

D-1-FM-11-006579  
COURT

NOV 28 2011 JA

NO. \_\_\_\_\_

At 2:50p M.  
Amalia Rodriguez-Mendoza, Clerk

IN THE MATTER OF  
THE MARRIAGE OF

**DOMINIC M. CHAVEZ**

AND

**JULIE M. DUNN**

AND IN THE INTEREST OF  
ROMAN CHAVEZ AND OLIVIA  
CHAVEZ, CHILDREN

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IN THE DISTRICT COURT

290

JUDICIAL DISTRICT

TRAVIS COUNTY, TEXAS

**ORIGINAL PETITION FOR DIVORCE**

1. **Discovery Level**

Discovery in this case is intended to be conducted under Level 2 of rule 190 of the Texas Rules of Civil Procedure.

2. **Objection to Assignment of Case to Associate Judge**

Petitioner, DOMINIC M. CHAVEZ, objects to the assignment of this matter to an Associate Judge for a trial on the merits or presiding at a jury trial.

3. **Parties**

This suit is brought by DOMINIC M. CHAVEZ, Petitioner. The last three numbers of DOMINIC M. CHAVEZ's driver's license number are 305. The last three numbers of DOMINIC M. CHAVEZ's Social Security number are 126.

JULIE M. DUNN is Respondent.

4. **Domicile**

Petitioner, DOMINIC M. CHAVEZ, has been a domiciliary of Texas for the preceding six-month period and a resident of this county for the preceding ninety-day period.

5. **Service**

No service is necessary at this time.

6. **Protective Order Statement**

No protective order under title 4 of the Texas Family Code is in effect, and no application for a protective order is pending with regard to the parties to this suit.

7. **Dates of Marriage and Separation**

The parties were married on or about November 5, 2007 and ceased to live together as husband and wife on or about June 1, 2010.

8. **Grounds for Divorce**

The marriage has become insupportable because of discord or conflict of personalities between Petitioner, DOMINIC M. CHAVEZ, and Respondent, JULIE M. DUNN, that destroys the legitimate ends of the marriage relationship and prevents any reasonable expectation of reconciliation.

9. **Children of the Marriage**

Petitioner, DOMINIC M. CHAVEZ, and Respondent, JULIE M. DUNN, are parents of the following children of this marriage who are not under the continuing jurisdiction of any other court:

**Name:** ROMAN CHAVEZ  
**Sex:** Male  
**Birth date:** September 2, 2005

**Name:** OLIVIA CHAVEZ  
**Sex:** Female  
**Birth date:** November 7, 2007

There are no court-ordered conservatorships, court-ordered guardianships, or other court-ordered relationships affecting the children.

The children's health insurance is provided by the Petitioner, DOMINIC M. CHAVEZ, through Blue Cross Blue Shield.

No property of consequence is owned or possessed by the children.

Petitioner, DOMINIC M. CHAVEZ, and Respondent, JULIE M. DUNN, on final hearing, should be appointed Joint Managing Conservators, with all the rights and duties of a parent Conservator.

The residence of the children should be restricted to Travis County and contiguous counties.

10. **Division of Community Property**

Petitioner, DOMINIC M. CHAVEZ, believes he and Respondent, JULIE M. DUNN, will enter into an agreement for the division of their estate. If such an agreement is made, Petitioner, DOMINIC M. CHAVEZ, requests the Court to approve the agreement and divide their estate in a manner consistent with the agreement. If such an agreement is not made, Petitioner, DOMINIC M. CHAVEZ, requests the Court to divide their estate in a manner that the Court deems just and right, as provided by law.

**11. Separate Property**

Petitioner, DOMINIC M. CHAVEZ, owns certain separate property that is not part of the community estate of the parties, and Petitioner, DOMINIC M. CHAVEZ, requests the Court to confirm that separate property as Petitioner, DOMINIC M. CHAVEZ's separate property and estate.

**13. Prayer**

Petitioner, DOMINIC M. CHAVEZ, prays that citation and notice issue as required by law and that the Court grant a divorce and all other relief requested in this petition.

Petitioner, DOMINIC M. CHAVEZ, prays for general relief.

