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FILED  
SUPERIOR COURT  
THURSTON COUNTY, WA

2014 JUN -5 AM 9:33

BETTY J. GOULD, CLERK

EXPEDITE (if filing within 5 court days of hearing)

Hearing is set:  
 Date: \_\_\_\_\_  
 Time: \_\_\_\_\_  
 Judge/Calendar: \_\_\_\_\_

**Superior Court of Washington  
County of Thurston**

In re the Marriage of:

ANNETTE MARIE ROTH

Petitioner,

and

STEPHEN KEITH HICKS

Respondent.

No.

14-3-00778-8

Petition for  
Legal Separation (Marriage)  
(PTLGSP)

Para.1.12: check box if petition is  
attached for:

- Order for protection DV (PTORPRT)
- Order for protection UH (PTORAH)

**I. Basis**

**1.1 Identification of Petitioner**

Name (first/last) ANNETTE ROTH, Birth date 08/18/1975

Last known residence (county and state only) THURSTON WA

**1.2 Identification of Respondent**

Name (first/last) STEPHEN HICKS, Birth date 06/18/1971

Last known residence (county and state only) THURSTON WA

**1.3 Children of the Marriage Dependent Upon Either or Both Spouses**

Does not apply. There are no children dependent on either or both spouses.

The petitioner and respondent are both the legal (biological or adoptive) parents of the following dependent children:

Name (first/last) LUCAS HICKS Age 5

Name (first/last) \_\_\_\_\_ Age \_\_\_\_\_

Name (first/last) \_\_\_\_\_ Age \_\_\_\_\_

Name (first/last) \_\_\_\_\_ Age \_\_\_\_\_

The petitioner is and the respondent is not the legal parent of the following dependent children:

Name (first/last) \_\_\_\_\_ Age \_\_\_\_\_

Name (first/last) \_\_\_\_\_ Age \_\_\_\_\_

The respondent is and the petitioner is not the legal parent of the following dependent children:

Name (first/last) \_\_\_\_\_ Age \_\_\_\_\_

Name (first/last) \_\_\_\_\_ Age \_\_\_\_\_

#### 1.4 Request for Legal Separation

This is a request for legal separation in lieu of a dissolution of marriage.

#### 1.5 Date and Place of Marriage

The parties were married on (date) JULY 11 1998 at (city and state) DETROIT MICHIGAN.

The parties had previously entered into a Washington State registered domestic partnership on (date) \_\_\_\_\_.

#### 1.6 Separation

Petitioner and respondent are not separated.

Petitioner and respondent separated on (date) \_\_\_\_\_.

This is the date (check all that apply):

the parties moved into separate residences.

the parties divided their assets and liabilities.

petitioner filed this petition.

both parties agreed is the date of separation.

other: \_\_\_\_\_

#### 1.7 Jurisdiction

This court has jurisdiction over the marriage.

This court has jurisdiction over the respondent because:

the respondent is currently residing in Washington.

the petitioner and respondent lived in Washington during their marriage and the petitioner continues to reside, or be a member of the armed forces stationed, in this state.

the petitioner and respondent may have conceived a child while within Washington.

other: \_\_\_\_\_

This court does not have jurisdiction over the respondent.

## 1.8 Property

There is community or separate property owned by the parties. The court should make a fair and equitable division of all the property.

- The division of property should be determined by the court at a later date.  
 The petitioner's recommendation for the division of property is set forth below.

The petitioner should be awarded the parties' interest in the following property:  
50% OF PROCEEDS UPON SALE OF HOME LOCATED  
AT 16530 VILLAGE DRIVE SE RAINIER WA 98576

The respondent should be awarded the parties' interest in the following property:  
- 50% OF PROCEEDS UPON SALE OF HOME LOCATED  
AT 16530 VILLAGE DRIVE SE RAINIER WA 98576  
- 100% OWNERSHIP OF HOME LOCATED AT  
12048 HOBBS ST SE YELM WA 98597

## 1.9 Debts and Liabilities

- The parties have no debts and liabilities.  
 The parties have debts and liabilities. The court should make a fair and equitable division of all debts and liabilities.  
 The division of debts and liabilities should be determined by the court at a later date.  
 The petitioner's recommendation for the division of debts and liabilities is set forth below.

