

FILED

AUG 21 8 52 AM '97

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PIMA

CLERK OF SUPERIOR COURT
DEPUTY

THEODORE J. BETHEL IV,
Plaintiff,
vs.
LIEN CORNELIA VAN DER PLOEG BETHEL,
Defendant.

NO. 136476
COMPLAINT
(Domestic Relations)

COMES NOW plaintiff and alleges:

I

Plaintiff is now, and for more than one (1) year next preceding the commencement of this action has been, an actual bona fide resident of the State of Arizona, County of Pima.

II

Plaintiff and defendant were married on or about the 1st day of August, 1996, in Tucson, Arizona, and ever since said date have been and now are husband and wife.

III

There are two minor children issue of this marriage, to wit: Theodore J. Bethel V, age 8 years, and David L. Bethel, age 6 years. Said children are presently in the custody of plaintiff and plaintiff is a fit and proper person to have the full care, custody and control of said children.

IV

Plaintiff and defendant have acquired and now own various items of community property and have various community obligations, and plaintiff asks that a fair and equitable settlement there be made as determined by the Court.

V

During the course of this marriage, defendant has been guilty of cruel treatment, excesses and outrages, which have caused plaintiff to suffer great physical and mental pain and

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DEPUTY

FILED: STATEMENT
RE MINOR CHILDREN



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1 anguish, and has rendered a further continuance of the marital
2 relationship intolerable.

3 VI

4 During the past several weeks, defendant has had the
5 custody of the children and has removed them from the State of
6 Arizona. The children are presently visiting with the plaintiff
7 and are in his custody. The health and welfare of the children
8 during the past six weeks have been seriously jeopardized. The
9 children have become ill, lost weight and suffered mental trauma.
10 Plaintiff has good reason to believe and fear that defendant will
11 again remove the children from the State, having so threatened to
12 do, and plaintiff, therefore, has good reason to believe and fear
13 that immediate and irreparable injury will result to the children
14 before notice of a Petition for Restraining Order can be served
15 and hearing had thereon, and for their protection it is imperative
16 that a Temporary Restraining Order issue against the defendant
17 restraining her from removing them from the State of Arizona,
18 County of Pima. The particulars of the injuries inflicted upon
19 the children will be more fully substantiated at a hearing for an
20 injunction.

21 WHEREFORE, plaintiff prays judgment as follows:

22 1. That plaintiff be awarded a decree of absolute
23 divorce from defendant.

24 2. That plaintiff be awarded the care, custody and
25 control of the minor children of the parties herein, to wit:
26 Theodore J. Bethel V and David L. Bethel, pendente lite and
27 permanently.

28 3. That a fair and equitable distribution be made
29 of the community property of the parties.

30 4. That a Temporary Restraining Order issue without
31 notice from under the hand and seal of this Court, restraining
32 defendant from removing the children from the temporary custody

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1 of the plaintiff or from the State of Arizona, County of Pima.

2 5. That an Order to Show Cause issue to defendant to
3 appear and show cause, if any she has:

4 (a) Why plaintiff should not be awarded the care,
5 custody and control of the minor children of the parties herein,
6 pendente lite;

7 6. For such other and further relief as to the Court
8 seems meet in the premises.

9 DATED this 16 day of August, 1972.

10 WOLFE, GREER & MUSTACCI

11
12 By Frank T. Mustacci
13 Frank T. Mustacci
14 404 Pima Building
15 149 North Stone Avenue
Tucson, Arizona 85701
Attorneys for Plaintiff

16 STATE OF ARIZONA)
17) ss.
18 County of Pima)

19 THEODORE J. BETHEL IV, being first duly sworn, deposes
20 and says:

21 That he is the plaintiff in the within action; that he
22 has read the foregoing Complaint and knows the contents thereof;
23 that he is informed and believes, and therefore states, that the
24 matters therein contained are true and correct to his knowledge
25 except as to those matters stated therein based on information and
26 belief, and as to those matters he believes them to be true.

27
28 SUBSCRIBED AND SWORN to before me this 16th day of
29 August, 1972.

30
31 Robert J. Thomas
Notary Public
32 My commission expires:
March 18, 1975

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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PIMA

FRANCIS C. GIBBONS
CLERK OF SUPERIOR COURT
BY *[Signature]*
DEPUTY

THEODORE J. BETHEL IV,

Plaintiff,

vs.

LIEN CORNELIA VAN DE PLOEG BETHEL,

Defendant.

NO. 136476

DECREE OF DIVORCE

This cause coming on regularly for hearing and plaintiff being present in person and represented by counsel, WOLFE, GREER & MUSTACCI by Frank T. Mustacci; defendant having answered the Summons and Complaint and being represented by counsel, Jack Rappeport;

And the plaintiff thereupon presenting his case and introducing testimony and corroborating testimony in support thereof, and thereupon resting his case, the cause then being submitted to the Court for its decision;

And the Court having considered all the evidence, finds:

1. That plaintiff is an actual bona fide resident of the state of Arizona, County of Pima, and has been such resident for more than one year next preceding the commencement of this action;

2. That plaintiff is entitled to a decree of absolute divorce from defendant;

3. That the Property Settlement Agreement heretofore entered into between the parties dated June 8, 1972 and the Amendment thereto of July 3, 1973, marked "Exhibit A" and introduced in evidence, provides for a fair and equitable distribution of the property of the parties and should be ratified, approved and confirmed by this Court and the parties ordered to comply therewith;

...

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1 4. That the permanent care, custody and control of the
2 two minor children of the parties, to-wit: Theodore J. Bethel V,
3 age 8 years, and David L. Bethel, age 6 years, should be granted
4 to plaintiff, with reasonable visitation privileges to defendant
5 as provided in the Property Settlement Agreement as amended
6 aforementioned.

7 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
8 DECREED:

9 1. That plaintiff THEODORE J. BETHEL IV, is hereby
10 awarded a decree of absolute divorce from defendant, LIEN
11 CORNELIA VAN DER PLOEG BETHEL, and the marriage heretofore
12 existing between the parties is hereby dissolved forever;

13 2. That the Property Settlement Agreement heretofore
14 entered into between the parties dated June 8, 1972 and the
15 Amendment thereto of July 3, 1973, marked "Exhibit A" and in-
16 troduced in evidence, provides for a fair and equitable distribution
17 of the property of the parties and is hereby ratified, approved
18 and confirmed by this Court and is made a part of this decree, and
19 the parties are hereby ordered to comply therewith;

20 3. That the permanent care, custody and control of the
21 two minor children of the parties, to-wit: Theodore J. Bethel V,
22 and David L. Bethel is hereby awarded to plaintiff, with reasonable
23 visitation privileges to defendant as provided in the Property
24 Settlement Agreement as amended incorporated herein.

25 DONE IN OPEN COURT this 10 day of July,
26 1973.

27
28 
29 Judge of the Superior Court

30 Approved as to form:

31
32 
Jack Rapoport