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| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): James Van Der Beek c/o Law & Mediation Office of Peter Spelman | FOR COURT USE ONLY FILED LOS ANGELES SUPERIOR COURT NOV 13 2009 JOHN A. ... BY ALICIA MERCADO, DEPUTY |
| ATTORNEY FOR (Name): James Van Der Beek, in pro per SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| MARRIAGE OF PETITIONER: James Van Der Beek RESPONDENT: Heather Ann McComb | |
| PETITION FOR <input checked="" type="checkbox"/> Dissolution of Marriage <input type="checkbox"/> Legal Separation <input type="checkbox"/> Nullity of Marriage <input type="checkbox"/> AMENDED | CASE NUMBER: |

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: 07/05/03
 b. Date of separation: 04/15/09
 c. Time from date of marriage to date of separation (specify):
 Years: 5 Months: 9

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 |
|--------------|-----------|-----|-----|
| | | | |

*Case is assigned to Judge SHALLER
 Department _____

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
 Petitioner is unaware of the exact extent of his separate property at this time. He will either file an Amended Petition or determine same at trial.

CONFIRM TO
 RECEIVED
 11/13/09 02:00 PM
 355.00
 DEPT. OF CLERK
 RECEIVED
 11/13/09 02:00 PM
 355.00

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.

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-160) in Attachment 5b.
 below (specify):

Petitioner is unsure of the exact identification of the parties' community property, and will either amend this Petition or submit same at time of trial.

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

Continued on Attachment 7j.

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: November 11, 2009

James Van Der Beek _____
(TYPE OR PRINT NAME)

Date: _____

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

(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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| NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY OR PARTY WITHOUT ATTORNEY: James Van Der Beek c/o Law & Mediation Office of Peter Spelman | | STATE BAR NUMBER | Reserved for Clerk's File Stamp FILED LOS ANGELES SUPERIOR COURT NOV 13 2009 JOHN A. UENTINE, CLERK <i>A. Mercado</i> BY ALICIA MERCADO, DEPUTY |
| ATTORNEY FOR (Name): James Van Der Beek, <i>in pro per</i> | | | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES | | | |
| COURTHOUSE ADDRESS: 111 North Hill Street Los Angeles, CA 90012 | | | |
| PETITIONER/PLAINTIFF: James Van Der Beek | | | |
| RESPONDENT/DEFENDANT: Heather Ann McComb | | | |
| FAMILY LAW CASE COVER SHEET CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO DISTRICT | | | CASE NUMBER: |

Case Filing Instructions

This cover sheet is required so that the court can assign your case to the correct court district for filing and hearing. It satisfies the requirement for a certificate authorizing filing in the district, as set forth in Los Angeles Superior Court Rules 2(d) and 14.2. It must be completed and submitted to the court along with the original Complaint or Petition in ALL Family cases filed in any district of the Los Angeles County Superior Court. This form is not required in Abandonment & Emancipation cases, which are to be filed at Children's Court.

I. Fill in the requested information.

a) Enter address of Petitioner

| | | | |
|----------|-------|-------|----------|
| ADDRESS: | CITY: | STATE | ZIP CODE |
|----------|-------|-------|----------|

b) Enter address of Respondent. DO NOT COMPLETE THIS ITEM IF THIS IS A MINOR'S CONTRACT CASE

| | | | |
|--|-------|-------|----------|
| | CITY: | STATE | ZIP CODE |
|--|-------|-------|----------|

MINOR CHILDREN INVOLVED? YES HOW MANY? _____ NO

II. Select the correct district:

- a. Under Column 1 below, check the one type of action which best describes the nature of this case.
- b. In Column 2 below, circle the reason for your choice of district that applies to the type of action you have checked.

Applicable Reason for Choosing District (See Column 2 below)

| | |
|--|---------------------------------------|
| 1. May be filed in Central District. | 3. Child resides within the district. |
| 2. District where one or more of the parties reside. | 4. District where Petitioner resides. |

| 1 TYPE OF ACTION (Check only one) (Continued) | 2 APPLICABLE REASONS (See above) |
|---|----------------------------------|
| <input checked="" type="checkbox"/> A5520 Dissolution of Marriage | (1) 2 |
| <input type="checkbox"/> A5525 Summary Dissolution of Marriage | 1. 2 |
| <input type="checkbox"/> A5521 Dissolution of Domestic Partnership | 1. 2 |
| <input type="checkbox"/> A5530 Nullity of Void or Voidable Marriage | 1. 2 |
| <input type="checkbox"/> A5531 Nullity of Void or Voidable Domestic Partnership | 1. 2 |

| | |
|--|-------------|
| Short Title Marriage of Van Der Beek and McComb | Case Number |
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|---|--------------------------------------|
| <input type="checkbox"/> A5510 Legal Separation | 1, 2 |
| <input type="checkbox"/> A5511 Legal Separation of Domestic Partnership | 1, 2 |
| <input type="checkbox"/> A6126 Petition for Custody and Support of Minor | 1, 2, 3 |
| <input type="checkbox"/> A6131 Child Support Services Department (CSSD) Parentage / Support | 1 |
| <input type="checkbox"/> A6139 Foreign Support Order | 1, 2, 3 |
| <input type="checkbox"/> A6136 Foreign Custody Order | 1, 2, 3 |
| <input type="checkbox"/> A6138 Uniform Interstate Family Support Act (UIFSA) Responding Petition | 1, 2, 3 |
| <input type="checkbox"/> A6122 Domestic Violence Restraining Order (Civil Harassment - use Civil Cover Sheet) | (Any Court Jurisdiction - DV's only) |
| <input type="checkbox"/> A6600 Habeas Corpus Petition - Child Custody | 1, 3 |
| <input type="checkbox"/> A6000 Petition to Establish Parentage / Paternity (Non-governmental) | 1, 2, 3 |
| <input type="checkbox"/> A6111 Approval of Minor's Contract (6751 Family Code) | 1 |
| <input type="checkbox"/> A6130 Other Family Complaint or Petition (Specify): | 1, 2, 3 |
| <input type="checkbox"/> A6101 Agency Adoption | 1, 4 |
| <input type="checkbox"/> A6102 Independent Adoption | 1, 4 |
| <input type="checkbox"/> A6104 Stepparent Adoption | 1, 4 |
| <input type="checkbox"/> A6103 Adult Adoption | 1, 4 |
| <input type="checkbox"/> A6106 Sole Custody Petition | 1, 4 |


III. Enter address of minor child if known. (DO NOT COMPLETE UNLESS YOU HAVE CIRCLED ITEM 3 AS AN APPLICABLE REASON)

| | | | |
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| ADDRESS: Do not complete if this case falls under Family Code §2751 | CITY: | STATE | ZIP CODE |
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IV. Enter the information below and sign the certificate.

Certificate / Declaration of Assignment: The undersigned hereby certifies and declares that the above entitled matter is properly filed for assignment to the CENTRAL District of the Los Angeles Superior Court under Code of Civil Procedure §392 et seq., 2300 et seq. of the Family Code, and Rule 2(b), (c), and (d) of this court for reason checked above. I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: November 12, 2009 3:00p



 (SIGNATURE OF ATTORNEY/PARTY WITHOUT ATTORNEY)
 James Van Der Beek