" type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)			
Period of residence to present	Address <input checked="" type="checkbox"/> Confidential	Person child lived with (name and complete current address) <input checked="" type="checkbox"/> Confidential	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	

- c. Additional residence information for a child listed in item a or b is continued on attachment 3c.
- d. Additional children are listed on form FL-105(A)/GC-120(A). (Provide all requested information for additional children.) Page 1 of 2

FL-105/GC-120

SHORT TITLE: PENN, SEAN and ROBIN	CASE NUMBER
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4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?
 Yes No (If yes, attach a copy of the orders (if you have one) and provide the following information):

Proceeding	Case number	Court (name, state, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. Family						
b. Guardianship						
c. Other						

Proceeding	Case Number	Court (name, state, location)
d. Juvenile Delinquency/ Juvenile Dependency		
e. Adoption		

5. One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State	Case number (if known)	Orders expire (date)
a. Criminal				
b. Family				
c. Juvenile Delinquency/ Juvenile Dependency				
d. Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case? Yes No (If yes, provide the following information):

a. Name and address of person	b. Name and address of person	c. Name and address of person
<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights	<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights	<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights
Name of each child	Name of each child	Name of each child

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 Date: April 23, 2009

SEAN PENN

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

7. | Number of pages attached: _____

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.