The petitioner should be ordered to pay the following debts and liabilities to the following creditors:

CREDIT CARD DEBT (APPROX \$4200) TO  
AMERICAN EXPRESS

- The respondent should be ordered to pay the following debts and liabilities to the following creditors:

AUTO LOAN TO CHASE AUTO FINANCE  
(APPROX \$ 7000) FOR 2003 BMW X5

### 1.10 Maintenance

- Maintenance should not be ordered.  
 There is a need for maintenance as follows:

### 1.11 Continuing Restraining Order

- Does not apply.  
 A continuing restraining order should be entered which restrains or enjoins the  
[ ] petitioner [ ] respondent from disturbing the peace of the other party.  
 A continuing restraining order should be entered which restrains or enjoins the  
[ ] petitioner [ ] respondent from going onto the grounds of or entering the home, work  
place or school of the other party or the day care or school of the following children: \_\_\_\_\_  
 A continuing restraining order should be entered which restrains or enjoins the  
[ ] petitioner [ ] respondent from knowingly coming within or knowingly remaining within  
(distance) \_\_\_\_\_ of the home, work place or school of the other party or the  
day care or school of these children:  
\_\_\_\_\_  
Other: \_\_\_\_\_  
 A continuing restraining order should be entered which restrains or enjoins  
(name) \_\_\_\_\_ from molesting, assaulting, harassing, or  
stalking (name) \_\_\_\_\_. (If the court orders this relief, the  
restrained person will be prohibited from possessing a firearm or ammunition under  
federal law for the duration of the order. An exception exists for law enforcement  
officers and military personnel when carrying department/government-issued firearms.  
18 U.S.C. § 925(a)(1).)

**1.12 Protection Order**

- Does not apply.
- There is a protection order between the parties filed in case number \_\_\_\_\_, court \_\_\_\_\_, which expires on (date) \_\_\_\_\_.
- The court should grant the  domestic violence  antiharassment petition for order for protection:
  - attached to this petition.
  - filed separately under  this case number  case number \_\_\_\_\_.

**If you need immediate protection, contact the clerk/court for RCW 26.50 Domestic Violence forms or RCW 10.14 Antiharassment forms.**

**1.13 Pregnancy**

- Neither spouse is pregnant.
- (Name) \_\_\_\_\_ is pregnant. **Note: Under RCW 26.26.116, the other spouse is the presumed parent. If petitioner or respondent believes the other spouse is not the parent, this presumption may be challenged up to four years after the birth of the child or as otherwise provided in RCW 26.26.500 through 26.26.625.**
- Other:

**1.14 Jurisdiction Over the Children**

- Does not apply because there are no dependent children.
- This court has jurisdiction over the children for the reasons set forth below.
- This court has exclusive continuing jurisdiction. The court has previously made a child custody, parenting plan, residential schedule or visitation determination in this matter and retains jurisdiction under RCW 26.27.211.
- This state is the home state of the children because:
  - the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately preceding the commencement of this proceeding.
  - the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth.
  - any absences from Washington have been only temporary.
  - Washington was the home state of the children within six months before the commencement of this proceeding and the children are absent from the state but a parent or person acting as a parent continued to live in this state.