Respectfully submitted,

**THE LAW OFFICES OF JUDY A. LEECRAFT  
& ASSOCIATES, P.C.**

812 San Antonio Street, Suite 530

Austin, Texas 78701

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By: 

**JUDY A. LEECRAFT**

State Bar No. 00795817

**JOE M. NEWBERRY**

State Bar No. 24062916

**JENNIFER S. CARAS**

State Bar No. 24067113

Attorney for **Petitioner DOMINIC M. CHAVEZ**

TRAVIS COUNTY DISTRICT CLERK'S  
FILE NO. 121,012  
(LOCAL RULES AND GENERAL ORDERS)

TRAVIS COUNTY STANDING ORDER REGARDING CHILDREN, PROPERTY AND  
CONDUCT OF THE PARTIES

No party to this lawsuit has requested this order. Rather, this order is a standing order of the Travis County District Courts that applies in every divorce suit and every suit affecting the parent-child relationship filed in Travis County. The District Courts of Travis County have adopted this order because the parties and their children should be protected and their property preserved while the lawsuit is pending before the court. Therefore, it is ORDERED:

1. NO DISRUPTION OF CHILDREN. Both parties are ORDERED to refrain from doing the following acts concerning any children who are subjects of this case:

- 1.1 Removing the children from the State of Texas, acting directly or in concert with others, without the written agreement of both parties or an order of this Court.
- 1.2 Disrupting or withdrawing the children from the school or day-care facility where the children are presently enrolled, without the written agreement of both parents or an order of this Court.
- 1.3 Hiding or secreting the children from the other parent or changing the children's current place of abode, without the written agreement of both parents or an order of this Court.
- 1.4 Disturbing the peace of the children.

2. CONDUCT OF THE PARTIES DURING THE CASE. Both parties are ORDERED to refrain from doing the following acts:

- 2.1 Using vulgar, profane, obscene, or indecent language, or a coarse or offensive manner, to communicate with the other party, whether in person, by telephone, or in writing.
- 2.2 Threatening the other party in person, by telephone, or in writing to take unlawful action against any person.
- 2.3 Placing one or more telephone calls, at an unreasonable hour, in an offensive or repetitious manner, without a legitimate purpose of communication, or anonymously.
- 2.4 Opening or diverting mail addressed to the other party.

3. PRESERVATION OF PROPERTY AND USE OF FUNDS DURING DIVORCE CASE. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:

- 3.1 Destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of one or both of the parties.



- 3.2 Misrepresenting or refusing to disclose to the other party or to the Court, on proper request, the existence, amount, or location of any property of one or both of the parties.
  - 3.3 Damaging or destroying the tangible property of one or both of the parties, including any document that represents or embodies anything of value.
  - 3.4 Tampering with the tangible property of one or both of the parties, including any document that represents or embodies anything of value, and causing pecuniary loss to the other party.
  - 3.5 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of either party, whether personal property or real estate property, and whether separate or community, except as specifically authorized by this order.
  - 3.6 Incurring any indebtedness, other than legal expenses in connection with this suit, except as specifically authorized by this order.
  - 3.7 Making withdrawals from any checking or savings account in any financial institution for any purpose, except as specifically authorized by this order.
  - 3.8 Spending any sum of cash in either party's possession or subject to either party's control for any purpose, except as specifically authorized by this order.
  - 3.9 Withdrawing or borrowing in any manner for any purpose from any retirement, profit-sharing, pension, death, or other employee benefit plan or employee savings plan or from any individual retirement account or Keogh account, except as specifically authorized by this order.
  - 3.10 Signing or endorsing the other party's name on any negotiable instrument, check, or draft, such as tax refunds, insurance payments, and dividends, or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party.
  - 3.11 Taking any action to terminate or limit credit or charge cards in the name of the other party.
  - 3.12 Entering, operating, or exercising control over the motor vehicle in the possession of the other party.
  - 3.13 Discontinuing or reducing the withholding for federal income taxes on wages or salary while this suit is pending.
  - 3.14 Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, or other contractual services, such as security, pest control, landscaping, or yard maintenance at the other party's residence or in any manner attempting to withdraw any deposits for service in connection with such services.
4. PERSONAL AND BUSINESS RECORDS IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:
- 4.1 Concealing or destroying any family records, property records, financial records, business records or any records of income, debts, or other obligations.
  - 4.2 Falsifying any writing or record relating to the property of either party.
  - 4.3 "Records" include e-mail or other digital or electronic data, whether stored on a computer hard drive, diskette or other electronic storage device

5. INSURANCE IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:

- 5.1 Withdrawing or borrowing in any manner all or any part of the cash surrender value of life insurance policies on the life of either party, except as specifically authorized by this order.
- 5.2 Changing or in any manner altering the beneficiary designation on any life insurance on the life of either party or the parties' children.
- 5.3 Canceling, altering, or in any manner affecting any casualty, automobile, or health insurance policies insuring the parties' property of persons including the parties' minor children.

