

FOR COURT USE ONLY

PS

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)
Laura A. Wasser, Esq. (SBN 173740) / Parima Pandkhou, Esq. (SBN 193201)
WASSER, COOPERMAN & CARTER, P.C.
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TELEPHONE NO [REDACTED]
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FILED
Superior Court of California
County of Los Angeles

OCT 27 2015

Sherril R. Custer, Executive Officer/Clerk
Deputy
Cesar Palos

ATTORNEY FOR (Name) Olivier Martinez
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 111 North Hill Street
MAILING ADDRESS: 111 North Hill Street
CITY AND ZIP CODE: Los Angeles, CA 90012
BRANCH NAME: CENTRAL DISTRICT

"Case is assigned to Judge Dillon
888

PETITIONER: OLIVIER MARTINEZ

Department

RESPONDENT: HALLE BERRY

CASE NUMBER [REDACTED]

PETITION FOR

- Dissolution (Divorce) of:
 - Marriage
 - Marriage
 - Marriage
- Legal Separation of:
 - Marriage
 - Marriage
 - Marriage
- Nullity of:
 - Marriage
 - Marriage
 - Marriage

AMENDED

- Domestic Partnership
- Domestic Partnership
- Domestic Partnership

1. LEGAL RELATIONSHIP (check all that apply):

- a. We are married.
- b. We are domestic partners and our domestic partnership was established in California.
- c. We are domestic partners and our domestic partnership was NOT established in California.

2. RESIDENCE REQUIREMENTS (check all that apply):

- a. 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 a divorce, at least one person in the legal relationship described in items 1a and 1c must comply with this requirement.)
- b. We are the same sex and were married in California but are not residents of California. Neither of us lives in a state or nation that will dissolve the marriage. This case is filed in the county in which we married.
Petitioner's residence (state or nation): _____ Respondent's residence (state or nation): _____
- c. Our domestic partnership was established in California. Neither of us has to be a resident or have a domicile in California to dissolve our partnership here.

3. STATISTICAL FACTS

- a. (1) Date of marriage (specify): July 13, 2013 (2) Date of separation (specify): October 26, 2015
(3) Time from date of marriage to date of separation (specify): 2 Years 3 Months
- b. (1) Registration date of domestic partnership with the California Secretary of State or other state equivalent (specify below): _____
(2) Date of separation (specify): _____
(3) Time from date of registration of domestic partnership to date of separation (specify): _____ Years _____ Months

4. MINOR CHILDREN (children born before (or born or adopted during) the marriage or domestic partnership):

- a. There are no minor children.
- b. The minor children are:
Child's name: Maceo Robert Martinez

Birthdate: October 5, 2013 Age: 2 Sex: Male

FILED
RECEIVED
PAID: 10/27/15
PAYMENT: \$435.00
CHECK #
CASH
CHANGE
CARD

- (1) continued on Attachment 4b.
- (2) a child who is not yet born.

- c. If there are minor children of Petitioner and Respondent, a completed Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (form FL-105) must be attached.
- d. Petitioner and Respondent signed a voluntary declaration of paternity. A copy is is not attached.

PETITIONER: OLIVIER MARTINEZ
RESPONDENT: HALLE BERRY

CASE NUMBER

Petitioner requests that the court make the following orders:

5. LEGAL GROUNDS (Family Code sections 2200-2210, 2310-2312)

- a. Divorce or Legal separation of the marriage or domestic partnership based on (check one):
 - (1) irreconcilable differences. (2) permanent legal incapacity to make decisions.
- b. Nullity of void marriage or domestic partnership based on:
 - (1) incest. (2) bigamy.
- c. Nullity of voidable marriage or domestic partnership based on:
 - (1) petitioner's age at time of registration of domestic partnership or marriage. (4) fraud.
 - (2) prior existing marriage or domestic partnership. (5) force.
 - (3) unsound mind. (6) physical incapacity.

