

2006

Corwell v. Corwell : Brief of Appellant

Utah Court of Appeals

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Joanna B. Sagers; Keri Gardner; Attorneys for Appellee.

Randy S. Ludlow; Attorney for Appellant.

Recommended Citation

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STATUTES

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Section 30-6-4.3, Utah Code Ann. (2006)	1, 3, 10, 11
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RULES

There are no rule provisions at issue in this case.

I. JURISDICTION

The Court of Appeals has jurisdiction to hear this appeal pursuant to Section 78-2a-3(2)(h), Utah Code Ann. (2006).

II. STATEMENT OF THE ISSUES

1. Whether the trial court had jurisdiction under the Cohabitant Abuse Act to grant a protective order when the parties never cohabited and their marriage had been earlier annulled and declared *void ab initio*.
2. Whether the trial court erred by failing to hold a protective order hearing as required by Section 30-6-4.3 prior to issuing its Order Overruling Objection to Commissioner's Recommendation.

1. Standard of Review

The above stated issues involve questions of law, which the court reviews for correctness without deference to the trial court's determination. *Brinkerhoff v. Brinkerhoff*, 945 P.2d 113 (Utah Ct. App. 1997).

III. CONSTITUTIONAL PROVISIONS

There are no constitutional provisions at issue in this case.

IV. STATUTORY PROVISIONS

Utah Code Annotated (2006):

30-1-17.1. Annulment -- Grounds for.

A marriage may be annulled for any of the following causes existing at the time of the marriage:

- (1) When the marriage is prohibited or void under Title 30, Chapter 1.

(2) Upon grounds existing at common law.

30-3-5. Disposition of property -- Maintenance and health care of parties and children -- Division of debts -- Court to have continuing jurisdiction -- Custody and parent-time -- Determination of alimony -- Nonmeritorious petition for modification.

. . . .

(9) Unless a decree of divorce specifically provides otherwise, any order of the court that a party pay alimony to a former spouse automatically terminates upon the remarriage or death of that former spouse. However, if the remarriage is annulled and found to be void ab initio, payment of alimony shall resume if the party paying alimony is made a party to the action of annulment and his rights are determined.

Section 30-6-1. Definitions.

As used in this chapter:

. . . .

(2) "Cohabitant" means an emancipated person pursuant to Section 15-2-1 or a person who is 16 years of age or older who:

- (a) is or was a spouse of the other party;
- (b) is or was living as if a spouse of the other party;
- (c) is related by blood or marriage to the other party;
- (d) has one or more children in common with the other party;
- (e) is the biological parent of the other party's unborn child; or

(f) resides or has resided in the same residence as the other party.

(3) Notwithstanding Subsection (2), "cohabitant" does not include:

(a) the relationship of natural parent, adoptive parent, or step-parent to a minor;

or

(b) the relationship between natural, adoptive, step, or foster siblings who are under 18 years of age.

Section 30-6-4.3. Hearings on ex parte orders.

(1) (e) If the hearing on the petition is heard by a commissioner, either the petitioner or respondent may file an objection within ten days of the entry of the recommended order and the assigned judge shall hold a hearing within 20 days of the filing of the objection.

Section 78-2a-3. Court of Appeals jurisdiction.

(2) The Court of Appeals has appellate jurisdiction, including jurisdiction of interlocutory appeals, over:

. . .

(h) appeals from district court involving domestic relations cases, including, but not limited to, divorce, annulment, property division, child custody, support, parent-time, visitation, adoption, and paternity;

V. RULES PROVISION

There are no rule provisions at issue in this case.

VI. STATEMENT OF THE CASE

This appeal is based on the grant of a Protective Order entered on May 24, 2006 upon the recommendation of Commissioner Michael S. Evens and granted that same day, which was timely objected to by appellant on June 2, 2006, which objection was subsequently overruled by the Honorable Anthony B. Quinn, pursuant to his Order Overruling Objection to Commissioner's Recommendation entered on October 30, 2006.

RELEVANT FACTS

1. Appellant and appellee were married on March 19, 2005 in Clark County, Nevada. (R. at. p. 29; Page 1, ¶3 of Stipulation found in Exhibit A to Respondent's Response in Re Protective Order, dated May 22, 2006).
2. Although the parties were married, they never resided together and lived separately. (R. at. pp. 30 & 33; Page 2, ¶4 of Stipulation found in Exhibit A to Response in Re Protective Order and Page 2 ¶4 of the Findings of Fact).
3. A Decree of Annulment was entered March 29, 2006 in Third District Court by the Honorable Sandra Pueler in Case No. 054902113. The grounds for the annulment were misrepresentations made by appellee to appellant to induce appellant to marry appellee and the fact that the parties had never resided together. The marriage was annulled and declared *void ab initio*. (R. at. pp. 30 & 33; Page 2, ¶5 of Stipulation found in Exhibit A to Response in Re Protective Order and Page 2 ¶5 of the Findings of Fact).
4. In November and December, 2005, appellant and his live-in girlfriend

began receiving harassing phone calls from appellee. Page 2, ¶2, Response in Re Protective Order. (R. at p. 25).

5. After the annulment had been entered and a copy sent to the appellee, then on or around April 17, 2006, the calls recommenced and included threats against appellant and his girlfriend. The appellant sought assistance from the Salt Lake City Police on April 19, 2006 (R. at p. 25) and filed a police report with the Salt Lake City Police Department on April 20, 2006. Exhibit D to Response in Re Protective Order. (R. at pp. 57-58).

5. On or about April 17, 2006, appellant had eye surgery and at some point during his recovery while taking pain medications, he received another telephone call from appellee and/or her friends. Based on that call he contacted appellee and told her that if she did not stop the calls he would “punch her in the face.” (R. at 158, p.9; Transcript of Protective Order Hearing, May 24, 2006, Page 9:8.) The threat occurred after the Salt Lake City Police refused to assist the appellant, with the event occurring sometime after April 21, 2006. (R. at pp. 2-3).

6. Appellee filed a Verified Petition for Protective Order in the District Court on April 25, 2006. (R. at pp.1-7) Appellee represented in the Verified Petition that the parties were currently married, (R. at p.1) which was untrue, that she was seeking an annulment, (R. at p. 2) which was untrue, and that the appellant was violently opposed to the annulment, (R. at p. 2) which was also untrue.

7. On May 24, 2006, the Commissioner recommended entry of the protective order. Protective Order, dated May 24, 2006. (R. at pp. 76-81).

8. Appellant timely objected to the Commissioner's recommendation on June 2, 2006. Respondent's Objection to Commissioner's Issuance of Ex Parte Protective Order. (R. at pp. 89-90).

9. Judge Quinn issued his Order Overruling Objection to Commissioner's Recommendation on October 30, 2006. (R. at pp. 148-150).

ARGUMENT

I. THE TRIAL COURT LACKED JURISDICTION TO ISSUE A PROTECTIVE ORDER PURSUANT TO THE COHABITANT ABUSE ACT BECAUSE THE PARTIES NEVER COHABITATED AND THEIR MARRIAGE WAS ANNULLED AND DECLARED *VOID AB INITIO* PRIOR TO THE ISSUANCE OF THE PROTECTIVE ORDER.

Under the specific terms of the Cohabitant Abuse Act (the "Act"), the trial court lacked the jurisdiction to issue the protective order. As the court recognized, the parties never in fact cohabited. Instead the court relied on § 30-6-1(2)(a), Utah Code Ann. (2006), which requires that the parties are or were spouses. However, the annulment void *ab initio* granted to appellant on March 26, 2006 legally rendered the marriage null and void. (The Decree of Annulment was entered by the Court Clerk on March 29, 2006).

The trial court stated in its order that the Act's purpose is to "provide relief for persons who are victims of violence in intimate relationships. The clear intention of the legislature is that those purposes be applied broadly." However, a review of the Act indicates this is not the case. The Act, as indicated by both the definitions set forth in § 30-6-1(2), Utah Code Ann. (2006), and by its very title,

specifically applies to persons who reside together in certain enumerated relationships. It does not generally apply to romantic or sexual relationships, but only those that include domestic cohabitation; neither is it limited to cohabitants in romantic or sexual relationships. The definition of cohabitant encompasses family members such as adult siblings and roommates, but specifically excludes the relationships between parents and minor children and between minor siblings.

The primary characteristic of all the relationships encompassed by the Act is that they require the parties to have resided together at some point. The unique circumstance in this case is that while the parties wedded each other, they never in fact resided together as husband and wife or in any other capacity. While putatively spouses, they never cohabited and the marriage was annulled and ruled to be *void ab initio*.

The trial court viewed the annulment's declaration that the marriage was void at its inception as a mere legal fiction insufficient to overcome the Act. However, under Utah law an annulment confers a distinct legal status from that conferred by a divorce. Utah has generally adopted the common law regarding annulments, as evidenced in § 30-1-17.1(2), Utah Code Ann. (2006). Under the common law, and as defined in Black's Law Dictionary, an annulment "differs conceptually from a divorce in that a divorce terminates a legal status, whereas an annulment establishes that a marital status never existed." Abridged Fifth Edition (1983).

Under Utah case law, the only area where annulment is treated differently than at common law involves the reinstatement of alimony from a prior marriage following annulment of the subsequent marriage. See *Ferguson v. Ferguson*, 564 P.2d 1380 (Utah 1977). In *Ferguson*, the Utah Supreme Court relied on principles of equity and public policy to find an exception to the common law regarding annulment. The Court looked to language in Title 30 of the Utah Code that authorized the district court to award alimony and support in annulment actions as equity required. To the Court, this evidenced the Legislature's intent to ensure that women and children were not left without any support following an annulment. *Id.* at 1382. The Court observed that the principal argument for restoring alimony from the prior marriage was that alimony was not allowed in annulments and if the woman's prior status was not restored, she would be left without support. *Id.* at 1381. Since the Legislature had provided for alimony in annulments, the Court reasoned that it could not mechanically reinstate alimony but had to make a determination whether such reinstatement was equitable. The Legislature has since clarified the statute to make clear that alimony will be reinstated following an annulment void *ab initio* so long as the prior spouse is made a party to the annulment action and his rights are determined therein. § 30-3-5(9), Utah Code Ann. (2006).

