



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

APR - 3 2017

RICK WARREN
COURT CLERK

43 _____

IN RE THE MARRIAGE OF:

[REDACTED]

Petitioner,

v.

[REDACTED]

Respondent.

APPLICATION FOR TEMPORARY ORDER

COMES NOW the Petitioner, [REDACTED] (“Wife”), through her attorneys of record, Tracey D. Mullins and Maggie Lanier of the law firm Mullins Mullins Sexton & Reaves, P.C., and for her Application for Temporary Order shows the Court as follows:

1. This Motion is brought pursuant to 43 O.S. §110.
2. The parties hereto were married on June 3, 2000, and since that time have been husband and wife.
3. There are three (3) minor children born of this marriage, namely: J.P., born 2001; J.P., born 2002; and J.P., born 2006. For the past five years, the children have resided with the parties at the marital residence in Oklahoma County, Oklahoma.
4. The Petitioner has not participated in any capacity whatsoever in any litigation concerning the custody of her minor children in this State or any other state.
5. The District Court in and for Oklahoma County, State of Oklahoma, has the sole and exclusive jurisdiction in this matter. All requirements contained in 43 O.S. §551-101, *et seq.* (Uniform Child Custody Jurisdiction & Enforcement Act) have been met for jurisdiction of this matter to reside in this Court.

6. The Indian Child Welfare Act of 1978, 25 USCA §1901, *et seq.*, and the Oklahoma Indian Child Welfare Act, 10 O.S. §40, *et seq.*, have no application to this proceeding for the reason that the parties and the minor children are not Indian, nor do they have a sufficient degree of Indian blood to bring them within the purview of these acts.
7. The Petitioner is not now pregnant.
8. Respondent is self-employed and owns a successful lawn maintenance business.
9. Petitioner was primarily a stay-at-home mother during the marriage and has a degree in nursing from the University of Central Oklahoma. However, her nursing license has lapsed as she has not worked since the birth of the parties' first child.
10. Respondent has completely cut Petitioner off financially, converting the joint bank accounts into accounts solely in his name and even refusing to provide her funds for gas or for groceries for the family. Petitioner has been forced to take out credit cards so that she may make day-to-day purchases and has no funds with which to make the monthly minimum payments.
11. In order to ensure consistency and stability and to protect the marital assets and to provide for payment of the marital debts and obligations, Petitioner requests the Court enter the following temporary orders during the pendency of this case:
 - A. Petitioner requests that she be awarded temporary possession of the automobile that she has traditionally driven, which Respondent has traditionally maintained and should be ordered to continue to timely maintain during the interim of these proceedings and hold Petitioner harmless therefrom.
 - B. Petitioner requests that she be awarded temporary possession of the marital residence and that Respondent be ordered to vacate same immediately and to continue to timely maintain the utilities, mortgage, taxes, insurance and any necessary maintenance, upkeep and repairs that arise during the interim of the proceedings, and hold Petitioner harmless therefrom.

- C. Petitioner requests that Respondent be ordered to continue to maintain all insurance coverage in full force and effect and to maintain Petitioner as the beneficiary on any life insurance policies that currently exist.
- D. Petitioner requests that Respondent maintain and timely pay any and all outstanding debt that currently exists and hold her harmless therefrom.
- E. Petitioner requests that Respondent be ordered to contribute a reasonable amount to her living expenses by way of temporary support alimony during the pendency of the litigation as she is currently unemployed and is not capable of providing for herself or the children financially at this time.
- F. Petitioner has a reduced means/ability to pay attorney fees associated with this action and Respondent should be ordered to pay temporary interim attorney's fees, suit monies, and costs for litigation purposes immediately.
- G. Petitioner has been the primary caregiver and decision-maker for the minor children since their birth and should be granted custody of the minor children, subject to a reasonable visitation schedule which should be entered in favor of the Respondent.
- H. The parties should be ordered to contribute to the support and maintenance of the minor children in conformance with the Child Support Guidelines and to share in the children's expenses and daycare in proportion with their monthly gross incomes.
- I. Pending the outcome of this matter and during its pendency before this Court, Respondent and his agents or representatives should be restrained and enjoined from coming upon the premises where Petitioner is living without the consent of Petitioner, from harassing, molesting or contacting Petitioner without her permission, and from invading or using any of the savings accounts, or any joint assets of the parties, and from directly or indirectly disposing of, conveying, mortgaging, pledging, or transferring in any manner any of the property whatsoever belonging to Petitioner or Respondent, or borrowing any substantial

sums of money, **except** to the specific extent necessary to comply with the orders of this Court.

- J. Finally, Petitioner requests that all provisions of the Automatic Temporary Injunction not specifically addressed herein, remain in full force and effect during the pendency of the proceedings.

WHEREFORE, premises considered, Petitioner request that the Court grant her above and foregoing relief, and any other relief to which she may be entitled as determined by this Court, including the attorney's fees and costs incurred in bringing this action.

Respectfully submitted,



TRACEY D. MULLINS, OBA #19520

MAGGIE LANIER, OBA #32816

MULLINS MULLINS SEXTON & REAVES, P.C.

6307 Waterford Blvd., Suite 215

Oklahoma City, Oklahoma 73118

Telephone: (405) 235-2335

Facsimile: (405) 232-7930

E-Mail: tmullins@mmsrlaw.com

E-Mail: mlanier@mmsrlaw.com

Attorneys for Petitioner

THIS MATTER IS SET FOR HEARING THE _____
DAY OF _____, 2017, AT _____
O'CLOCK __.M., BEFORE JUDGE _____