6. CHILD CUSTODY AND VISITATION (PARENTING TIME)

- | | Petitioner | Respondent | Joint | Other |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Legal custody of children to..... | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to..... | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation (parenting time) be granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- As requested in: form FL-311 form FL-312 form FL-341(C) Attachment 6c(1)
 form FL-341(D) form FL-341(E)
- d. Determine the parentage of children born to Petitioner and Respondent before the marriage or domestic partnership.

7. CHILD SUPPORT

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

8. SPOUSAL OR DOMESTIC PARTNER SUPPORT

- a. Spousal or domestic partner support payable to Petitioner Respondent
- b. Terminate (end) the court's ability to award support to Petitioner Respondent
- c. Reserve for future determination the issue of support payable to Petitioner Respondent
- d. Other (specify):

9. SEPARATE PROPERTY

- a. There are no such assets or debts that I know of to be confirmed by the court.
- b. Confirm as separate property the assets and debts in Property Declaration (form FL-160) Attachment 9b
 the following list.

Item	Confirm to
a) Miscellaneous jewelry and other personal effects	Petitioner
b) Earnings and accumulations of Petitioner from and after the date of separation	Petitioner
- c) There are additional separate property assets and obligations of the parties, the exact nature and extent of which are not presently known.

10. COMMUNITY AND QUASI-COMMUNITY PROPERTY

- a. There are no such assets or debts that I know of to be divided by the court.
- b. Determine rights to community and quasi-community assets and debts. All such assets and debts are listed
 - in *Property Declaration* (form FL-160) in Attachment 10b.
 - as follows (*specify*):
There are community and quasi-community assets and obligations of the parties, the exact nature and extent of which are unknown to Petitioner at this time.

11. OTHER REQUESTS

- a. Attorney's fees and costs payable by Petitioner Respondent
- b. Petitioner's former name be restored to (*specify*):
- c. Other (*specify*):

Continued on Attachment 11c.

12. 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.

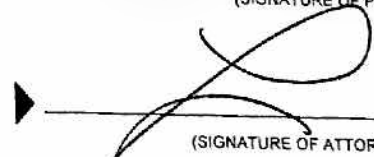
Date: October 27, 2015

OLIVIER MARTINEZ
(TYPE OR PRINT NAME)


(SIGNATURE OF PETITIONER)

Date: October 27, 2015

LAURA A. WASSER of WASSER, COOPERMAN & CARTER, P.C.
(TYPE OR PRINT NAME)


(SIGNATURE OF ATTORNEY FOR PETITIONER)

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, spousal or partner support.

NOTICE—CANCELLATION OF RIGHTS: Dissolution or legal separation may automatically cancel the rights of a domestic partner or spouse under the other domestic partner's or 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 domestic partner or spouse as beneficiary of the other partner's or 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. Some changes may require the agreement of your partner or spouse or a court order.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)
Laura A. Wasser, Esq. (SBN 173740) / Parima Pandkhou, Esq. (SBN 193201)
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2029 Century Park East, Suite 1200
Los Angeles, CA 90067-2257
TELEPHONE NO. [REDACTED]
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SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES
OCT 27 2015
Shemi R. Curran, Executive Officer/Clerk
By: Cesar Paine, Deputy

ATTORNEY FOR (Name): Olivier Martinez
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
STREET ADDRESS: 111 North Hill Street
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CITY AND ZIP CODE: Los Angeles, CA 90012
BRANCH NAME: CENTRAL DISTRICT

(This section applies only to family law cases.)
PETITIONER: OLIVIER MARTINEZ
RESPONDENT: HALLE BERRY
OTHER PARTY:

(This section applies only to guardianship cases.)
GUARDIANSHIP OF (Name):
Minor

CASE NUMBER [REDACTED]

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): One (1) 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.)

Table with columns for child's name, place of birth, date of birth, sex, period of residence, address, person child lived with, and relationship. Includes entry for Maceo Robert Martinez.

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.)

DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)



CASE NUMBER

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. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state, location)
d. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency		
e. <input type="checkbox"/> 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. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency				
d. <input type="checkbox"/> 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: October 27, 2015

OLIVIER MARTINEZ
(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.

DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)