Under the rules of statutory construction, the court must “construe each act of the legislature so as to give it full force and effect. When a construction of an act will bring it into serious conflict with another act, our duty is to construe the

acts to be in harmony and avoid conflicts.” *Jerz v. Salt Lake County*, 822 P.2d 770, 773 (Utah 1991). Under § 30-1-17.1(2), the Legislature makes clear its intent not to abrogate the common law regarding annulment. When the Legislature has intended to alter the common law, it has done so specifically, as in § 30-3-5(9).

In order to harmonize the various provisions referred to above and to give them full force and effect, it is necessary to follow the previous example set by the Legislature and assume that if the Legislature had intended to abrogate the common law and treat annulments in the same manner as divorces, it would have stated so within the Act. It is likely that the Legislature did not do so, because it was assumed that if the marriage was annulled the parties would still be encompassed within the Act because they had resided together. The Cohabitant Abuse Act does not specify any exceptions to the common law of annulment. It states that cohabitants includes parties who were spouses. Under the common law of annulment, the parties in an annulled marriage were never spouses because the marriage is considered null at its inception. If the Act is read to incorporate an unstated abrogation of the common law, it directly contradicts the Legislature’s intent to rely on the common law except for certain limited exceptions.

Additionally, if an annulment is considered to be merely a legal fiction, then there is no difference between it and a divorce, which effectively renders §30-1-17.1(2) moot. Applying the trial court’s determination that an annulment is a legal fiction only and that the parties were married for the purposes of the Act

requires this Court to wholly disregard §30-1-17.1(2), which clearly violates the rules of statutory construction.

The parties in this matter had a wedding but because of the appellee's admitted misrepresentations to induce the appellant to marry her, they never in fact had a marriage, which is recognized in the grant of an annulment void *ab initio*. Since the parties were never legally spouses and because they never resided together as required by the Act, the trial court lacked jurisdiction to issue an ex parte protective order against appellant. The appellee in her Verified Petition acknowledged that she and appellant maintained separate residences. (R. at p. 2) Her claim for the relationship requirement under the Act was based on the parties being currently married. (R. at p. 1) Therefore, the trial court's Order Overruling Objection to Commissioner's Recommendation should be vacated and the ex parte protective order against appellant should be dismissed.

II. THE TRIAL COURT ERRED BY FAILING TO HOLD A PROTECTIVE ORDER HEARING PRIOR TO ISSUING ITS ORDER OVERRULING APPELLANT'S OBJECTION TO THE COMMISSIONER'S RECOMMENDATION.

The trial court was required to hold a protective order hearing prior to issuing its order denying appellant's objection. Pursuant to §30-6-4.3(1)(e), Utah Code Ann. (2006), if the initial hearing is held by a commissioner, then either party may object to the commissioner's ruling within 10 days. The assigned judge is then required to hold a hearing within 20 days of the filed objection.

Appellant filed a timely objection to the commissioner's ruling granting the


protective order. Judge Quinn never scheduled a hearing. After waiting for almost five months, appellant filed a Notice to Submit for Decision on October 24, 2006. On October 30, 2006, the court issued the Order Overruling the Objection to the Commissioner's Recommendation.

The trial court erred by not granting appellant a hearing on his objection prior to issuing its order denying his objection to the commissioner's order as specifically required by §30-6-4.3(1)(e). If this Court determines that the trial court in fact had jurisdiction under the Act to issue the protective order, it should remand the matter back to the trial court with directions to hold a hearing as required under the Act prior to ruling on appellant's objection.

CONCLUSION

For the reasons stated above, appellant Rocky Corwell, requests this Court to reverse the district court's Order Overruling Objection to Commissioner's Recommendation and remand the matter to the trial court for further proceedings consistent with this Court's ruling, and to grant such other relief as the Court deems appropriate.

Dated this 27th day of March, 2007.


RANDY S. LUDLOW

CERTIFICATE OF MAILING

I hereby certify that on this 27th day of March, 2007, I caused to be mailed, by deposit in the United States Mail, two (2) true and correct copies of the foregoing **BRIEF OF APPELLANT** to the following:

JOANNA B. SAGERS
KERI GARDNER
Legal Aid Society of Salt Lake
205 North 400 West
Salt Lake City, Utah 84103



SHARLA J. WEAVER
Legal Assistant

ADDENDUM

EXHIBIT A: Verified Petition for Protective Order, dated April 25, 2006.

EXHIBIT B: Respondent's Response in Re Protective Order, dated May 22, 2006.

EXHIBIT C: Protective Order, dated May 24, 2006.

EXHIBIT D: Respondent's Objection to Commissioner's Issuance of Ex Parte Protective Order, dated June 2, 2006.

EXHIBIT E: Order Overruling Objection to Commissioner's Recommendation, dated October 30, 2006.

ADDENDUM

EXHIBIT A: Verified Petition for Protective Order, dated April 25, 2006.

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EXHIBIT C: Protective Order, dated May 24, 2006.

EXHIBIT D: Respondent's Objection to Commissioner's Issuance of Ex Parte Protective Order, dated June 2, 2006.

EXHIBIT E: Order Overruling Objection to Commissioner's Recommendation, dated October 30, 2006.

EXHIBIT A

JOANNA B. SAGERS, #5632
KERI GARDNER, #6548
LEGAL AID SOCIETY OF SALT LAKE
ATTORNEY FOR PETITIONER
205 NORTH 400 WEST,
SALT LAKE CITY, UTAH 84103
TELEPHONE: (801) 328-8849

FILED DISTRICT COURT
Third Judicial District

APR 25 2006

SALT LAKE COUNTY

[Signature]
Deputy Clerk

STATE OF UTAH

IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH

IMAGED

STACEY CORWELL,
Petitioner,

vs.

ROCKEY CORWELL,
Respondent.

)
)
) **VERIFIED PETITION FOR**
) **PROTECTIVE ORDER**
)

) Civil No. 064902056 CA

) Judge QUINN

) Commissioner EVANS

PETITIONER IS ADVISED THAT KNOWING FALSIFICATION OF ANY STATEMENT OR INFORMATION PROVIDED FOR THE PURPOSE OF OBTAINING A PROTECTIVE ORDER MAY SUBJECT TO PETITIONER TO FELONY PROSECUTION (Section 30-6-4(1)(b)(I) Utah Code Ann.)

The Petitioner alleges against the Respondent and states as follows:

1. Either Petitioner or Respondent resides, or the acts occurred, in this County.
2. Neither party is the minor child (step, adoptive, or natural) of the other party.
3. Petitioner is 16 or older, or emancipated. Petitioner and Respondent have the following relationship (check and circle all that apply):

- currently married;
- formerly married; [divorced on: _____]
- currently living as if married;
- have lived as if married;
- related by blood or marriage; [describe relationship: _____]

Verified Petition For Protective Order



- have one or more children together;
- have an unborn child together;
- currently residing in the same residence.
- have resided in the same residence.

4. Petitioner and Respondent are the parents of the following minor children:

NAME	BIRTH DATE	ADDRESS

Are the minor children subject to a court order in this or another jurisdiction? If so, please describe the type of order and where it was issued.

5. On or about April 23, 2006, at Paul Law Offices 230 West 200 South #3301 Salt Lake City, Utah the Respondent threatened, attempted, or caused the following acts of abuse or domestic violence. **[Describe in detail what happened, where, who was involved (including the minor children and family and household members), if weapons were involved, and if injuries resulted. Attach more sheets if necessary but only write on one side.]** Petitioner states that she and the Respondent have been married for less than a year but because her children from a previous relationship feared the Respondent she and the Respondent have maintained separate residences.

Petitioner states that she began an annulment action that was finalized two weeks, which the Respondent has violently opposed to. Petitioner states that on April 21, 2006 the Respondent called her place of employment but she was not in. Petitioner states that the Respondent assumed

the office receptionist was screening his call and threatened to come there and kill both the Petitioner and several employees. Petitioner states that the Salt Lake City Police were called and charges are being screened.(SLCPD case #06-69032)

6. The following is a description of other acts of abuse or domestic violence by Respondent. (Describe with the same detail as in paragraph 5. Attach more sheets if necessary but only write on one side.)

Petitioner states that on 4-20-06 and 4-23-06 the Respondent left messages stating he would hire someone to harm her and he would harm her as well. (Murray Police Case 06C007763). Petitioner states that on July 5, 2005 she and the Respondent got into a dispute and he became enraged and assaulted her. Petitioner states that police were not called in that incident.

Petitioner states that she is in fear of future violence from the Respondent because of his past conduct towards her as well as his reaction to her ending the marriage. Petitioner respectfully requests court protection.

7. The following cases which involve Petitioner, Respondent and/or the others named in this petition have been filed. (List all case that have bee filed in any court at any time.)

Party	Date of filing or judgement	Court or County where case filed	Type of Case <u>and</u> Case number if known	Has a judge signed an order?

8. I also request relief for the following family and household members: .

WHEREFORE: I respectfully request that this Court:

1. Order the Respondent to appear at a hearing.
2. Immediately issue an Ex Parte Protective Order and, after the hearing, issue a Protective Order containing the following relief (Check boxes of relief that you are requesting):

Restrain the Respondent from attempting, threatening or committing abuse or domestic violence against Petitioner and from stalking, harassing, or threatening or using or attempting to use physical force that would reasonably be expected to cause physical injury to the Petitioner.

Restrain the Respondent from attempting, threatening or committing abuse or domestic violence against the minor children and the designated family and household members and from stalking, harassing, or threatening or using or attempting to use physical force that would reasonably be expected to cause physical injury to the designated family or household members.