6. SPECIFIC AUTHORIZATIONS IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are specifically authorized to do the following:

- 6.1 To engage in acts reasonable and necessary to the conduct of that party's usual business and occupation.
- 6.2 To make expenditures and incur indebtedness for reasonable attorney's fees and expenses in connection with this suit.
- 6.3 To make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation and medical care.
- 6.4 To make withdrawals from accounts in financial institutions only for the purposes authorized by this order.

7. SERVICE AND APPLICATION OF THIS ORDER.

- 7.1 The Petitioner shall attach a copy of this order to the original petition and to each copy of the petition. At the time the petition is filed, if the Petitioner has failed to attach a copy of this order to the petition and any copy of the petition, the Clerk shall ensure that a copy of this order is attached to the petition and every copy of the petition presented.
- 7.2 This order is effective upon the filing of the original petition and shall remain in full force and effect as a temporary restraining order for fourteen days after the date of the filing of the original petition. If no party contests this order by presenting evidence at a hearing on or before fourteen days after the date of the filing of the original petition, this order shall continue in full force and effect as a temporary injunction until further order of the court. This entire order will terminate and will no longer be effective once the court signs a final order.

8. EFFECT OF OTHER COURT ORDERS. If any part of this order is different from any part of a protective order that has already been entered or is later entered, the protective order provisions prevail. Any part of this order not changed by some later order remains in full force and effect until the court signs a final decree.

9. PARTIES ENCOURAGED TO MEDIATE. The parties are encouraged to settle their disputes amicably without court intervention. The parties are encouraged to use alternative

JUDGE DARLENE BYRNES  
267 District Court

JUDGE MIKE LYNCH  
267 District Court

JUDGE JOHNNIE COVINGTON  
267 District Court

JUDGE LORA F. LIVINGSTON  
267 District Court

JUDGE BOB PERKINS  
267 District Court

JUDGE MARGARET A. CHOPPER  
267 District Court

JUDGE BRENDA KENNEDY  
267 District Court

JUDGE WILFORD FLOWERS  
268 District Court

JUDGE PAUL DAVIS  
268 District Court

JUDGE JOHN R. DUFFY  
268 District Court

JUDGE JON WISSE  
268 District Court

JUDGE PATRICK SEEL  
268 District Court

JUDGE J. LEE ROBERTS  
268 District Court

# CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY):

D-1-FM-11-006579

COURT (FOR CLERK USE ONLY):

250th

STYLED

IMM Chavez/Dunn

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing. This sheet, approved by the Texas Judicial Council, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

<b>1. Contact information for person completing case information sheet:</b> Name: <u>Pablo Nangias</u> Email: <u>pablo.nangias@gmail.com</u> Address: <u>812 San Antonio St. 530</u> Telephone: <u>832-363-7501</u> City/State/Zip: <u>Austin, TX, 78701</u> Fax: _____ Signature: <u>[Signature]</u> State Bar No: _____		<b>Names of parties in case:</b> Plaintiff(s)/Petitioner(s): <u>Dominic Chavez</u> Defendant(s)/Respondent(s): <u>Julie M. Dunn</u> [Attach additional page as necessary to list all parties]		<b>Person or entity completing sheet is:</b> <input type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input checked="" type="checkbox"/> Other: <u>Legal Assistant</u> Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____	
<b>2. Indicate case type, or identify the most important issue in the case (select only 1):</b>					
<b>Civil</b>			<b>Family Law</b>		
<b>Contract</b> <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: <b>Foreclosure</b> <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:	<b>Injury or Damage</b> <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <b>Malpractice</b> <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <b>Product Liability</b> <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: _____ <input type="checkbox"/> Other Injury or Damage:	<b>Real Property</b> <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: <b>Related to Criminal Matters</b> <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:	<b>Marriage Relationship</b> <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <b>Divorce</b> <input checked="" type="checkbox"/> With Children <input type="checkbox"/> No Children <b>Other Family Law</b> <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:	<b>Post-judgment Actions (non-Title IV-D)</b> <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other <b>Title IV-D</b> <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order <b>Parent-Child Relationship</b> <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:	
<b>Employment</b> <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:		<b>Other Civil</b> <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:			
<b>Tax</b> <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax		<b>Probate &amp; Mental Health</b> <b>Probate/Wills/Intestate Administration</b> <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:			
<b>3. Indicate procedure or remedy, if applicable (may select more than 1):</b>					
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover	