

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT,
IN AND FOR LEE COUNTY, FLORIDA

Case No.:
Division: CIVIL

In re: The Marriage of:

PEACH CUERVO,

Petitioner,

and

JOSE CUERVO ,

Respondent.

**PETITION FOR DISSOLUTION OF MARRIAGE WITH
DEPENDENT OR MINOR CHILD(REN)**

I, PEACH CUERVO, the Petitioner, being sworn, certify that the following statements are true:

1. JURISDICTION/RESIDENCE

Both the Petitioner and the Respondent have lived in Florida for at least 6 months before the filing of this Petition for Dissolution of Marriage.

2. Petitioner is not a member of the military service.

Respondent is not a member of the military service.

3. MARRIAGE HISTORY

Date of marriage: January 15, 2000.

Date of separation: May 22, 2012.

Place of marriage: Lee County, Florida.

4. DEPENDENT OR MINOR CHILD(REN)

a. The minor (under 18) children common to both parties are:

Name	Birth date
Grey Cuervo	12/20/2001
Brandy Cuervo	10/5/2005

b. There are no minor child(ren) born or conceived during the marriage who are not common to both parties.

c. The birth parents of the above minor children are: Peach and Jose Cuervo.

- d. There are no child(ren) common to both parties who are 18 or older but who are dependent upon the parties due to a mental or physical disability.
5. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) is filed with this petition.
6. A completed Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit, Florida Supreme Court Approved Family Law Form 12.902(d), is filed with this petition.
7. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is filed with this petition.
8. This petition for dissolution of marriage should be granted because:
 - a. The marriage is irretrievably broken.

SECTION I. MARITAL ASSETS AND LIABILITIES

1. There are marital assets or liabilities. All marital and nonmarital assets and liabilities are (or will be) listed in the financial affidavits, Florida Family Law Rules of Procedure Form 12.902(b) or (c), filed in this case.

SECTION II. SPOUSAL SUPPORT (ALIMONY)

1. The Petitioner requests that the Court order the Respondent to pay the following spousal support (alimony) and claims that she has an actual need for the support that she is requesting **and that the Respondent has the ability to pay that support**. Spousal support (alimony) is requested in the amount of \$300.00 EACH MONTH, beginning May 30, 2012 and continuing until the court dissolves the marriage through the issuing of a final dissolution of marriage.

Explain why the Court should order the Respondent to pay permanent child support and temporary spousal support.

The family has only one home. While the Petitioner is currently saving for a place of her own, she is contributing to more than half of the child's support at this time and still paying all of her debts. The Petitioner requests that the Respondent pay child support for their children on a permanent basis and pay temporary spousal support until the court issues a final judgment dissolving the marriage.

2. The Petitioner requests life insurance on the Respondent's life, provided by the Respondent, to secure such support.

SECTION III. PARENTING PLAN ESTABLISHING PARENTAL RESPONSIBILITY AND TIME-SHARING

1. The minor children currently reside with the Petitioner and the Respondent.
2. **Parental Responsibility.** It is in the child(ren)'s best interests that parental responsibility be:
 - a. Shared by both parents.

3. **Parenting Plan and Time-Sharing.** It is in the best interests of the child(ren) that the family be ordered to comply with a Parenting Plan that includes parental time-sharing with the children. For purposes of a Parenting Plan, the Petitioner will be referred to as PEACH CUERVO and the Respondent will be referred to as JOSE CUERVO. The Petitioner states that it is in the best interests of the children that:
 - a. Each child will have time-sharing with both parents as follows: The children shall reside with Peach Cuervo Monday through Friday and Jose Cuervo shall pick the children up weekly on Friday evenings by 6:30 p.m. and return them to Peach Cuervo on Sunday of that weekend by 6:30 p.m. Peach Cuervo shall have the children on Christmas, Easter, and Mother's Day. Jose Cuervo shall have the children on Thanksgiving, New Year's Day, and Father's Day. The Petitioner and Respondent shall alternate years that they will have the children on their birthdays, beginning with the Petitioner having them first. The Respondent shall have the children for the duration of the summer months while school is out of session, to begin on the first weekend of his regularly scheduled visitation and end on the last Sunday of his regularly scheduled visitation.
4. Explain why this request is in the best interests of the children: This parenting plan is in the best interest of the children because it allows them to sustain the relationship that they have with both parents by spending an equal amount of time with each of them.

SECTION IV. CHILD SUPPORT

1. The Petitioner requests that the Court award child support as determined by Florida's child support guidelines, section 61.30, Florida Statutes. A completed Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e) will be filed. Such support should be ordered retroactive to:
 - a. The date of separation: 5/22/2012.
2. The Petitioner requests that the Court award child support to be paid until both children graduate from high school or until they reach the age of 19 so long as they are performing in good faith and have a reasonable expectation of graduating before the age of 19.
3. The Petitioner requests that medical/dental insurance for the minor child(ren) be provided by:
 - a. Respondent.
4. The Petitioner requests that uninsured medical/dental expenses for the children be paid by:
 - a. Petitioner.
5. The Petitioner requests that life insurance to secure child support be provided by:
 - a. Respondent.
6. The Petitioner requests the ability to claim the children on her tax return every other year beginning with the first filing year after The Final Judgment of Dissolution of Marriage is issued.

SECTION V. OTHER

1. Petitioner requests to be known by the following former legal name, which was:

Peach Schnapps.

SECTION VI. REQUEST

Petitioner requests that the Court enter an order dissolving the marriage and:

1. Distribute marital assets and liabilities as requested in Section I of this petition;
2. Award spousal support (alimony) as requested in Section II of this petition.
3. Adopt or establish a Parenting Plan containing provisions for parental responsibility and time-sharing for the dependent or minor children common to both parties, as requested in Section III of this petition.
4. Establish child support for the dependent or minor children common to both parties, as requested in Section IV of this petition.
5. Restore Petitioner's former name as requested in Section V of this petition.
6. Award other relief as requested in Section V of this petition; and any other terms the Court deems necessary.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this petition and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: May 25, 2012

Peach Cuervo

Signature of Petitioner

Printed Name: Peach Cuervo

Address: 2363 15th Avenue South

City, State, Zip: Fort Myers, FL 33919

Telephone Number: (239) 899-5362

STATE OF FLORIDA
COUNTY OF LEE

Sworn to or affirmed and signed before me on May 25, 2012 by Peach Cuervo who has produced Florida Driver's License C533-998-63-658-9 for identification.

Erica Roberts

NOTARY PUBLIC or DEPUTY CLERK