Prohibit the Respondent from directly or indirectly contacting, harassing, telephoning, e-mailing, or otherwise communicating with the Petitioner.

Order the Respondent to vacate and stay away from the residence located at, **6175 Vinecrest Dr Murray, Utah 84121** and any subsequent residence of Petitioner known to the Respondent, and prohibit the Respondent from terminating or interfering with the utility services to the residence.

Order the Respondent to stay away from Petitioner's school, place of employment, and other places frequented by Petitioner, the minor children and designated family or household members and any subsequent school, place or employment, or other places known to Respondent, which are frequented by Petitioner, the minor children and designated family or household members. These places are identified by the following address(es): **Paul Law Offices 230 West 200 South #3301 Salt Lake City, Utah**

Prohibit the Respondent from purchasing, using, or possessing a firearm or other weapon as designated by the court.

Note: if the section is checked, please describe any weapons owned by the Respondent and how they have been used against you. Weapons listed were used as described above in paragraphs 5 and 6.

Award possession of the following residence, automobile and/or other essential personal effects:

- Order a law enforcement officer to accompany Petitioner to the residence to ensure that Petitioner is safely restored to possession of the listed items.
- Order a law enforcement officer to supervise Respondent's removal of essential personal belongings from the residence.
- Order Respondent to participate in an electronic monitoring program.
- Order the Department of Child and Family Services to conduct an investigation into the possibilities of child abuse.
- Appoint a Guardian ad Litem to represent the best interests of the children.

3. Include in the Protective Order the following temporary relief which should be in effect for up to 150 days (explain in writing and attach if additional time will be necessary).

- Grant Petitioner custody of the minor child/ren.
- Order the following visitation arrangement (if requesting visitation arranged through, or supervised by, another person, state the name and phone number of that person):
- Restrain Respondent from using drugs and/or alcohol prior to or during visitation.
- Restrain Respondent from removing the minor child/ren from the state.
- Order Respondent to pay child support in the amount of \$_____ pursuant to the Utah Uniform Child Support Guidelines.
- Order Respondent to participate in mandatory income withholding pursuant to Utah Code Annotated § 62A-11, Parts 4 and 5.
- Order Respondent to pay one-half of the minor child/ren's day care expenses.
- Order Respondent to pay one-half of the minor child/ren's medical expenses including premiums, deductibles and co-payments.
- Order Respondent to pay spousal support in the amount of \$_____.
- Order Respondent to pay Petitioner's medical expenses suffered as a result of abuse in the amount of \$_____.
- Order Respondent to pay the minor children's medical expenses suffered as a result of abuse in the amount of \$_____.

Order any other relief that the court considers necessary for the safety and welfare of Petitioner, the children and designated household and family members, including

DATED this 25 day of April, 2006

K Gardner
JOANNA/B SAGERS
KERI GARDNER
Attorney for Petitioner

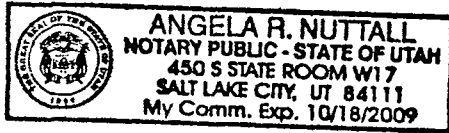
DATED: April 25, 2006

State of Utah)
 (ss:
County of Salt Lake)

Being sworn, I state that I am the Petitioner; that I have read this Petition and the statements in it are true and correct to the best of my knowledge; that I believe I am entitled to the relief requested, and that this Petition is not being used to harass or to abuse process.

Stacey Corwell
STACEY CORWELL
Petitioner

Subscribed and sworn to before me on April 25, 06



Angela R. Nuttall
Notary Public
Residing at: Salt Lake County, Utah
My Commission Expires: 10/18/2009

Serve Respondent at:
Street: _____
City/Town: _____
State, Zip: _____

EXHIBIT B

entered by the Honorable Sandra Peuler on March 29, 2006, and as such the Verified Petition wherein the petitioner states that the parties are currently married is in fact fraudulent.

2. The respondent will testify that he commenced living with a Karlyn Weston on October 7, 2005, and continues to be living with her. Shortly after the respondent commenced living with Karlyn Weston, she and respondent started receiving numerous phone calls from the petitioner at all hours of the night and day. Those calls finally stopped around Christmas 2005.

3. After the Annulment hearing, calls started from the petitioner in this action and/or her friends commenced again starting on April 17, 2006. As a result of the numerous calls Rocky Corwell phoned the Salt Lake City Police Department to seek their assistance on April 19, 2006. Thereafter he went to the Police Department in person on April 20, 2006, and then to the Salt Lake City Prosecutors Office where he spoke with Leslie on April 21st. See Police Report attached as Exhibit "B."

4. On April 17, 2006, the respondent had gone in for eye surgery and was incapacitated as a result of the same for most of that week. Attached hereto as Exhibit "C," are copies of the anesthesia and the surgery description from Regence Value Care.

5. The calls that came in to Karlyn Weston were threatening in nature, acknowledging that they had her telephone number, driver's license number, social security number, and additional information against her. Copies of some of the phone call records for that time period are attached as Exhibit "C".

6. Three phone messages and one (1) of the voice mails were saved and/or recorded.

7. On April 21st the phone number was changed in order to stop the phone calls.

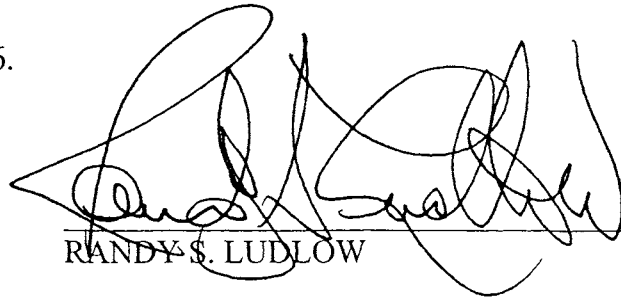
8. Attached hereto as Exhibit "D," and made apart hereof is a document which was

left on the windshield of Karlyn Weston's vehicle. The document was placed on Karlyn's vehicle on April 22, 2006.

9. The respondent believes he and Karlyn are being stalked by petitioner and her friends because of some of the information which has been stated to him and/or Karlyn on the phone calls.

10. The petitioner has a criminal action against her. A copy of the same is attached which was in the Murray Justice Court as Exhibit "E".

DATED this 22 day of May, 2006.

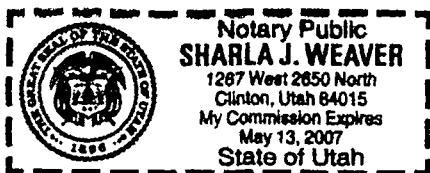

RANDY S. LUDLOW

VERIFICATION

COMES NOW Rocky Corwell, who having reviewed the above document believes that the statements contained therein are true and accurate to the best of his knowledge and belief.


ROCKY CORWELL

SUBSCRIBED AND SWORN to before me this 22nd day of May, 2006.




NOTARY PUBLIC

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of May, 2006, a true and correct copy was hand delivered, of the foregoing **RESPONSE IN RE PROTECTIVE ORDER** to the following:

Joanna B. Sagers
Keri Gardner
LEGAL AID SOCIETY OF SALT LAKE
205 North 400 West
Salt Lake City, Utah 84103



SHARLA J. WEAVER
Legal Assistant

EXHIBIT A

FILE
COPY

Randy S. Ludlow #2011
Attorney for Petitioner
185 South State Street, Suite 208
Salt Lake City, Utah 84111
Telephone: (801) 531-1300
Fax: (801) 328-0173

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

ROCKY MARTIN CORWELL,	:	
	:	
	:	STIPULATION
Petitioner,	:	
	:	
vs.	:	
	:	
STACY C. HALL,	:	Case No. 054902113
	:	Honorable Sandra Peuler
Respondent.	:	Comm. Michelle Blomquist

COMES NOW the above-named parties who first being duly sworn who hereby stipulate and agree as follows:

1. The respondent shall withdraw her answer and allow her default to be taken in this matter so long as the same is consistent with the terms and provisions of this Stipulation.
2. The parties are residents of Salt Lake County, State of Utah and have been for more then three (3) months prior to the commencement of this action.
3. The petitioner and respondent are husband and wife having been married on March 19, 2005 in Clark County, Nevada.

4. The parties have not now nor have they ever resided together.

5. The respondent made promises to the petitioner in regards to what would occur as it related to the parties becoming married. The petitioner relied upon those promises in order to become married to the respondent. The respondent has not now nor has she ever kept the promises as made to the petitioner. That the promises made were made in order to induce the petitioner to marry the respondent. But for the promises the petitioner would not have married the respondent. The petitioner relied upon the promises to his detriment. Because of there being acts of misrepresentation and for the inducement to marry, the petitioner should be granted an annulment.

6. If the Court decides to not award the petitioner an annulment that the Court should enter a decree of divorce dissolving the bonds of matrimony heretofore existing between the parties.

7. No children have been born as it relates to the parties and the respondent is not presently pregnant by the petitioner.

8. The respondent has returned to the petitioner the diamond ring and he is awarded the same free and clear of any claim by the respondent.

9. The respondent is awarded the furniture that was purchased by petitioner from RC Willey's and the petitioner shall be required to pay the debt and obligation owing on the same.

10. The respondent is required to pay and be responsible for any indebtedness owing on the rent at the residence that she occupied, upon which the petitioner was a signor on the lease and which she is to hold the petitioner harmless commencing August 1, 2005.

11. Each party is required to bear and be responsible for their own attorneys fees and

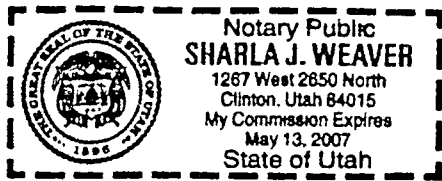
costs incurred by them in this matter.

12. Respondent is awarded her maiden name of Stacy Hall.

DATED this 3 day of March, 2006.

