

IN THE GRAND COURT OF THE CAYMAN ISLANDS
FAMILY DIVISION

78
CAUSE NO: FAM OF 2019

BETWEEN

APRIL NICOLE TIBBETTS

PETITIONER

AND

JONATHAN PHILIP TIBBETTS

RESPONDENT

PETITION FOR DIVORCE

THE PETITION of APRIL NICOLE TIBBETTS SHOWS that:

1. On the 28 December 1996 in Pinellas County, Florida, United States of America, the above Petitioner was lawfully married to the above Respondent and at the time of the said marriage the marital status of the parties was as follows:
 - (i) Petitioner was single; and
 - (ii) Respondent was single.
2. Following the celebration of the said marriage, the parties have lived together at 923 Bluff Road West, Cayman Brac.
3. The court has jurisdiction in the above cause by reason that the Petitioner is domiciled in the Cayman Islands and has been for more than one year.
4. There are no previous divorce proceedings brought by the parties hereto in connection with the marriage in any Court and there is no material impediment to this Court granting a decree of dissolution of marriage.
5. The marriage has broken down irretrievably and there is no likelihood of any reconciliation.
6. Since the celebration of the marriage the Respondent has behaved in such a way that the Petitioner cannot reasonably be expected to live with him.

PARTICULARS OF UNREASONABLE BEHAVIOUR

- (i) The Petitioner feels that the Respondent demonstrates no love or affection towards her to such an extent that her sense of being physically and emotionally attached to the Respondent has gone.
- (ii) Specifically, in December 2017 the Respondent told the Petitioner that he did not want her to touch him again.

- (iii) In 2018, the Respondent declared that he did not love the Petitioner like a wife.
- (iv) The Respondent has withdrawn from the parties' relationship and the intimacy of being husband and wife has gone from the marriage.
- (v) The parties have lived in separate rooms for more than six months.
- (vi) The Petitioner feels that she is no longer able to trust the Respondent.
- (vii) In particular, the Petitioner feels that the Respondent has mismanaged the family finances.
- (viii) The Respondent no longer communicates meaningfully with the Petitioner.
- (ix) The cumulative effect of the Respondent's conduct is such that the Petitioner no longer wishes to remain married to the Respondent.

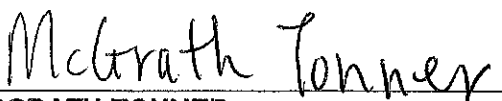
7. There are four children of the marriage, namely:

<u>Name</u>	<u>Date of Birth</u>	<u>Current Age</u>
Isaac Hunter Tibbetts	14 October 2002	16
Caleb Nathaniel Tibbetts	21 August 2004	14
Jonah Wilson Tibbetts	23 August 2008	10
Seth Benjamin Tibbetts	6 July 2010	8

THE PETITIONER THEREFORE PRAYS:

- (i) That the marriage be dissolved;
- (ii) That ancillary matters be adjourned to chambers;
- (iii) Costs.

DATED this 1st day of April 2019


MCGRATH TONNER
Attorneys-at-Law for the Petitioner

To: The Clerk of the Court

And to: JONATHAN PHILIP TIBBETTS (the Respondent)

This Petition was filed by McGrath Tonner, Attorneys-at-Law for the Petitioner, whose address for service is 5th Floor Genesis Building, Genesis Close, PO Box 446 GT, Grand Cayman, KY1-1106, Cayman Islands.

NOTE that under Rule 11 of The Matrimonial Causes Rules, 2003, notice of your intention to defend may be given by:-

- (a) An endorsement on the Acknowledgment of Service;
- (b) By notice of such intention lodged in the Registry within 14 days of the service of this Petition;
or
- (c) At any time by leave of the Court prior to the date fixed for trial.

**MARRIAGE RECORD
FLORIDA**

APPLICATION NO. _____

GROOM DATA	1. GROOM'S NAME (First, Middle, Last) JONATHAN PHILIP TIBBETTS			2. DATE OF BIRTH (Month, Day, Year) 07/23/76	
	3a. RESIDENCE - CITY, TOWN, OR LOCATION ST. PETERSBURG	3b. COUNTY PINELLAS	3c. STATE FL	4. BIRTHPLACE (State or Foreign Country) FLORIDA	
BRIDE DATA	5a. BRIDE'S NAME (First, Middle, Last) APRIL NICOLE WILSON			5b. MAIDEN SURNAME (if different) 02/15/78	
	7a. RESIDENCE - CITY, TOWN, OR LOCATION ST. PETERSBURG	7b. COUNTY PINELLAS	7c. STATE FL	8. BIRTHPLACE (State or Foreign Country) VIRGINIA	
AFFIDAVIT OF BRIDE AND GROOM					
WE THE APPLICANTS NAMED IN THIS CERTIFICATE, EACH FOR HIMSELF, STATE THAT THE INFORMATION PROVIDED ON THIS RECORD IS CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. THAT NO LEGAL OBJECTION TO THE MARRIAGE NOR THE ISSUANCE OF A LICENSE TO AUTHORIZE THE SAME IS KNOWN TO US AND HEREBY APPLY FOR LICENSE TO MARRY.					
9. GROOM'S SIGNATURE (Sign full name) <i>Jonathan Philip Tibbetts</i>			13. BRIDE'S SIGNATURE (Sign full name) <i>April Nicole Wilson</i>		
10. SUBSCRIBED AND SWORN TO BEFORE ME ON: 12/05/96			14. SUBSCRIBED AND SWORN TO BEFORE ME ON: 12/05/96		
11. TITLE OF ISSUING OFFICIAL DEPUTY CLERK			15. TITLE OF ISSUING OFFICIAL DEPUTY CLERK		
12. SIGNATURE OF ISSUING OFFICIAL <i>[Signature]</i>			16. SIGNATURE OF ISSUING OFFICIAL <i>[Signature]</i>		

