

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):                  Elizabeth Yang (SBN: 249713)                  LAW &amp; MEDIATION OFFICES OF ELIZABETH YANG                  199 W. Garvey Avenue, Suite 201, Monterey Park, CA 91754                  TELEPHONE NO.: (877) 492-6452 FAX NO. (Optional): (626) 427-0238                  E-MAIL ADDRESS (Optional): elizabeth@yanglawoffices.com                  ATTORNEY FOR (Name): Ying Che</p>	<p>FOR COURT USE ONLY</p> <p><b>FILED</b></p> <p>SUPERIOR COURT OF CALIFORNIA                  COUNTY OF ORANGE                  LAMOREAUX JUSTICE CENTER</p> <p><b>JUL - 9 2020</b></p> <p>DAVID H. YAMASAKI, Clerk of the Court</p> <p>BY: <u>L. WUNSCH</u> DEPUTY</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Orange                  STREET ADDRESS: 341 The City Drive S.                  MAILING ADDRESS: 341 The City Drive S.                  CITY AND ZIP CODE: Orange, 92868                  BRANCH NAME: Lamoreaux Justice Center</p>	
<p>PETITIONER: Ying Che                  RESPONDENT: Lingqlang Cao                  OTHER PARTY/PARENT:</p>	
<p>ORDER FOR <input checked="" type="checkbox"/> PUBLICATION OR <input type="checkbox"/> POSTING</p>	<p>CASE NUMBER:                  19D010268</p>

1.  **Publication Granted:** The court finds that the respondent cannot be served in any other manner specified in the California Code of Civil Procedure. The court orders that the documents listed in item 6 be served by publication at least once per week for four successive weeks in the following newspaper (specify): **GLOBAL LEGAL NOTICES.**
2.  **Posting Granted:** The court finds that the respondent cannot be served in any other manner specified in the California Code of Civil Procedure and that the petitioner cannot afford to serve by publication. The court orders that the documents listed in item 6 be served by posting for 28 continuous days at the following location (address):

And that the documents in item 6, along with this order, be mailed to respondent's last known address (specify):

3.  **Publishing Denied:** The court denies the request to publish.
  - a.  Other methods of service are possible.
  - b.  Insufficient attempts have been made to locate the respondent (specify):
4.  **Posting Denied:** The court denies the request to post.
  - a.  Other methods of service are possible.
  - b.  Petitioner is able to pay fees required for publication.
  - c.  Insufficient attempts have been made to locate the respondent (specify):
5.  **Hearing Required:** The court orders that a hearing be set to determine the petitioner's financial circumstances. If at this hearing the court decides that the petitioner, based on financial circumstances, does not qualify for posting, then the court may order that the documents listed in item 6 be served by publication.
 

Hearing date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept: \_\_\_\_\_
6. Documents to be served by publication or posting:
  - a.  Summons (Family Law) (form FL-110)
  - b.  Summons (Uniform Parentage—Petition for Custody and Support) (form FL-210)
  - c.  Other (specify):  
 Petition for Dissolution of Marriage
7. If, during the 28 days of publication or posting, you locate the respondent's address, you must have someone 18 years of age or older mail the documents listed in item 6 to the respondent along with this order. The server must complete and file with the court a Proof of Service by Mail (form FL-335).

Date: **JUL - 9 2020**

**JUDGE LON F. HURWITZ**  
 \_\_\_\_\_  
 JUDICIAL OFFICER

PETITIONER: Ying Che RESPONDENT: Lingqiang Cao OTHER PARTY/PARENT:	CASE NUMBER: 19D010268
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### INSTRUCTIONS

#### Publication:

1. **Publication:** Take this order to the approved newspaper for publication and pay the fee to publish the documents listed in item 6 of this order for at least once a week for four successive weeks.
2. **Proof of Service by Publication:** After the newspaper publication is complete, the newspaper will send you a declaration or affidavit of publication and a copy of the publication notice that appeared in the newspaper. You must file this declaration or affidavit of publication with the court clerk if it has not been filed by the newspaper. Be sure to make a copy for yourself.
3. **Service by Publication Completed:** Service by publication is complete at the end of the 28th day of publication in the newspaper. If no response has been filed by the respondent, the petitioner may file a *Request to Enter Default* (form FL-165) starting on the 59th day after the first day of publication.
4. **Mailing:** If during the time of publication, you locate the respondent's address, you must have someone 18 years of age or older mail the this order and all documents listed in item 6 of this order to the respondent. Be sure the person who mails these documents completes and files a proof of service of this mailing. The server may use *Proof of Service by Mail* (form FL-335).