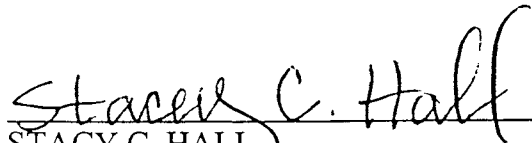

ROCKY MARTIN CORWELL

SUBSCRIBED AND SWORN to before me this 3rd day of March, 2006.

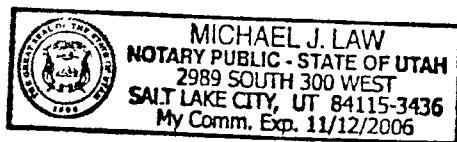


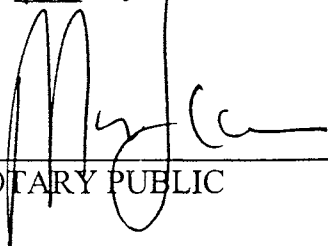

NOTARY PUBLIC

DATED this 1st day of March, 2006.

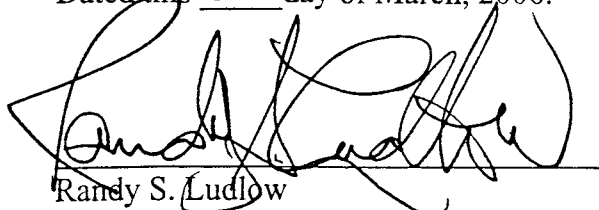

STACY C. HALL

SUBSCRIBED AND SWORN to before me this 1st day of March, 2006.

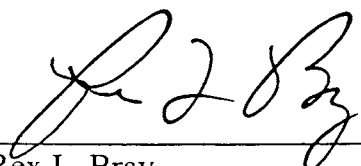



NOTARY PUBLIC

Dated this 3 day of March, 2006.


Randy S. Ludlow
Attorney for petitioner

Dated this 1st day of March, 2006.


Rex L. Bray
Attorney for respondent

Randy S. Ludlow #2011
Attorney for Petitioner
185 South State Street, Suite 208
Salt Lake City, Utah 84111
Telephone: (801) 531-1300
Fax: (801) 328-0173

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

ROCKY MARTIN CORWELL,	:	FINDINGS OF FACT AND
	:	CONCLUSIONS OF LAW
Petitioner,	:	
	:	
vs.	:	
	:	
STACY C. HALL,	:	Case No. 054902113
	:	Honorable Sandra Peuler
Respondent.	:	Comm. Michelle Blomquist

THE ABOVE ENTITLED MATTER having come before the Honorable Sandra Peuler, Judge of the above entitled Court pursuant to Stipulation of the parties, and based upon such and for good cause appearing herein, the Court makes these its,

FINDINGS OF FACT

1. The respondent has withdrawn her answer and allowed her default to be taken in this matter so long as the same is consistent with the terms and provisions of the parties' Stipulation.

2. The parties are residents of Salt Lake County, State of Utah and have been for

more than three (3) months prior to the commencement of this action.

3. The petitioner and respondent are husband and wife having been married on March 19, 2005 in Clark County, Nevada.

4. The parties have not now nor have they ever resided together.

5. The respondent made promises to the petitioner in regards to what would occur as it related to the parties becoming married. The petitioner relied upon those promises in order to become married to the respondent. The respondent has not now nor has she ever kept the promises as made to the petitioner. That the promises made were made in order to induce the petitioner to marry the respondent. But for the promises the petitioner would not have married the respondent. The petitioner relied upon the promises to his detriment. Because of there being acts of misrepresentation for the inducement to marry, the petitioner should be granted a Decree of Annulment.

6. No children have been born as it relates to the parties and the respondent is not presently pregnant by the petitioner.

7. The respondent has returned to the petitioner the diamond ring and he is awarded the same free and clear of any claim by the respondent.

8. The respondent is awarded the furniture in her possession that was purchased by petitioner from RC Willey's and the petitioner shall be required to pay the debt and obligation owing on the same.

9. The respondent is required to pay and be responsible for any indebtedness owing on the rent at the residence that she occupied, upon which the petitioner was a signor on the lease and which she is to hold the petitioner harmless from the same commencing August 1, 2005.

10. Each party is required to bear and be responsible for their own attorney's fees and

costs incurred by them in this matter.

11. Respondent is to be awarded her maiden name of Stacy Hall.

Based upon the foregoing Findings of Fact the Court makes these its,

CONCLUSIONS OF LAW

1. The petitioner is to be granted a Decree of Annulment, declaring the marriage to be void *ad initio*.

2. The Decree of Annulment to be entered is to be consistent with the parties' Stipulation and the Findings of Fact as set forth above.

ENTERED this ____ day of _____, 2006.

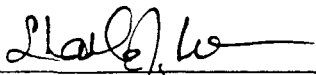
BY THE COURT:

HONORABLE SANDRA N. PEULER

MAILING CERTIFICATE

I hereby certify that on this 21st day of March, 2006, a true and correct copy of the foregoing **FINDINGS OF FACT AND CONCLUSIONS OF LAW** was mailed, postage prepaid, to the following:

Rex L. Bray
P.O. Box 321
Sandy, Utah 84091-0321



SHARLA J. WEAVER
Legal Assistant



Randy S. Ludlow #2011
 Attorney for Petitioner
 185 South State Street, Suite 208
 Salt Lake City, Utah 84111
 Telephone: (801) 531-1300
 Fax: (801) 328-0173

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
 SALT LAKE COUNTY, STATE OF UTAH

ROCKY MARTIN CORWELL,	:	DECREE OF ANNULMENT
	:	
Petitioner,	:	
	:	
vs.	:	
	:	
STACY C. HALL,	:	Case No. 054902113
	:	Honorable Sandra Peuler
Respondent.	:	Comm. Michelle Blomquist

THE ABOVE ENTITLED MATTER having come before the Honorable Sandra Peuler, Judge of the above entitled Court on Motion of the petitioner; the parties having entered into a Stipulation which the Court found appropriate and just and; based upon the affidavit of the petitioner and the review of the pleadings in this matter and; the Court having previously entered its Findings of Fact and Conclusions of Law; now, based upon such and for good cause appearing herein,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The petitioner is awarded a Decree of Annulment declaring the marriage to be

void *ad initio* which Decree shall be final upon entry.

2. The respondent has returned to the petitioner the diamond ring and he is awarded the same free and clear of any claim by the respondent.

3. The respondent is awarded the furniture in her possession that was purchased by petitioner from RC Willey's and the petitioner shall be required to pay the debt and obligation owing on the same.

4. The respondent is required to pay and be responsible for any indebtedness owing on the rent at the residence that she occupied, upon which the petitioner was a signor on the lease and she is to hold the petitioner harmless commencing August 1, 2005.

5. Each party is required to bear and be responsible for their own attorney's fees and costs incurred by them in this matter.

6. Respondent is awarded her maiden name of Stacy Hall.

ENTERED this ____ day of _____, 2006.

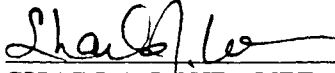
BY THE COURT:

HONORABLE SANDRA N. PEULER

MAILING CERTIFICATE

I hereby certify that on this 21st day of March, 2006, a true and correct copy of the foregoing **DECREE OF ANNULMENT** was mailed, postage prepaid, to the following:

Rex L. Bray
P.O. Box 321
Sandy, Utah 84091-0321



SHARLA J. WEAVER
Legal Assistant

EXHIBIT B



st/Acct Id: 770439639 1 Name: KARLYN WESTON
 File TN: 801 718-8501 Start Call Dt: 04/15/2006 Today's Date: 05/02/2006

Call Date	Time of Call	Orig Cell	Calls to Name	ST	Telephone Number	Airtime Amount	Time	Total Charge	Fade Ind
4/16	11:30AM	0329	MURRAY	UT	801 268-7341	0.35	1	0.35	
4/16	06:23PM	0351	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
4/16	07:19PM	0329	PRICE	UT	435 650-0125	10.15	29	10.15	
4/16	08:01PM	0360	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
4/16	08:02PM	0351	SALT LAKE	UT	801 466-3394	1.75	5	1.75	
4/17	07:58AM	0351	INCOMING	CL	801 269-9310	0.35	1	0.35	
4/17	09:54AM	0103	INCOMING	CL	801 266-2283	0.70	2	0.70	
4/17	10:31AM	0359	HOLLADAY	UT	801 278-0671	1.75	5	1.75	
4/17	10:35AM	0359	INCOMING	CL	801 272-8441	1.05	3	1.05	C
4/17	10:37AM	0359	SALT LAKE	UT	801 485-9281	0.35	1	0.35	

Adjustment	Credit	Est. Tax	To-Date	Usage :	<u>78.40</u>
0.00	0.00	0.00	Totals	Credit:	<u>0.00</u>


Exit | Print | Help

Cust/Acct Id: 770439639 1 Name: KARLYN WESTON
 Mobile TN: 801 718-8501 Start Call Dt: 04/15/2006 Today's Date: 05/02/2006

Call Id	Time of Call	Orig Cell	Calls to Name	ST	Telephone Number	Airtime Amount	Total Time	Fade Charge	Ind
04/17	10:37AM	0359	SALT LAKE	UT	801 485-9281	0.35	1	0.35	
04/17	10:56AM	0359	SALT LAKE	UT	801 485-9281	0.70	2	0.70	
04/17	10:58AM	0359	HOLLADAY	UT	801 277-2696	0.35	1	0.35	
04/17	10:59AM	0359	HOLLADAY	UT	801 272-8441	0.35	1	0.35	
04/17	11:14AM	0359	INCOMING	CL	801 266-2283	2.80	8	2.80	
04/17	12:22PM	0103	HOLLADAY	UT	801 278-0671	0.70	2	0.70	
04/17	12:32PM	0103	MURRAY	UT	801 266-2283	0.70	2	0.70	
04/17	12:44PM	0103	INCOMING	CL	999 999-9999	0.35	1	0.35	
04/17	03:23PM	0329	MIDVALE	UT	801 566-9171	1.05	3	1.05	
04/17	05:17PM	0351	MIDVALE	UT	801 566-9171	1.40	4	1.40	

Session: Adjustment Credit Est. Tax To-Date Usage : 78.40
 Totals : 0.00 0.00 0.00 Totals Credit: 0.00

st/Acct Id: 770439639 1 Name: KARLYN WESTON
 File TN: 801 718-8501 Start Call Dt: 04/15/2006 Today's Date: 05/02/2006

Call Date	Time of Call	Orig Cell	Calls to Name	ST	Telephone Number	Airtime Amount	Time	Total Charge	Fade Ind
4/17	06:50PM	0329	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
4/17	07:04PM	0351	PROVO	UT	801 319-7644	0.70	2	0.70	
4/17	07:20PM	0329	SALT LAKE	UT	801 891-8838	0.00	2	0.00	M
4/17	07:23PM	0329	PROVO	UT	801 319-7644	0.35	1	0.35	
4/18	07:01AM	0354	INCOMING	CL	801 269-9310	2.45	7	2.45	
4/18	07:28AM	0354	SALT LAKE	UT	801 646-4661	2.10	6	2.10	
4/18	08:53AM	0359	INCOMING	CL	801 262-9041	0.35	1	0.35	
4/18	09:04AM	0359	MURRAY	UT	801 262-9041	2.80	8	2.80	
4/18	10:18AM	0360	SALT LAKE	UT	801 485-9281	0.35	1	0.35	
4/18	10:42AM	0360	MURRAY	UT	801 269-8723	1.05	3	1.05	

Adjustment	Credit	Est. Tax	To-Date	Usage :	<u>78.40</u>
als :	<u>0.00</u>	<u>0.00</u>	Totals	Credit:	<u>0.00</u>



Cust/Acct Id: 770439639 1 Name: KARLYN WESTON
 Mobile TN: 801 718-8501 Start Call Dt: 04/15/2006 Today's Date: 05/02/2006

Call Date	Time of Call	Orig Cell	Calls to Name	ST	Telephone Number	Airtime Amount	Time	Total Charge	Fade Ind
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04/18	04:20PM	0329	INCOMING	CL	801 566-5684	1.40	4	1.40	
04/19	06:54AM	0354	INCOMING	CL	801 608-2491	3.50	10	3.50	
04/19	10:50AM	0351	VOICE MAIL	CL	000 000-0086	0.70	2	0.70	R
04/19	05:19PM	0360	MIDVALE	UT	801 566-9171	0.35	1	0.35	
04/19	05:20PM	0360	HOLLADAY	UT	801 274-3100	0.35	1	0.35	
04/19	05:20PM	0360	SALT LAKE	UT	801 209-1865	0.00	2	0.00	M
04/19	05:24PM	0360	MIDVALE	UT	801 566-5684	1.40	4	1.40	
04/19	05:46PM	0360	SALT LAKE	UT	801 608-1222	0.35	1	0.35	
04/19	06:09PM	0351	INCOMING	CL	801 277-0662	0.35	1	0.35	
04/19	07:09PM	0351	MIDVALE	UT	801 566-9171	2.80	8	2.80	D

Session: Adjustment	Credit	Est. Tax	To-Date	Usage :	<u>78.40</u>
Totals :	<u>0.00</u>	<u>0.00</u>	Totals	Credit:	<u>0.00</u>

st/Acct Id: 770439639 1 Name: KARLYN WESTON
 Mobile TN: 801 718-8501 Start Call Dt: 04/15/2006 Today's Date: 05/02/2006

Call Date	Time of Call	Orig Cell	Calls to Name	ST	Telephone Number	Airtime Amount	Airtime Time	Total Charge	Fade Ind
04/19	08:08PM	0329	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
04/20	07:30AM	0354	HOLLADAY	UT	801 278-0671	0.35	1	0.35	
04/20	08:26AM	0329	INCOMING	CL	801 278-0671	0.35	1	0.35	
04/20	08:35AM	0329	HOLLADAY	UT	801 278-0671	0.35	1	0.35	
04/20	08:39AM	0351	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
04/20	09:08AM	0329	HOLLADAY	UT	801 278-0671	2.45	7	2.45	
04/20	12:49PM	0351	INCOMING	CL	999 999-9999	0.00	1	0.00	M
04/20	01:18PM	0351	INCOMING	CL	801 608-1222	0.70	2	0.70	
04/20	02:22PM	0329	SALT LAKE	UT	801 608-1222	1.75	5	1.75	
04/20	02:36PM	0354	MIDVALE	UT	801 566-9171	3.85	11	3.85	

Adjustment Credit Est. Tax To-Date Usage : 78.40
 Total Credit: 0.00

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Cust/Acct Id: 770439639 1 Name: KARLYN WESTON
 Mobile TN: 801 718-8501 Start Call Dt: 04/15/2006 Today's Date: 05/02/2006

Call Id	Time of Call	Orig Cell	Calls to Name	ST	Telephone Number	Airtime Amount	Total Time	Fade Charge	Ind
04/20	03:01PM	0103	SALT LAKE	UT	801 474-9552	0.70	2	0.70	
04/20	03:49PM	0329	INCOMING	CL	999 999-9999	0.00	1	0.00	M
04/20	03:49PM	0351	INCOMING	CL	999 999-9999	0.00	1	0.00	M
04/20	03:50PM	0351	INCOMING	CL	999 999-9999	0.00	5	0.00	D M
04/20	03:54PM	0329	INCOMING	CL	999 999-9999	0.00	2	0.00	M
04/20	03:59PM	0316	INCOMING	CL	999 999-9999	0.00	1	0.00	M
04/20	04:12PM	0351	VOICE MAIL	CL	000 000-0086	1.05	3	1.05	R
04/20	04:17PM	0329	INCOMING	CL	999 999-9999	0.70	2	0.70	D
04/20	04:19PM	0329	PROVO	UT	801 319-7644	0.70	2	0.70	
04/20	04:23PM	0351	VOICE MAIL	CL	000 000-0086	1.40	4	1.40	R

Session: Adjustment	Credit	Est. Tax	To-Date	Usage :	<u>78.40</u>
Totals :	<u>0.00</u>	<u>0.00</u>	Totals	Credit:	<u>0.00</u>

st/Acct Id: 770439639 1 Name: KARLYN WESTON
 File TN: 801 718-8501 Start Call Dt: 04/15/2006 Today's Date: 05/02/2006

Call Date	Time of Call	Orig Cell	Calls to Name	ST	Telephone Number	Airtime Amount	Time	Total Charge	Fade Ind
4/20	04:17PM	0329	INCOMING	CL	999 999-9999	0.70	2	0.70	D
4/20	04:19PM	0329	PROVO	UT	801 319-7644	0.70	2	0.70	
4/20	04:23PM	0351	VOICE MAIL	CL	000 000-0086	1.40	4	1.40	R
4/20	05:56PM	0329	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
4/20	06:44PM	0329	INCOMING	CL	801 274-0088	1.40	4	1.40	
4/20	06:57PM	0329	VOICE MAIL	CL	000 000-0086	2.10	6	2.10	R
4/20	08:46PM	0329	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
4/21	06:30AM	0103	HOLLADAY	UT	801 278-0671	1.40	4	1.40	
4/21	06:37AM	0354	INCOMING	CL	801 608-2491	2.45	7	2.45	
4/21	07:08AM	0354	INCOMING	CL	999 999-9999	0.00	1	0.00	M

ion: Adjustment Credit Est. Tax To-Date Usage : 78.40
 als : 0.00 0.00 0.00 Totals Credit: 0.00



Cust/Acct Id: 770439639 1 Name: KARLYN WESTON
 Mobile TN: 801 718-8501 Start Call Dt: 04/15/2006 Today's Date: 05/02/2006

dj nd	Call Date	Time of Call	Orig Cell	Calls to Name	ST	Telephone Number	Airtime Amount	Total Time	Fade Charge	Ind
-	04/21	06:30AM	0103	HOLLADAY	UT	801 278-0671	1.40	4	1.40	
-	04/21	06:37AM	0354	INCOMING	CL	801 608-2491	2.45	7	2.45	
-	04/21	07:08AM	0354	INCOMING	CL	999 999-9999	0.00	1	0.00	M
-	04/21	07:13AM	0354	HOLLADAY	UT	801 278-0671	1.05	3	1.05	
-	04/21	07:28AM	0321	HOLLADAY	UT	801 274-3100	0.35	1	0.35	
-	04/21	07:31AM	0331	MURRAY	UT	801 262-9041	3.15	9	3.15	
-	04/21	07:51AM	0353	INCOMING	CL	801 631-6171	0.00	1	0.00	M
-	04/21	09:24AM	0318	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
-	04/21	09:32AM	0318	VOICE MAIL	CL	000 000-0086	1.05	3	1.05	R
-	04/21	09:58AM	0316	VOICE MAIL	CL	000 000-0086	2.10	6	2.10	R

Session: Adjustment Credit Est. Tax To-Date Usage : 78.40
 Totals : 0.00 0.00 0.00 Totals Credit: 0.00

st/Acct Id: 770439639 1 Name: KARLYN WESTON
 Mobile TN: 801 440-0645 Start Call Dt: 04/21/2006 Today's Date: 05/02/2006

Call Date	Time of Call	Orig Cell	Calls to Name	ST	Telephone Number	Airtime Amount	Time	Total Charge	Fade Ind
04/21	10:53AM	0014	HOLLADAY	UT	801 278-0671	1.40	4	1.40	
04/21	11:26AM	0020	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
04/21	11:27AM	0096	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
04/21	11:31AM	0020	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
04/21	11:53AM	0020	PROVO	UT	801 319-7644	0.70	2	0.70	
04/21	11:55AM	0020	MURRAY	UT	801 262-9041	0.70	2	0.70	
04/21	11:56AM	0020	COTTONWOOD	UT	801 944-6364	2.80	8	2.80	
04/21	12:04PM	0020	MIDVALE	UT	801 566-9171	0.35	1	0.35	D
04/21	12:23PM	0020	VOICE MAIL	CL	000 000-0086	0.35	1	0.35	R
04/21	12:25PM	0103	SALT LAKE	UT	801 608-1222	0.35	1	0.35	