- The children and the parents or the children and at least one parent or person acting as a parent, have significant connection with the state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships; and
- the children have no home state elsewhere.
- the children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or .271.
- All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.
- No other state has jurisdiction.
- This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.
- There is a previous custody determination that is entitled to be enforced under this chapter or a child custody proceeding has been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. The requirements of RCW 26.27.231(3) apply to this matter. This state's jurisdiction over the children shall last until (date) \_\_\_\_\_.
- There is no previous custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. If an action is not filed in (potential home state) \_\_\_\_\_ by the time the child has been in Washington for six months, (date) \_\_\_\_\_, then Washington's jurisdiction will be final and continuing.
- Other:

### 1.15 Child Support and Parenting Plan for Dependent Children

- The parties have no dependent children.
- A parenting plan and an order of child support pursuant to the Washington State child support statutes should be entered for the following children who are dependent upon both parties:

Names of Children

LUCAS MICHAEL HICKS

The petitioner's proposed parenting plan for the children listed above:

- is attached and is incorporated by reference as part of this Petition.  
 will be filed and served at a later date pursuant to RCW 26.09.181.

(The following information is required only for those children who are included in the petitioner's proposed parenting plan.)

During the last five years, the children have lived:

- in no place other than the state of Washington and with no person other than the petitioner or the respondent.  
 in the following places with the following persons (list each place the children lived, including the state of Washington, the dates the children lived there and the names of the persons with whom the children lived. The present addresses of those persons must be listed in the Confidential Information Form):

Claims to custody or visitation.

- The petitioner does not know of any person other than the respondent who has physical custody of, or claims to have custody or visitation rights to, the children.  
 The following persons have physical custody of, or claim to have custody or visitation rights to, the children (list their names and the children concerned below and list their present addresses in the Confidential Information Form. Do not list the responding party):

Involvement in any other proceeding concerning the children.

- The petitioner has not been involved in any other proceeding regarding the children.  
 The petitioner has been involved in the following proceedings regarding the children:

Other legal proceedings concerning the children.

- The petitioner does not know of any other legal proceedings concerning the children.  
 The petitioner knows of the following legal proceedings that concern the children (list the children concerned, the court, the case number and the kind of proceeding):

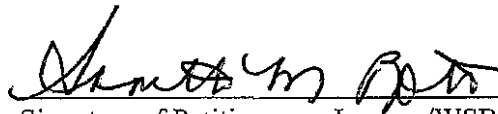
## 1.16 Other

## II. Relief Requested

The petitioner **requests** the court to enter a decree of legal separation and to grant the relief below:

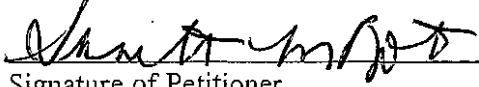
- Provide reasonable maintenance for the  petitioner  respondent.
- Approve the petitioner's proposed parenting plan for the dependent children listed in paragraph 1.15.
- Determine support for the dependent children listed in paragraph 1.15 pursuant to the Washington State child support statutes.
- Approve the separation contract or prenuptial agreement.
- Divide the property and liabilities.
- Change name of respondent to (first, middle, last): \_\_\_\_\_.
- Change name of petitioner to (first, middle, last): \_\_\_\_\_.
- Enter a domestic violence protection order.
- Enter an antiharassment protection order.
- Enter a continuing restraining order.
- Order payment of day care expenses for the children listed in paragraph 1.15.
- Award the tax exemptions for the dependent children listed in paragraph 1.15 as follows:
  
- Order payment of attorney fees, other professional fees and costs.
- Other:

Dated: MAY 30 2014

  
\_\_\_\_\_  
Signature of Petitioner or Lawyer/WSBA No.  
ANNETTE M ROTH  
\_\_\_\_\_  
Print Name

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) OLYMPIA, (state) WA on (date) MAY 30 2014

  
\_\_\_\_\_  
Signature of Petitioner

ANNETTE M ROTH  
\_\_\_\_\_  
Print Name



**Joinder**

I, the respondent, join in the petition. I understand that by joining in the petition, a decree or judgment and order may be entered in accordance with the relief requested in the petition, unless prior to the entry of the decree or judgment and order a response is filed and served.

I waive notice of entry of the decree.

I demand notice of all further proceedings in this matter. Further notice should be sent to the following address (you may list an address that is not your residential address where you agree to accept legal documents):

\_\_\_\_\_

\_\_\_\_\_

Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200) with the court clerk.

Dated: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Respondent*

\_\_\_\_\_  
Print Name