#### Posting:

1. **Posting Location:** You must have someone, 18 years of age or older and not a party to the case, post a copy of this *Order for Publication or Posting* (form FL-982) and all documents listed in item 6 of this order at the court-ordered posting location leaving it posted for 28 days in a row.
2. **Mailing to last known address:** You must have someone, 18 years or older and not a party to the case, mail this *Order for Publication or Posting* (form FL-982) and all documents listed in item 6 of this order to the respondent's last known address. The person who mails these documents completes a proof of service of this mailing. The server may use *Proof of Service by Mail* (form FL-335).
3. **Proof of Service by Posting:** The person (server) who posts and/or mails these documents must complete and file a declaration under penalty of perjury of such proof of posting. The server may use *Proof of Service of Posting* (form FL-985).
4. **Service by Posting Completed:** Service by posting is complete at the end of the 28th day of posting. If no response has been filed by the respondent, the petitioner may file a *Request to Enter Default* (form FL-165) on the 59th day after the first day of posting.
5. **Mailing:** If during the time of posting, you locate the respondent's address, you must have someone 18 years of age or older mail the this order and all documents listed in item 6 of this order to the respondent. Be sure the person who mails these documents completes and files a proof of service of this mailing. The server may use *Proof of Service by Mail* (form FL-335).

# SUMMONS (Family Law)

# CITACIÓN (Derecho familiar)

NOTICE TO RESPONDENT (Name): Lianqiang Cao  
AVISO AL DEMANDADO (Nombre):

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)  
ELECTRONICALLY FILED  
Superior Court of California  
County of Orange  
Lamoreaux Justice Center  
12/26/2019 12:17 PM  
David H. Yamasaki, Clerk of the Court  
By: E. Guerrero, Deputy

You have been sued. Read the information below and on the next page.  
*Lo han demandado. Lea la información a continuación y en la página siguiente.*

Petitioner's name is: Ying Che  
Nombre del demandante:

CASE NUMBER (NÚMERO DE CASO):  
19D010268

You have 30 calendar days after this *Summons* and *Petition* are served on you to file a *Response* (form *FL-120*) at the court and have a copy served on the petitioner. A letter, phone call, or court appearance will not protect you.

If you do not file your *Response* on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs.

For legal advice, contact a lawyer immediately. Get help finding a lawyer at the California Courts Online Self-Help Center ([www.courts.ca.gov/selfhelp](http://www.courts.ca.gov/selfhelp)), at the California Legal Services website ([www.lawhelpca.org](http://www.lawhelpca.org)), or by contacting your local county bar association.

*Tiene 30 días de calendario después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-120) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefónica o una audiencia de la corte no basta para protegerlo.*

*Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten su matrimonio o pareja de hecho, sus bienes y la custodia de sus hijos. La corte también le puede ordenar que pague manutención, y honorarios y costos legales.*

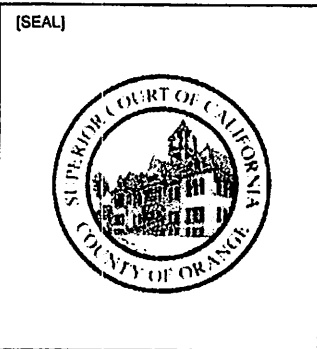
*Para asesoramiento legal, póngase en contacto de inmediato con un abogado. Puede obtener información para encontrar un abogado en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en el sitio web de los Servicios Legales de California ([www.lawhelpca.org](http://www.lawhelpca.org)) o poniéndose en contacto con el colegio de abogados de su condado.*

**NOTICE—RESTRAINING ORDERS ARE ON PAGE 2:**  
These restraining orders are effective against both spouses or domestic partners until the petition is dismissed, a judgment is entered, or the court makes further orders. They are enforceable anywhere in California by any law enforcement officer who has received or seen a copy of them.

**AVISO—LAS ÓRDENES DE RESTRICCIÓN SE ENCUENTRAN EN LA PÁGINA 2:** Las órdenes de restricción están en vigencia en cuanto a ambos cónyuges o miembros de la pareja de hecho hasta que se despida la petición, se emita un fallo o la corte dé otras órdenes. Cualquier agencia del orden público que haya recibido o visto una copia de estas órdenes puede hacerlas acatar en cualquier lugar de California.

**FEE WAIVER:** If you cannot pay the filing fee, ask the clerk for a fee waiver form. The court may order you to pay back all or part of the fees and costs that the court waived for you or the other party.

**EXENCIÓN DE CUOTAS:** Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuotas. La corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y costos de la corte previamente exentos a petición de usted o de la otra parte.



1. The name and address of the court are (*El nombre y dirección de la corte son*):  
LAMOREAUX JUSTICE CENTER  
341 THE CITY DRIVE SOUTH  
ORANGE, CA 92868-3205
2. The name, address, and telephone number of the petitioner's attorney, or the petitioner without an attorney, are: (*El nombre, dirección y número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son*):  
Elizabeth Yang Esq. 877-492-6452  
199 W. Garvey Ave., Suite 201  
Monterey Park, CA 91754

DAVID H. YAMASAKI, Clerk of the Court

Date (*Fecha*): 12/26/2019 12:17 PM

Clerk, by (*Secretario, por*)

, Deputy (*Asistente*)

E. Guerrero

**STANDARD FAMILY LAW RESTRAINING ORDERS**

**Starting immediately, you and your spouse or domestic partner are restrained from:**

1. removing the minor children of the parties from the state or applying for a new or replacement passport for those minor children without the prior written consent of the other party or an order of the court;
2. cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties and their minor children;
3. transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, without the written consent of the other party or an order of the court, except in the usual course of business or for the necessities of life; and
4. creating a nonprobate transfer or modifying a nonprobate transfer in a manner that affects the disposition of property subject to the transfer, without the written consent of the other party or an order of the court. Before revocation of a nonprobate transfer can take effect or a right of survivorship to property can be eliminated, notice of the change must be filed and served on the other party.