Adjustment	Credit	Est. Tax	To-Date	Usage :	114.10
als : 0.00	0.00	0.00	Totals	Credit:	0.00



Cust/Acct Id: 770439639 1 Name: KARLYN WESTON
 Mobile TN: 801 440-0645 Start Call Dt: 04/21/2006 Today's Date: 05/02/2006

Call Id	Date	Time of Call	Orig Cell	Calls to Name	ST	Telephone Number	Airtime Amount	Total Time	Fade Charge	Ind
04/21	12:25PM	0029	HOLLADAY	UT 801	272-8441	3.50	10	3.50		
04/21	12:38PM	0015	MIDVALE	UT 801	566-9171	2.80	8	2.80		
04/21	03:02PM	0020	HOLLADAY	UT 801	274-0088	0.35	1	0.35		
04/21	03:30PM	0020	INCOMING	CL 801	608-2491	0.35	1	0.35		
04/21	05:18PM	0051	SALT LAKE	UT 801	809-3916	1.75	5	1.75		
04/21	06:06PM	0051	INCOMING	CL 801	319-7644	0.35	1	0.35		
04/22	01:10PM	0020	VOICE MAIL	CL 000	000-0086	0.35	1	0.35		R
04/22	01:41PM	0020	INCOMING	CL 801	319-7644	0.70	2	0.70		
04/22	02:27PM	0020	INCOMING	CL 801	487-4661	0.35	1	0.35		
04/22	02:43PM	0096	SALT LAKE	UT 801	244-1670	0.00	5	0.00		M

Session: Adjustment	Credit	Est. Tax	To-Date	Usage :	<u>114.10</u>
Totals :	<u>0.00</u>	<u>0.00</u>	Totals	Credit:	<u>0.00</u>



Exit

Print

Help

st/Acct Id: 770439639 1 Name: KARLYN WESTON
 File TN: 801 440-0645 Start Call Dt: 04/21/2006 Today's Date: 05/02/2006

Call Date	Time of Call	Orig Cell	Calls to Name	ST	Telephone Number	Airtime Amount	Airtime Time	Total Charge	Fade Ind
4/22	03:19PM	0020	BLACKSTONE	MA	508 883-1799	0.70	2	0.70	
4/22	05:54PM	0021	COTTONWOOD	UT	801 942-5825	0.35	1	0.35	
4/22	08:15PM	0020	VOICE MAIL	CL	000 000-0086	0.70	2	0.70	R
4/22	08:17PM	0020	VOICE MAIL	CL	000 000-0086	0.70	2	0.70	R
4/22	08:19PM	0051	VOICE MAIL	CL	000 000-0086	1.05	3	1.05	R
4/22	08:26PM	0020	VOICE MAIL	CL	000 000-0086	0.70	2	0.70	R
4/23	11:01AM	0020	HOLLADAY	UT	801 278-0671	7.35	21	7.35	D
4/23	11:21AM	0029	INCOMING	CL	801 278-0671	0.35	1	0.35	D
4/23	11:22AM	0029	INCOMING	CL	801 278-0671	5.25	15	5.25	
4/23	11:51AM	0020	CAMBRIDGE	MA	617 803-0287	0.35	1	0.35	

Adjustment	Credit	Est. Tax	To-Date	Usage :	<u>114.10</u>
Totals	<u>0.00</u>	<u>0.00</u>	Totals	Credit:	<u>0.00</u>

EXHIBIT C

Regence ValueCare
EXPLANATION OF CLAIMS PROCESSED
THIS IS NOT A BILL



*AUTO** 5-DIGIT 84106
 0527.046.03.022
 CORWELL, ROCKY MARTIN
 2812 S 900 E
 SALT LAKE CITY UT 84106-2232

APRIL 25, 2006

Patient: CORWELL, ROCKY M
 Subscriber: CORWELL, ROCKY MARTIN
 Provider: ENSLIN, KYLE R* MD
 Contract No.: 950180654
 Group No.: 6318100000001
 Claim No.: 01 89500 06110 79680



Description of Services	Dates of Service		Billed Charges	Eligible Charges	Amount Payable to Provider	Your Responsibility
	From	To				
ANESTHESIA	04/17/06	04/17/06	\$930.00	\$727.50	\$582.00	\$145.50
			\$930.00	\$727.50	\$582.00	\$145.50
			Description of Your Responsibility: Coinsurance			\$145.50

PROCESSING MESSAGES

REGENCE VALUECARE PROVIDER HAS ACCEPTED THIS AS PAYMENT IN FULL WITH THE EXCEPTION OF YOUR RESPONSIBILITY AS SHOWN ABOVE. PLEASE PAY THIS AMOUNT TO YOUR PROVIDER.

When completed processing the same day it was received.

For any questions regarding your claims or contract benefits, please call our customer service department. In Salt Lake area dial 333-2310, elsewhere in Utah dial 1-800-245-0026. Office hours are 7:30 a.m. to 6:00 p.m. Pacific Time.

If you disagree with our decision on your claim, you may ask us to reconsider. You also have the right to arbitration.



Regence
ValueCare

P O Box 30270
Salt Lake City, UT 84130-0270

F202

An Independent Licensee of the Blue Cross
and Blue Shield Association

Regence ValueCare
EXPLANATION OF CLAIMS PROCESSED THIS IS NOT A BILL



*AUTO** 5-DIGIT 84106
0527.046.03.022
CORWELL, ROCKY MARTIN
2812 S 900 E
SALT LAKE CITY UT 84106-2232

APRIL 25, 2006

Patient: CORWELL, ROCKY
Subscriber: CORWELL, ROCKY MARTIN
Provider: MEHR, DOUGLAS S MD
Contract No.: 950180654
Group No.: 6318100000001
Claim No.: 01 89500 06108 13060

Description of Services	Dates of Service		Billed Charges	Eligible Charges	Amount Payable to Provider	Your Responsibility
	From	To				
SURGERY	04/17/06	04/17/06	\$2,720.00	\$1,502.04	\$801.63	\$700.41
			\$2,720.00	\$1,502.04	\$801.63	\$700.41
Description of Your Responsibility:						
Deductible						\$500.00
Coinsurance						\$200.41

PROCESSING MESSAGES

YOUR VALUECARE PROVIDER HAS ACCEPTED THIS AS PAYMENT IN FULL WITH THE EXCEPTION OF YOUR RESPONSIBILITY AS SHOWN ABOVE. PLEASE PAY THIS AMOUNT TO YOUR PROVIDER.

Claim completed processing 1 day after it was received.

If you have any questions regarding your claims or contract benefits, please call our customer service department. In Salt Lake area dial 333-2310, elsewhere in Utah dial 1-800-245-0026. Office hours are 7:30 a.m. to 6:00 p.m. Mountain Time.

If you disagree with our decision on your claim, you may ask us to reconsider. You also have the right to arbitration.

EXHIBIT D

REQUEST TO ACCESS PUBLIC RECORDS

Purpose : GRAMA REQUEST
Date released : May 05, 2006
Time released : 14:26
Authorized by : J08-Williams, Suzanne
Released by : 22F-Balfour, Judy L

RELEASED TO
Person : KARLYN WESTON
Job title : VICTIM
City : SLC
State : UT

GENERAL RELEASE INSTRUCTIONS
INITIAL ONLY

This is a confidential document. Release of any information contained within this document without the consent of the issuing agency is unlawful dissemination, and will be considered a criminal act punishable by law.

S.L.P.D.
OFFICIAL POLICE DOCUMENT
STATE LAW ENFORCEMENT
SECONDARY DISSEMINATION

**SALT LAKE POLICE DEPARTMENT
REQUEST TO ACCESS PUBLIC RECORDS**

GO SL 2006-66597 (OPEN/ACTIVE) 5309 - 0 PUB PEACE-HARASSING COMMUNICAT

General Offense Information

Operational status : OPEN/ACTIVE
Reported on Apr-20-2006 (Thu.) 1557
Occurred on Apr-19-2006 (Wed.) 1200
Approved on Apr-27-2006 (Thu.) by H64 - Halterman, Lon A
Report submitted by 36W - McManama, Robert/Ret
Org unit : Telephonic
Located at 2812 S 900 E
Municipality : Salt Lake City County : Cncl Dist 7
District : 2 Beat : 235 Grid : SUG

Offenses (Completed/Attempted)

Offense : #1 5309 - 0 PUB PEACE-HARASSING COMMUNICAT - COMPLETED
Location : Residence/Home
Suspect used : Not Applicable

General Offense Information (cont'd)

Bias : None (no bias)
Family violence : NO
IBR Clearance status : Not Applicable

Related Event(s)

CP SL2006-66597

COMPLAINT INFORMATION

Incident Location

Address : 2812 S 900 E
District : 2 Beat : 235 Grid : SUG
Telephone no. : 486-9003

General Information

Case type : HARASSMENT INVESTIGATION Priority : 4
TIME - Disp : 15:59:33 Enroute : 15:59:33 At Scene : 15:59:33 Clrd : 16:33:03
How call received : 911 SYSTEM

Complainant Information

Name : CORWELL ROCKY
Address : 2812 S 900 EAST
Home Telephone : 801
Remarks :
CTM

Clearance Information

Final Case type : PUB PEACE - HARRASSING COMMUNICATIONS
Report expected : NO Founded : YES
Cleared by : INVESTIGATION CONTINUING
Reporting Officer1 : 36W - McManama, Robert/Ret

S.L.C.P.D.
OFFICIAL POLICE DOCUMENT
STATE OF UTAH DEPT. OF
SECURITY - INVESTIGATION

Related Person(s)