LICENSE TO MARRY	17. DATE LICENSE ISSUED 12/05/96		21. I HEREBY CERTIFY THAT THE ABOVE NAMED BRIDE AND GROOM WERE JOINED BY ME IN MARRIAGE IN ACCORDANCE WITH THE LAWS OF THE STATE OF FLORIDA ON Dec 28 1996 AT St Pete FLORIDA DATE (month, day, year) CITY OR TOWN	
	18. EXPIRATION DATE 02/03/97		22a. SIGNATURE OF PERSON PERFORMING CEREMONY <i>[Signature]</i>	
TO MARRY	19a. SIGNATURE OF PERSON ISSUING LICENSE <i>[Signature]</i>		22b. NAME OF PERSON PERFORMING CEREMONY (TYPE OR PRINT) Walter	
	19c. TITLE CLERK OF CIRCUIT COURT		22c. TITLE Walter	
RECORDED	20. COUNTY PINELLAS		22d. ADDRESS 9401 45th St Pds Hc 33702	
	25. DATE RETURNED 01/06/97	26. RECORDED IN BK 274 PG 852	23. SIGNATURE OF WITNESS TO CEREMONY Matthew R. Tibbetts	
27. CLERK KARLEEN F. DE BLAKER, CLERK		24. SIGNATURE OF WITNESS TO CEREMONY Erin A. Cowles		

INFORMATION BELOW WILL NOT APPEAR ON CERTIFICATION ISSUED BY VITAL STATISTICS, EXCEPT UPON REQUEST.

GROOM	28. RACE WHITE	29. NUMBER OF THIS MARRIAGE 01	IF PREVIOUSLY MARRIED (SPECIFY 30 - 31)	30. LAST MARRIAGE ENDED BY (SPECIFY DEATH, DIVORCE OR ANNULMENT)	31. DATE LAST MARRIAGE ENDED
	BRIDE	32. RACE WHITE	33. NUMBER OF THIS MARRIAGE 01	IF PREVIOUSLY MARRIED (SPECIFY 34 - 35)	34. LAST MARRIAGE ENDED BY (SPECIFY DEATH, DIVORCE OR ANNULMENT)

HRS Form 743, Feb 91
(Replaces Jan 89 edition which may be used)

This license not valid unless seal of Clerk, Circuit or County Court, appears thereon.

AUDIT CONTROL NO. **186466**



STATE OF FLORIDA-PINELLAS COUNTY
I hereby certify that the foregoing is a true copy as recorded in the official records of Pinellas County.
This 26th day of March, 2019
KEN BURKE
Clerk of Circuit Court & Comptroller
By: [Signature]
Deputy Clerk



DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE

IF YOU INTEND TO INSTRUCT AN ATTORNEY TO ACT FOR YOU, GIVE HIM THIS FORM IMMEDIATELY

1. The accompanying form of Acknowledgment of Service should be completed by an attorney acting on behalf of the Respondent or by the Respondent if acting in person.
2. After completion it must be signed by the Respondent and his attorney (if any) and must be delivered or sent by post to the Law Courts, P.O. Box 495 GT, George Town, Grand Cayman.
3. The Acknowledgment of Service must be filed at court and served on the attorney for the Petitioner (or on the Petitioner, if acting in person) within fourteen days after service of the Petition.
4. A Respondent who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve an Answer on the attorney for the Petitioner (or on the Petitioner, ~~if acting in person~~) within fourteen days after service of the Petition.
5. The Petition will be treated as an "undefended petition" in respect of which a decree of divorce may be pronounced without the need for any hearing in open court unless an acknowledgment of service form in which you have stated an intention to defend has been filed at the court office within fourteen days of service of the Petition.
6. In the case of Petitions served outside the Cayman Islands, the periods within which the Respondent must file an Acknowledgment of Service and any Answer are extended by fourteen days.

Please complete overleaf

BETWEEN APRIL NICOLE TIBBETTS PETITIONER
AND JONATHAN PHILIP TIBBETTS RESPONDENT

ACKNOWLEDGMENT OF SERVICE

If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY

1. Have you received the Petition for divorce (and copy of supporting affidavit) delivered with this form?

YES

NO

2. On what date did you receive it?

3. Are you the person named as the Respondent in the Petition?

YES

NO

4. Do you intend to defend the case?

YES

NO

5. (In the case of a Petition alleging two years separation coupled with the Respondent's consent to a decree being granted) Do you consent to a decree being granted?

YES

NO

6. (In the event that the Petition being proved on the basis of two years separation coupled with the Respondent's consent or five years separation). Do you intend to apply to the court for it to consider your financial position as it will be after the divorce?

YES

NO

7. *(In any case in which there are children of the family)* Even if you do not intend to defend the suit, do you object to the Petitioner's claim for custody and seek to make your own application for custody of the children?

YES

NO

Even if you do not object to the Petitioner's claim for custody, do you intend to make an application for access to the children?

Service of the Petition is acknowledged accordingly

DATED: _____

RESPONDENT

RESPONDENT'S ATTORNEY

Notes on address for service

Attorney: where the Respondent is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Respondent may not act by a foreign attorney.

Respondent in person: where the Respondent is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communications for him should be sent.

Indorsement by Petitioner's attorney (or by the Petitioner if suing in person) of his name and address in the box below

McGrath Tonner
5th Floor
Genesis Building
Genesis Close
PO Box 446
Grand Cayman, KY1-1106

Indorsement by Respondent's attorney (or by the Respondent if acting in person) of his name and address in the box below)