You must notify each other of any proposed extraordinary expenditures at least five business days prior to incurring these extraordinary expenditures and account to the court for all extraordinary expenditures made after these restraining orders are effective. However, you may use community property, quasi-community property, or your own separate property to pay an attorney to help you or to pay court costs.

**ÓRDENES DE RESTRICCIÓN ESTÁNDAR DE DERECHO FAMILIAR**

**En forma inmediata, usted y su cónyuge o pareja de hecho tienen prohibido:**

1. *llevarse del estado de California a los hijos menores de las partes, o solicitar un pasaporte nuevo o de repuesto para los hijos menores, sin el consentimiento previo por escrito de la otra parte o sin una orden de la corte;*
2. *cobrar, pedir prestado, cancelar, transferir, deshacerse o cambiar el nombre de los beneficiarios de cualquier seguro u otro tipo de cobertura, como de vida, salud, vehículo y discapacidad, que tenga como beneficiario(s) a las partes y su(s) hijo(s) menor(es);*
3. *transferir, gravar, hipotecar, ocultar o deshacerse de cualquier manera de cualquier propiedad, inmueble o personal, ya sea comunitaria, cuasicomunitaria o separada, sin el consentimiento escrito de la otra parte o una orden de la corte, excepto en el curso habitual de actividades personales y comerciales o para satisfacer las necesidades de la vida; y*
4. *crear o modificar una transferencia no testamentaria de manera que afecte la asignación de una propiedad sujeta a transferencia, sin el consentimiento por escrito de la otra parte o una orden de la corte. Antes de que se pueda eliminar la revocación de una transferencia no testamentaria, se debe presentar ante la corte un aviso del cambio y hacer una entrega legal de dicho aviso a la otra parte.*

*Cada parte tiene que notificar a la otra sobre cualquier gasto extraordinario propuesto por lo menos cinco días hábiles antes de realizarlo, y rendir cuenta a la corte de todos los gastos extraordinarios realizados después de que estas órdenes de restricción hayan entrado en vigencia. No obstante, puede usar propiedad comunitaria, cuasicomunitaria o suya separada para pagar a un abogado que lo ayude o para pagar los costos de la corte.*

**NOTICE—ACCESS TO AFFORDABLE HEALTH**

**INSURANCE:** Do you or someone in your household need affordable health insurance? If so, you should apply for Covered California. Covered California can help reduce the cost you pay towards high quality affordable health care. For more information, visit [www.coveredca.com](http://www.coveredca.com). Or call Covered California at 1-800-300-1506.

**AVISO—ACCESO A SEGURO DE SALUD MÁS ECONÓMICO:**

¿Necesita seguro de salud a un costo asequible, ya sea para usted o alguien en su hogar? Si es así, puede presentar una solicitud con Covered California. Covered California lo puede ayudar a reducir el costo que paga por seguro de salud asequible y de alta calidad. Para obtener más información, visite [www.coveredca.com](http://www.coveredca.com). O llame a Covered California al 1-800-300-0213.

**WARNING—IMPORTANT INFORMATION**

California law provides that, for purposes of division of property upon dissolution of a marriage or domestic partnership or upon legal separation, property acquired by the parties during marriage or domestic partnership in joint form is presumed to be community property. If either party to this action should die before the jointly held community property is divided, the language in the deed that characterizes how title is held (i.e., joint tenancy, tenants in common, or community property) will be controlling, and not the community property presumption. You should consult your attorney if you want the community property presumption to be written into the recorded title to the property.

**ADVERTENCIA—INFORMACIÓN IMPORTANTE**

*De acuerdo a la ley de California, las propiedades adquiridas por las partes durante su matrimonio o pareja de hecho en forma conjunta se consideran propiedad comunitaria para fines de la división de bienes que ocurre cuando se produce una disolución o separación legal del matrimonio o pareja de hecho. Si cualquiera de las partes de este caso llega a fallecer antes de que se divida la propiedad comunitaria de tenencia conjunta, el destino de la misma quedará determinado por las cláusulas de la escritura correspondiente que describen su tenencia (por ej., tenencia conjunta, tenencia en común o propiedad comunitaria) y no por la presunción de propiedad comunitaria. Si quiere que la presunción comunitaria quede registrada en la escritura de la propiedad, debería consultar con un abogado.*

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: 249713 NAME: Elizabeth Yang Esq. FIRM NAME: Law & Mediation of Elizabeth Yang STREET ADDRESS: 199 W. Garvey Ave., Suite 201 CITY: Monterey Park STATE: CA ZIP CODE: 91754 TELEPHONE NO.: 877-492-6452 FAX NO.: 626-427-0238 E-MAIL ADDRESS: Elizabeth@yanglawoffices.com ATTORNEY FOR (name): Ying Che	<b>FOR COURT USE ONLY</b>  ELECTRONICALLY FILED Superior Court of California County of Orange Lamoreaux Justice Center 12/26/2019 12:17 PM David H. Yamasaki, Clerk of the Court By: E. Guerrero, Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Orange STREET ADDRESS: 341 THE CITY DRIVE SOUTH MAILING ADDRESS: 341 THE CITY DRIVE SOUTH CITY AND ZIP CODE: ORANGE, CA 92868-3205 BRANCH NAME: Lamoreaux Justice Center	
PETITIONER: Ying Che RESPONDENT: Lianqiang Cao	
PETITION FOR <input type="checkbox"/> AMENDED CASE NUMBER: <input checked="" type="checkbox"/> Dissolution (Divorce) of: <input checked="" type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Legal Separation of: <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Nullity of: <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership 19D010268	

1. **LEGAL RELATIONSHIP** (check all that apply):
  - a.  We are married.
  - b.  We are domestic partners and our domestic partnership was established in California.
  - c.  We are domestic partners and our domestic partnership was NOT established in California.
  
2. **RESIDENCE REQUIREMENTS** (check all that apply):
  - a.  Petitioner  Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this *Petition*. (For a divorce, at least one person in the legal relationship described in items 1a and 1c must comply with this requirement.)
  - b.  Our domestic partnership was established in California. Neither of us has to be a resident or have a domicile in California to dissolve our partnership here.
  - c.  We are the same sex, were married in California, but currently live in a jurisdiction that does not recognize, and will not dissolve, our marriage. This *Petition* is filed in the county where we married.  
 Petitioner lives in (specify): \_\_\_\_\_ Respondent lives in (specify): \_\_\_\_\_
  
3. **STATISTICAL FACTS**
  - a.  (1) Date of marriage (specify): 1/9/2004 (2) Date of separation (specify): 12/20/2019  
 (3) Time from date of marriage to date of separation (specify): 15 Years 11 Months
  - b.  (1) Registration date of domestic partnership with the California Secretary of State or other state equivalent (specify below): \_\_\_\_\_  
 (2) Date of separation (specify): \_\_\_\_\_  
 (3) Time from date of registration of domestic partnership to date of separation (specify): \_\_\_\_\_ Years \_\_\_\_\_ Months
  
4. **MINOR CHILDREN**
  - a.  There are no minor children.
  - b.  The minor children are:
 

<u>Child's name</u>	<u>Birthdate</u>	<u>Age</u>	<u>Sex</u>
Jiahao Cao	9/22/2008	11	Male
  - (1)  continued on Attachment 4b.
  - (2)  a child who is not yet born.
  - c. If any children listed above were born before the marriage or domestic partnership, the court has the authority to determine those children to be children of the marriage or domestic partnership.
  - d. If there are minor children of Petitioner and Respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.
  - e.  Petitioner and Respondent signed a voluntary declaration of paternity. A copy  is  is not attached.

PETITIONER: Ying Che RESPONDENT: Lianqiang Cao	CASE NUMBER: 19D010268
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**Petitioner requests that the court make the following orders:**

**5. LEGAL GROUNDS (Family Code sections 2200–2210, 2310–2312)**

- a.  Divorce or  Legal separation of the marriage or domestic partnership based on (check one):  
 (1)  irreconcilable differences. (2)  permanent legal incapacity to make decisions.
- b.  Nullity of void marriage or domestic partnership based on  
 (1)  incest. (2)  bigamy.
- c.  Nullity of voidable marriage or domestic partnership based on  
 (1)  petitioner's age at time of registration of domestic partnership or marriage. (4)  fraud.  
 (2)  prior existing marriage or domestic partnership. (5)  force.  
 (3)  unsound mind. (6)  physical incapacity.

**6. CHILD CUSTODY AND VISITATION (PARENTING TIME)**

Petitioner      Respondent      Joint      Other

- a. Legal custody of children to .....  Petitioner      Respondent      Joint      Other
  - b. Physical custody of children to .....  Petitioner      Respondent      Joint      Other
  - c. Child visitation (parenting time) be granted to .....  Petitioner      Respondent      Joint      Other
- As requested in  form FL-311      form FL-312      form FL-341(C)  
 form FL-341(D)      form FL-341(E)      Attachment 6c(1)

**7. CHILD SUPPORT**

- a. If there are minor children born to or adopted by Petitioner and Respondent before or during this marriage or domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party.
- b. An earnings assignment may be issued without further notice.
- c. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.
- d.  Other (specify):

**8. SPOUSAL OR DOMESTIC PARTNER SUPPORT**

- a.  Spousal or domestic partner support payable to  Petitioner      Respondent
- b.  Terminate (end) the court's ability to award support to  Petitioner      Respondent
- c.  Reserve for future determination the issue of support payable to  Petitioner      Respondent
- d.  Other (specify):

**9. SEPARATE PROPERTY**

- a.  There are no such assets or debts that I know of to be confirmed by the court.
- b.  Confirm as separate property the assets and debts in  Property Declaration (form FL-160).  Attachment 9b.  
 the following list. Item Confirm to  
 The exact nature and extent of the separate property assets and debts are unknown to the petitioner at this time. Petitioner may seek leave of court to amend her Petition once said information becomes available to her or Petitioner will disclose in her financial disclosure.

PETITIONER: Ying Che RESPONDENT: Lianqiang Cao	CASE NUMBER: 19D010268
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10. COMMUNITY AND QUASI-COMMUNITY PROPERTY

- a.  There are no such assets or debts that I know of to be divided by the court.
- b.  Determine rights to community and quasi-community assets and debts. All such assets and debts are listed
  - in *Property Declaration* (form FL-160)  in Attachment 10b.
  - as follows (*specify*): The exact nature and extent of the community and quasi-community property assets and debts are unknown to the Petitioner at this time. Petitioner may seek leave of court to amend her Petition once said information becomes available to her or Petitioner will disclose in her financial disclosure.

11. OTHER REQUESTS

- a.  Attorney's fees and costs payable by  Petitioner  Respondent
- b.  Petitioner's former name be restored to (*specify*):
- c.  Other (*specify*):

Continued on Attachment 11c.

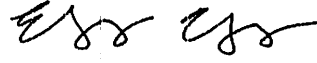
12. I HAVE READ THE RESTRAINING ORDERS ON THE BACK OF THE SUMMONS, AND I UNDERSTAND THAT THEY APPLY TO ME WHEN THIS PETITION IS FILED.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 12/23/2019  
 Ying Che  
 (TYPE OR PRINT NAME)

  
 (SIGNATURE OF PETITIONER)

Date: 12/23/1029  
 Elizabeth Yang  
 (TYPE OR PRINT NAME)

  
 (SIGNATURE OF ATTORNEY FOR PETITIONER)

**FOR MORE INFORMATION:** Read *Legal Steps for a Divorce or Legal Separation* (form FL-107-INFO) and visit "Families Change" at [www.familieschange.ca.gov](http://www.familieschange.ca.gov) — an online guide for parents and children going through divorce or separation.

**NOTICE:** You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child, spousal or partner support.

**NOTICE—CANCELLATION OF RIGHTS:** Dissolution or legal separation may automatically cancel the rights of a domestic partner or spouse under the other domestic partner's or spouse's will, trust, retirement plan, power of attorney, pay-on-death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a domestic partner or spouse as beneficiary of the other partner's or spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions. Some changes may require the agreement of your partner or spouse or a court order.

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name &amp; Address):</b> Elizabeth Yang Esq Law & Mediation of Elizabeth Yang 199 W. Garvey Ave., Suite 201 Monterey Park, CA 91754 TELEPHONE NO.: 877-492-6452 FAX NO. (Optional): 626-427-0238 E-MAIL ADDRESS (Optional): Elizabeth@yanglawoffices.com ATTORNEY FOR (Name): Ying Che BAR NO.: 249713	<b>FOR COURT USE ONLY</b>  <b>ELECTRONICALLY FILED</b> Superior Court of California County of Orange Lamoreaux Justice Center 12/26/2019 12:17 PM David H. Yamasaki, Clerk of the Court By: E. Guerrero, Deputy
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE</b> JUSTICE CENTER: <input type="checkbox"/> Central - 700 Civic Center Dr. West, Santa Ana, CA 92701-4045 <input checked="" type="checkbox"/> Lamoreaux - 341 The City Drive, Orange, CA 92868-3205	
PLAINTIFF/PETITIONER: Ying Che  DEFENDANT/RESPONDENT: Lianqiang Cao	
<b>FAMILY LAW NOTICE RE RELATED CASE</b>	CASE NUMBER: 19D010268

The parties must file this form with the Superior Court of Orange County, when a family law case is filed with the Court and when a party discovers that there is a related case. **A related case means one or both parties and/or minor children of the parties are involved in other cases.** Examples of related cases include another family law case, a domestic violence case, a child support collection case, a criminal case, and a juvenile case involving a minor child of one or both of the parties.

Fill in the requested information:

1. I also used the name(s): None

2. The other party's name is: None;  
He/She has also used the name(s): \_\_\_\_\_

3.  Other court cases involving either party or a child of either party:  
(If known, please include the case numbers)

	Case Number	Case Name	Court Location/ Justice Center	Person Involved
a.				
b.				
c.				
d.				