Case Specific : Victim - 01 CORWELL, ROCKY
Caucasian/White MALE
Born on Aug-09-1965
Residing at 2812 S 900 EAST , SALT LAKE CITY , Utah
Phone Numbers
Home : (801)

Reference Master Name Index
CORWELL, ROCKY MARTIN
Caucasian/White MALE
Ethnicity : Unknown
Born on Jul-09-1965

Linkage factors
Resident status : Resident
Victimized by offense : 5309 - 5309 PUB PEACE-HARASSING COMMUNICAT - COMPLETED
Relationship : Victim Was Ex-Spouse
Person's role : Off/Suspect # 1
Person's name : HALL, STACEY

Case Specific : Victim- - 02 WESTON, KARLYN
Caucasian/White FEMALE
Born in 2006
Residing at , SALT LAKE CITY , Utah
Phone Numbers
Home : (801)

Reference Master Name Index
WESTON, KARLYN
Caucasian/White FEMALE
Born in 2006

Linkage factors
Resident status : Resident
Victimized by offense : 5309 - 5309 PUB PEACE-HARASSING COMMUNICAT - COMPLETED
Relationship : Victim Was Otherwise Known
Person's role : Off/Suspect # 1
Person's name : HALL, STACEY

Case Specific : Off/Suspect - 01 HALL, STACEY
Caucasian/White FEMALE
Born in 1969
Residing at , SALT LAKE CITY , Utah
Phone Numbers
Home : (801)

Occupation : COLLECTIONS
Employed by
Reference Master Name Index
HALL, STACEY

SALT LAKE POLICE DEPARTMENT
OFFICIAL POLICE DOCUMENT
STATE OF UTAH
SECONDARY IDENTIFICATION

SALT LAKE POLICE DEPARTMENT
REQUEST TO ACCESS PUBLIC RECORDS
GO SL 2006-66597 (OPEN/ACTIVE) 5309 - 0 PUB PEACE-HARASSING COMMUNICAT

Caucasian/White FEMALE
Born in 1969

Linkage factors
Resident status : Unknown

Related text page(s)

Document: INITIAL R/O

Author: 36W - McManama, Robert/Ret

Related date/time: Apr-20-2006 1620

THE VICTIM STATES THAT THE SUSPECT IS HIS EX WIFE, 'STACEY HALL' FROM WHOM HE HAS BEEN SEPARATED FOR OVER ONE YEAR.

HE STATES THAT THE SUSPECT AND ONE OF THE SUSPECTS FEMALE GIRL FRIENDS (NFD) HAVE BEEN CALLING HIM AND HIS GIRL FRIEND 'KARLYN WESTON' FOR SEVERAL WEEKS AND HARASSING THEM. HE STATES THAT THERE HAVE BEEN AT LEAST ONE HUNDRED SUCH CALLS DURING THAT TIME.

THE PHONE CALLS ARE COMING FROM , WHICH IS THE SUSPECTS MOTHERS HOME AND FROM WHICH IS THE OFFICE OF THE SUSPECT WORKS FOR THE AS A COLLECTOR.

VICTIM STATES THAT THE SUSPECT DOES NOT PERSONALLY KNOW HIS GIRL FRIEND BUT HAS APPARENTLY BEEN ABLE TO GATHER A GREAT DEAL OF INFORMATION ABOUT HER BY USING HER POSITION AS A COLLECTOR FOR THE LAW OFFICE.

THE CALLS CONSIST OF IMPLIED THREATS AND HARASSING COMMENTS. THE VICTIM TELEPHONED THE ' ' MANAGER TO ASK HIM TO HAVE THE SUSPECT STOP MAKING HARASSING CALLS FROM THEIR BUSINESS PHONE. WHEN HE DID SO THE MAN THAT ANSWERED THE PHONE THREATENED TO REPORT THE VICTIM TO THE POLICE FOR HARASSMENT..

**** END OF HARDCOPY ****

S.L.C.P.D
OFFICIAL POLICE DOCUMENT
STATE LAW ENFORCEMENT
SECONDARY DISSEMINATION

EXHIBIT E

Just so you know you fucking cunt that rocky is in love with stacy he says that it was a drunken weekend that they got married then why did he buy her wedding ring on march 12 and they got married on march 19 remember he spent 12,000 plus dollars on her ring and your ring was only 5.000. which is nothing to him he just does not want to spend money on you because you are not worth it plus you are worthless right there should say something. he is only feeling sorry for you he hates you and your kids especially your retarded daughter and your faggot son. he wants to be with stacy you are only a slut a free lay. remember you are being watched god forbid there is a serious accident that you brought on yourself rocky would be happy that you are dead along with your kids that way you are forever gone. watch out we have all of your information we will destroy you you better always watch over your shoulder because you have been targeted to save your life you just better leave rocky and forget you ever met him remember he has so much money if he really loved you why is he not spending it on you if you ment anything to him like stacy then you would have a big territorial ring on your finger but again you are nothing he is not proud of you yet alone wants you watch out because we will get you

EXHIBIT C

MAY 24 2006

SALT LAKE COUNTY

By [Signature] Deputy Clerk

JOANNA B. SAGERS, #5632
KERI GARDNER, #6548
LEGAL AID SOCIETY OF SALT LAKE
ATTORNEY FOR PETITIONER
205 NORTH 400 WEST,
SALT LAKE CITY, UTAH 84103
TELEPHONE: (801) 328-8849

Protective Order



HD20268910
064902056 CORWELL,ROCKEY

IMAGED

IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH

STACEY CORWELL,)	
	)	PROTECTIVE ORDER
Petitioner,)	
)	
vs.	)	Civil No. 064902056 CA
)	
ROCKEY CORWELL,	)	Judge Quinn
)	
Respondent.	)	Commissioner Euns

NOTICE TO THE RESPONDENT: YOU CAN BE ARRESTED FOR VIOLATION THIS ORDER EVEN IF ANY PERSON PROTECTED BY THE ORDER INVITED OR ALLOWS YOU TO VIOLATE THE ORDER'S PROHIBITIONS. ONLY THE COURT CAN CHANGE THE ORDER. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THE ORDER..

NOTICE TO THE PETITIONER: YOU CANNOT WAIVE, ALTER, IGNORE OR DISMISS THIS ORDER WITHOUT FURTHER COURT ACTION. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THE ORDER.

This matter came for hearing on May 24, 06 before the undersigned. The following parties were in attendance:

<input checked="" type="checkbox"/>	Petitioner	<input checked="" type="checkbox"/>	Petitioner's attorney	<u>Joanna B. Sagers/ Keri Gardner</u>
<input checked="" type="checkbox"/>	Respondent	<input checked="" type="checkbox"/>	Respondent's attorney	<u>Randy Ludlow</u>

The Court having reviewed Petitioner's Verified Petition for Protective Order and:

~~X~~ having received argument and evidence,

___ having accepted the stipulation of the parties

___ having entered the default of the Respondent for failure to appear, and it appearing that domestic violence or abuse has occurred and/or is a substantial likelihood of immediate danger or abuse or domestic violence to Petitioner by Respondent.

PURSUANT TO UTAH CODE SECTION 30-6-4.2 THE PETITIONER IS GRANTED A PROTECTIVE ORDER:

(The Judge or Commissioner shall initial each section that is included in this Order.)

THE COURT MAKES THE FOLLOWING ORDERS IN THIS CRIMINAL PORTION OF THE PROTECTIVE ORDER. Two years after the date of this order, the Respondent may request a hearing to dismiss the criminal portion of this order. The Petitioner is entitled to receive notice from the Court. Therefore within 30 days prior to the end of the two year period, the Petitioner must provide the Court with a current address, which address will not be made available to the Respondent, if the Petitioner wants to receive notice.

~~X~~ 1. Upon the court finding that the Respondent presents a credible threat to the safety of the Petitioner and/or designated minor children and family and household members, the Respondent is restrained from attempting, committing, or threatening to commit abuse or domestic violence against Petitioner and shall not stalk, harass, or threaten or use or attempt to use physical force that would reasonably be expected to cause physical injury to Petitioner.

___ 2. The Respondent is restrained from attempting, committing, or threatening to commit abuse or domestic violence against the designated minor children and family and household members and shall not stalk, harass, or threaten or use or attempt to use physical force that would reasonably be expected to cause physical injury to those parties. The designated minor children and members of Petitioner's family or household are:

~~X~~ 3. The Respondent is prohibited from directly or indirectly contacting, harassing, telephoning, e-mailing, or otherwise communicating with the Petitioner.

~~X~~ 4. The Respondent shall be removed and excluded, and shall stay away, from Petitioner's residence, and its premises, located at: **6175 Vinecrest Dr Murray, Utah 84121** and any subsequent residence of Petitioner known to the Respondent, and Respondent is prohibited from terminating or interfering with the utility services to the residence.

~~X~~ 5. The Respondent is ordered to stay away from the school, place of employment,

and/or other places, and their premises, frequented by Petitioner, the minor children and the designated household and family members. This includes any subsequent school, place of employment or other places known to the Respondent, which are frequented by the Petitioner or by designated family and household members. The current addresses include: Paul Law Offices 230 West 200 South #3301 Salt Lake City, Utah

_____ 6. Under state law pursuant to this order, the Court having found that Respondent's use or possession of a weapon may pose a serious threat of harm to Petitioner, the Respondent is prohibited from purchasing, using, or possessing a firearm and/or the following weapon(s):

_____ 7. The Petitioner is awarded possession of the following residence, automobile and/or other essential personal effects: This award is subject to orders concerning the listed property in future civil proceedings.

_____ 8. An officer from the following law enforcement agency: Murray City Police shall accompany Petitioner to ensure that Petitioner safely regains possession of the awarded property.

_____ 9. An officer from the following law enforcement agency: Murray City Police shall facilitate Respondent's removal of Respondent's essential personal belongings from the parties' residence. The law enforcement officer shall contact Petitioner to make these arrangements. Respondent may not contact the Petitioner or enter the residence to obtain any items.

_____ 10. The Respondent is placed under the supervision of the Department of Corrections for the purposes of electronic monitoring. Within 24 hours of the execution of this Order, the Department of Corrections shall place an electronic monitoring device on Respondent and shall install monitoring equipment on the premises of Petitioner and in the residence of Respondent. Respondent is ordered to pay to the Department of Corrections the costs of the electronic monitoring required by this Order. The Department of Corrections shall have access to Petitioner's residence to install the appropriate monitoring equipment.

RESPONDENT'S VIOLATION OF PROVISIONS "1" THROUGH "7" OF THIS ORDER IS A CLASS A MISDEMEANOR UNDER UTAH CODE SECTIONS 30-6-4.2(5) and 76-5-108.

IF RESPONDENT'S VIOLATION OF PROVISIONS "1" THROUGH "7" OF THIS ORDER IS A SECOND OR SUBSEQUENT DOMESTIC VIOLENCE OFFENSE, ENHANCED PENALTIES MAY BE IMPOSED UNDER UTAH CODE SECTIONS 77-36-1.1 AND 77-36-2.4.

Petitioner is granted the following temporary relief in the Civil Portion of this Protective Order (provisions "a" through "l") which will (expire/be reviewed by the court) **150** days from the date

of this order:

_____ a. The Petitioner is granted custody of the following minor children:

When a minor child is included in a protective order, the Petitioner may provide a copy of the order to the Principal of the school where the child attends.

If the Respondent fails to return custody of a minor child as ordered in this order the Petitioner may obtain a writ of assistance for the Court.

_____ b. Visitation shall be as follows:

_____ c. The Respondent is restrained from using drugs and/or alcohol prior to or during visitation.

_____ d. The Respondent is restrained from removing the parties' minor child/ren from the state of Utah.

_____ e. The Respondent is ordered to pay child support to the Petitioner in the amount of \$ _____ pursuant to the Utah Uniform Child Support Guidelines.

_____ f. The Respondent is ordered to participate in mandatory income withholding pursuant to Utah Code Annotated § 62A-11, Parts 4 and 5.

_____ g. The Respondent is ordered to pay one-half of the minor child/ren's day care expenses.

_____ h. The Respondent is ordered to pay one-half of the minor child/ren's medical expenses including premiums, deductibles and co-payments.

_____ i. The Respondent is ordered to pay Petitioner spousal support in the amount of \$ _____.

_____ j. The Respondent is ordered to pay Petitioner's medical expenses, suffered as a result of the abuse in the amount of \$ _____.


_____ k. The Respondent is ordered to pay the minor child/ren's medical expenses, suffered as a result of the abuse in the amount of \$ _____.

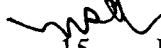
____ 1. Other: _____

Notice to Petitioner: If, at any time, you receive services through the Office of Recovery Services (ORS) and you want to keep your location information confidential, you must provide a copy of your current protective order to ORS.

VIOLATION OF PROVISIONS “a” THROUGH “f” MAY SUBJECT RESPONDENT TO CONTEMPT PROCEEDINGS.

- ____ 11. The Division of Child and Family Services is ordered to conduct an investigation into the allegation of child abuse.
- ____ 12. A Guardian ad Litem is appointed to represent the best interest of the children.
- ____ 13. Other: _____

 14. Under federal law, the Respondent may be prohibited from purchasing, owning, transporting, using or possessing a firearm or ammunition. A violation of this prohibition may be a separate federal crime. There is an exemption for police and military personnel while on actual duty and those individuals should contact their immediate supervisors for further instructions.

 15. Law enforcement agencies with jurisdiction over the protected locations shall have authority to compel Respondent’s compliance with this Order, including the authority to forcibly evict and restrain Respondent from the protected areas. Information to assist with identification of the Respondent is attached to this Order.

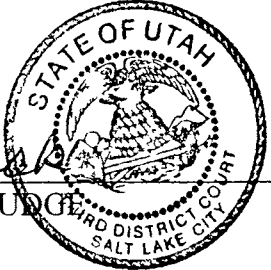
16. Respondent was afforded both notice and opportunity to be heard in the hearing that gave rise to this order. Pursuant to the Violence Against Women Act of 1994, P.L. 103-322, 108 Stat. 1976, 18 U.S.C.A. 2265, this order is valid in all the United States, the District of Columbia, tribal lands, and United States Territories.

17. Two years after the date of this order, a hearing may be held to dismiss the remaining provisions of the order. Within 30 days prior to the end of the two-year period, the Petitioner should provide the court with a current address, which address will not be made available to Respondent.

DATED: 5-24-06.

BY THE COURT:

[Signature]
DISTRICT COURT JUDGE



Recommended by:

Michael [Signature] / 5/24/06
District Court Commissioner Date

By this signature, Respondent approves the form, and accepts service, of this Protective Order and waives the right to be personally served.

Respondent

Serve Respondent at:

Street: _____
City / Town: _____
State, Zip: , _____

EXHIBIT D

Randy S. Ludlow #2011
Attorney for Petitioner
185 South State Street, Suite 208
Salt Lake City, Utah 84111
Telephone: (801) 531-1300
Fax: (801) 328-0173

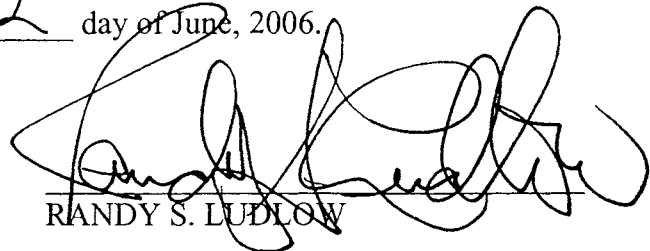
FILED
DISTRICT COURT
06 JUN -2 PM 4:21
JUDICIAL DISTRICT
CLERK
DC

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR SALT LAKE COUNTY,
STATE OF UTAH

STACY C. HALL	)	RESPONDENT'S
	)	OBJECTION TO
Petitioner,	)	COMMISSIONER'S ISSUANCE
	)	OF EX PARTE
	)	PROTECTIVE ORDER
vs.)	
	)	Civil No. 064902056 CA
ROCKY CORWELL,	)	Judge Quinn
	)	Comm. Michael S. Evans
Respondent.)	

COMES NOW the respondent, Rocky Corwell, by and through his attorney of record, Randy S. Ludlow, who hereby files his objection to the issuance of an ex parte protective order against him by Commissioner Evans as provided in § 30-6-4.3(1)(e), Utah Code Ann., (2006), on the grounds set forth in the attached Memorandum. Respondent requests that the Court schedule a hearing on the matter as provided for in said section.

Dated this 2 day of June, 2006.


RANDY S. LUDLOW

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of June, 2006, I caused to be mailed, in the United States Mail, postage pre-paid, a true and correct copy of the foregoing **RESPONDENT'S OBJECTION TO COMMISSIONER'S ISSUANCE OF EX PARTE PROTECTIVE ORDER** to the following:

Joanna B. Sagers
Keri Gardner
LEGAL AID SOCIETY OF SALT LAKE
205 North 400 West
Salt Lake City, Utah 84103



SHARLA J. WEAVER
Legal Assistant

EXHIBIT E

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT

IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

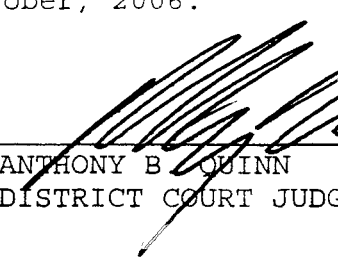
STACEY CORWELL,	:	ORDER OVERRULING OBJECTION TO
	:	COMMISSIONER'S RECOMMENDATION
Petitioner,	:	
	:	CASE NO. 064902056
vs.	:	
	:	
ROCKY CORWELL,	:	
	:	
Respondent.	:	

This matter is before the Court on respondent's Objection to Commissioner's Issuance of a Protective Order. The Court has reviewed the Objection and the Memorandum in support. The Court being fully advised, renders its decision, as follows.

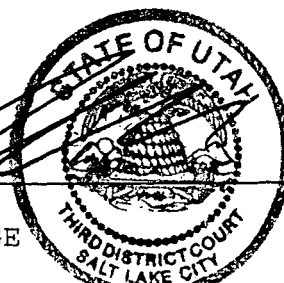
IT IS HEREBY ORDERED, that respondent's Objection to the Commissioner's Recommendation is overruled. The Objection is that the Court lacks jurisdiction to issue a Protective Order because the marriage between the parties was annulled. Based on this fact and the fact that the parties never resided in the same household, respondent contends that the jurisdictional requirements to enter a Protective Order are not met. The clear purpose of the Protective Order statute is to provide relief for persons who are the victims of violence in intimate relationships. The clear intention of the legislature is that those purposes be applied broadly. Those purposes are not served by reliance on the legal fiction that the parties were never married due to the annulment. The fact that

they once had the status of a married couple is sufficient to confer jurisdiction under the Act.

Dated this 30th day of October, 2006.



ANTHONY B. QUINN
DISTRICT COURT JUDGE



MAILING CERTIFICATE

I hereby certify that I mailed a true and correct copy of the foregoing Order Overruling Objection to Commissioner's Recommendation, to the following, this 30 day of October, 2006:

Joanna B. Sagers
Keri Gardner
Attorneys for Petitioner
205 North 400 West
Salt Lake City, Utah 84103

Randy S. Ludlow
Attorney for Respondent
185 S. State Street, Suite 208
Salt Lake City, Utah 84111

A handwritten signature in black ink is written over a horizontal line. To the right of the signature is a circular official seal. The seal contains the text "STATE OF UTAH" at the top, "THIRD DISTRICT COURT" at the bottom, and "SALT LAKE CITY" at the very bottom. The seal also features a central emblem with a mountain and a sun.