4.  There are no other court cases involving either party or a child of either party.

Date: 12/24/2019

Ying Che  
(TYPE OR PRINT NAME OF PARTY OR ATTORNEY)

Ying Che  
(SIGNATURE OF PARTY OR ATTORNEY)



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Elizabeth Yang Law&Mediation Offices of Elizabeth Yang 199 W. Garvey Ave., Suite 201 Monterey Park, CA 91754 TELEPHONE NO.: 877-492-6452      FAX NO. (Optional): 626-427-0238 E-MAIL ADDRESS (Optional): Elizabeth@yanglawoffices.com ATTORNEY FOR (Name): Ying Che	<b>FOR COURT USE ONLY</b>  <b>ELECTRONICALLY FILED</b> Superior Court of California County of Orange Lamoreaux Justice Center 12/26/2019 12:17 PM David H. Yamasaki, Clerk of the Court By: E. Guerrero, Deputy
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Orange</b>  STREET ADDRESS: 341 THE CITY DRIVE SOUTH MAILING ADDRESS: 341 THE CITY DRIVE SOUTH CITY AND ZIP CODE: ORANGE, CA 92868-3205 BRANCH NAME: LAMOREAUX JUSTICE CENTER	
PETITIONER: Ying Che <i>(This section applies only to family law cases.)</i> RESPONDENT: Lianqiang Cao OTHER PARTY:	
GUARDIANSHIP OF (Name): _____ Minor <i>(This section applies only to guardianship cases.)</i>	CASE NUMBER: 19D010268
<b>DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)</b>	

1. I am a party to this proceeding to determine custody of a child.
2.  My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are (specify number): 1 minor children who are subject to this proceeding, as follows:  
*(Insert the information requested below. The residence information must be given for the last FIVE years.)*

a. Child's name <b>Jiahao Cao</b>	Place of birth <b>Guangzhou, China</b>	Date of birth <b>9/22/2008</b>	Sex <b>M</b>
Period of residence <b>7/2016</b> to present	Address <b>8 Sunlight Irvine, CA 92603</b> <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) <b>Ying Che &amp; Lian Qiang Cao</b> <input type="checkbox"/> Confidential	Relationship <b>Mom &amp; Dad</b>
<b>12/2014</b> to <b>7/2016</b>	Child's residence (City, State) <b>Yijingcuiyuan, Haizhu district Guangzhou city, China</b>	Person child lived with (name and complete current address) <b>Ying Che &amp; Lian Qiang Cao</b>	<b>Mom &amp; Dad</b>
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
b. Child's name	Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)			
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) <input type="checkbox"/> Confidential	Relationship
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	
to	Child's residence (City, State)	Person child lived with (name and complete current address)	

- c.  Additional residence information for a child listed in item a or b is continued on attachment 3c.
- d.  Additional children are listed on form FL-105(A)/GC-120(A). (Provide all requested information for additional children.)

SHORT TITLE: Che v. Cao	CASE NUMBER: 19D010268
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4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?  
 Yes  No (If yes, attach a copy of the orders (if you have one) and provide the following information):

Proceeding	Case number	Court (name, state, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state, location)
d. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency		
e. <input type="checkbox"/> Adoption		

5.  One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State	Case number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case?  Yes  No (If yes, provide the following information):

a. Name and address of person  <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights  Name of each child	b. Name and address of person  <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights  Name of each child	c. Name and address of person  <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights  Name of each child
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 12/24/2019

Ying Che  
 \_\_\_\_\_  
 (TYPE OR PRINT NAME)

  
 \_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

7.  Number of pages attached: \_\_\_\_\_

**NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.**

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
RESPONSE <input type="checkbox"/> AND REQUEST FOR <input type="checkbox"/> AMENDED <input type="checkbox"/> Dissolution (Divorce) of: <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Legal Separation of: <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Nullity of: <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership	
CASE NUMBER:	

1. LEGAL RELATIONSHIP (check all that apply):

- a.  We are married.
- b.  We are domestic partners and our domestic partnership was established in California.
- c.  We are domestic partners and our domestic partnership was NOT established in California.

2. RESIDENCE REQUIREMENTS (check all that apply):

- a.  Petitioner  Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this *Petition*. (For a divorce, at least one person in the legal relationship described in items 1a and 1c must comply with this requirement.)
- b.  Our domestic partnership was established in California. Neither of us has to be a resident or have a domicile in California to dissolve our partnership here.
- c.  We are the same sex, were married in California, but currently live in a jurisdiction that does not recognize, and will not dissolve, our marriage. This *Petition* is filed in the county where we married.  
 Petitioner lives in (specify): \_\_\_\_\_ Respondent lives in (specify): \_\_\_\_\_

3. STATISTICAL FACTS

- a.  (1) Date of marriage (specify): \_\_\_\_\_ (2) Date of separation (specify): \_\_\_\_\_  
 (3) Time from date of marriage to date of separation (specify): \_\_\_\_\_ Years \_\_\_\_\_ Months
- b.  (1) Registration date of domestic partnership with the California Secretary of State or other state equivalent (specify below): \_\_\_\_\_  
 (2) Date of separation (specify): \_\_\_\_\_  
 (3) Time from date of registration of domestic partnership to date of separation (specify): \_\_\_\_\_ Years \_\_\_\_\_ Months

4. MINOR CHILDREN

- a.  There are no minor children.
  - b.  The minor children are:
- | <u>Child's name</u> | <u>Birthdate</u> | <u>Age</u> | <u>Sex</u> |
|---------------------|------------------|------------|------------|
|                     |                  |            |            |

- (1)  continued on Attachment 4b. (2)  a child who is not yet born.
- c. If any children were born before the marriage or domestic partnership, the court has the authority to determine those children to be children of the marriage or domestic partnership.
- d. If there are minor children of Petitioner and Respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.
- e.  Petitioner and Respondent signed a voluntary declaration of paternity. A copy  is  is not attached.

PETITIONER: RESPONDENT:	CASE NUMBER:
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**Respondent requests that the court make the following orders:**

**5. LEGAL GROUNDS (Family Code sections 2200–2210; 2310–2312)**

- a.  Respondent contends that the parties never legally married or registered a domestic partnership.
- b.  Respondent denies the grounds set forth in item 5 of the petition.
- c.  Respondent requests
  - (1)  divorce  legal separation of the marriage or domestic partnership based on
    - (a)  irreconcilable differences. (b)  permanent legal incapacity to make decisions.
  - (2)  nullity of void marriage or domestic partnership based on
    - (a)  incest. (b)  bigamy.
  - (3)  nullity of voidable marriage or domestic partnership based on
    - (a)  respondent's age at time of registration of domestic partnership or marriage. (d)  fraud.
    - (b)  prior existing marriage or domestic partnership. (e)  force.
    - (c)  unsound mind. (f)  physical incapacity.

**6. CHILD CUSTODY AND VISITATION (PARENTING TIME)**

	Petitioner	Respondent	Joint	Other
a. Legal custody of children to.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Physical custody of children to.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Child visitation (parenting time) be granted to .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

As requested in:  form FL-311     form FL-312     form FL-341(C)  
 form FL-341(D)     form FL-341(E)     Attachment 6c(1)

**7. CHILD SUPPORT**

- a. If there are minor children born to or adopted by Petitioner and Respondent before or during this marriage or domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party.
- b. An earnings assignment may be issued without further notice.
- c. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.
- d.  Other (*specify*):

**8. SPOUSAL OR DOMESTIC PARTNER SUPPORT**

- a.  Spousal or domestic partner support payable to  Petitioner  Respondent
- b.  Terminate (end) the court's ability to award support to  Petitioner  Respondent
- c.  Reserve for future determination the issue of support payable to  Petitioner  Respondent
- d.  Other (*specify*):

**9. SEPARATE PROPERTY**

- a.  There are no such assets or debts that I know of to be confirmed by the court.
- b.  Confirm as separate property the assets and debts in  Property Declaration (form FL-160).  Attachment 9b.  
 the following list. Item Confirm to

PETITIONER: RESPONDENT:	CASE NUMBER:
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**10. COMMUNITY AND QUASI-COMMUNITY PROPERTY**

- a.  There are no such assets or debts that I know of to be divided by the court.
- b.  Determine rights to community and quasi-community assets and debts. All such assets and debts are listed
  - in *Property Declaration* (form FL-160).       in Attachment 10b.
  - as follows (*specify*):

**11. OTHER REQUESTS**

- a.  Attorney's fees and costs payable by       Petitioner       Respondent
- b.  Respondent's former name be restored to (*specify*):
- c.  Other (*specify*):

Continued on Attachment 11c.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_

(TYPE OR PRINT NAME)

\_\_\_\_\_

(SIGNATURE OF RESPONDENT)

Date:

\_\_\_\_\_

(TYPE OR PRINT NAME)

\_\_\_\_\_

(SIGNATURE OF ATTORNEY FOR RESPONDENT)

**FOR MORE INFORMATION:** Read *Legal Steps for a Divorce or Legal Separation* (form FL-107-INFO) and visit "Families Change" at [www.familieschange.ca.gov](http://www.familieschange.ca.gov) — an online guide for parents and children going through divorce or separation.

**NOTICE:** You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child, spousal or partner support.

**NOTICE—CANCELLATION OF RIGHTS:** Dissolution or legal separation may automatically cancel the rights of a domestic partner or spouse under the other domestic partner's or spouse's will, trust, retirement plan, power of attorney, pay-on-death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a domestic partner or spouse as beneficiary of the other partner's or spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions. Some changes may require the agreement of your partner or spouse or a court order.

**The original response must be filed in the court with proof of service of a copy on Petitioner.**

SUMMONS(Family Law)

FL-110  
传票 (家庭法)

NOTICE TO RESPONDENT(NAME):

被告通知书 (姓名) : Lianqiang Cao

You have been sued. Read the information below and on the next page.  
您已被诉, 请阅读下面及下页的咨询。

For court use only  
仅限法院使用

电子提交  
加州橙县高等法院  
Lamoreaux 司法中心  
2019年12月26号12:17PM  
David H. Yamasaki 法庭书记员  
副书记员: E. Guerrero

Petitioner's name:  
原告姓名: Ying Che

Case number 案件编号:  
19D010268

You have 30 calendar days after this *Summons and Petition* are served on you to file a *Response* (form FL -120) at the court and have a copy served on the petitioner. A letter, phone call, or court appearance will not protect you. If you do not file your *Response* on time, the court may orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs. For legal services, contact a lawyer immediately. Get help finding a lawyer at the California Courts Online Self-Help Center([www.courts.ca.gov/selfhelp](http://www.courts.ca.gov/selfhelp)), at the California Legal Services website([www.lawhelpca.org](http://www.lawhelpca.org)), or by contacting your local county bar association.

向您送达本传票和起诉书后, 您可在 30 天内向本院提交答辩书 (FL-120) 并送达原告。信件、电话或者出庭不会保护您。

如果您不按时提交答辩书, 法院将下达影响您婚姻或同居伴侣关系、您的财产和子女监护的命令。您可能被命令支付抚养费及律师酬金和费用。

欲获取法律建议, 请即刻联系律师。在加州法院在线自助中心 ([www.courts.ca.gov/selfhelp](http://www.courts.ca.gov/selfhelp)), 加州法律服务网站 ([www.lawhelpca.org](http://www.lawhelpca.org)) 或者联系您本地的律师协会, 获得寻找律师的帮助。

NOTICE ---RESTRAINING ORDERS ARE ON PAGE 2:

These restraining orders are effective against both spouses or domestic partners until the petition is dismissed, a judgment is entered, or the court makes further orders. They are enforceable anywhere in California or seen a copy of them.

通知——禁制令在第二页:

这些禁制令对配偶或同居伴侣有效, 直至申诉驳回、做出判决, 或者法院下达进一步命令。接到或看到其副本的任何法官, 可在加州任何地方强制执行。

FEE WAIVER: If you cannot pay the filing fee, ask the clerk for a fee waiver form. The court may order you to pay back all or part of the fees and costs that the court waived for you or the other party.

免收申诉费: 如果您不能支付申诉费, 请向书记员索取申诉费豁免表格。法院可命令您偿还法院免收您或对方的全部或部分收费或费用。

(印章)



DAVID H. YAMASAKI, 法庭书记员

1. The name and address of the court are: 法院名称和地址:

Lamoreaux 司法中心  
城市南路 341 号  
加州 橙县 邮编 92868-3205

2. The name, address and telephone number of petitioner's attorney, or petitioner without an attorney, are: 原告律师或无律师原告的姓名、地址和电话号码

杨安立律师 877-492-6452  
嘉威西大街 199 号 201 室  
加州蒙特利公园市 邮编 91754

Date(日期): 2019 年 12 月 26 号 12: 17PM Clerk by (书记员) Deputy (副书记员)

E. Guerrero

第 1 页, 共 2 页

<p><b>STANDARD FAMILY LAW RESTRAINING ORDERS</b></p> <p><b>Starting immediately, you and your spouse or domestic partner are restrained from:</b></p> <ol style="list-style-type: none"> <li>1. Removing the minor children of the parties from the state or applying for a new or replacement passport for those minor children without the prior written consent of the other party or an order of the court;</li> <li>2. Cashing, borrowing against, cancelling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties and their minor children;</li> <li>3. Transferring, encumbering, hypothecating, concealing or in any way disposing of any property, real or personal, whether community, quasi-community or separate, without the prior written consent of the other party or an order of the court, except in the usual course of business or for the necessities of life; and</li> <li>4. Creating a nonprobate transfer or modifying a nonprobate transfer in a manner that affects the disposition of property subject to the transfer, without the written consent without the prior written consent of the other party or an order of the court. Before a revocation of a nonprobate transfer can take effect or a right of survivorship to property can be eliminated, notice of the change must be filed and served on the other party.</li> </ol> <p>You must notify each other of any proposed extraordinary expenditures at least five business days prior to incurring these extraordinary expenditures and account to the court for all extraordinary expenditures made after these restraining orders are effective. However, you may use community property, quasi-community property or your own separate property to pay an attorney to help you or to pay court costs.</p>	<p><b>标准家庭法禁制令</b></p> <p>立即开始，您和您的配偶或同居伴侣受到以下限制：</p> <ol style="list-style-type: none"> <li>1. 未经对方事先书面同意或者法院命令，不得从本州转移双方的未成年子女，或者为这些未成年申请新的或替换护照；</li> <li>2. 不得将其双方及其未成年子女持有的保险或其他承保范围兑换现金，据以借款、转让，处置或者变更受益人；</li> <li>3. 未经对方事先书面同意或者法院命令，不得转让，抵押，质押，隐瞒或以任何方式处置共同，准共同或单独的不动产或动产，但是正常营业过程当中或为了生活必需品进行者除外；并且</li> <li>4. 未经对方事先书面同意或者法院命令，不得设立无需遗嘱验证的转让或修改无需遗嘱验证的转让，从而影响作为转让标的的财产处置。在撤销无需遗嘱验证的转让生效或对财产的生存者权利消灭之前，必须先提交并向对方送达变更通知。</li> </ol> <p>你们在拟进行的大额开支发生前至少五个营业日，必须相互通知，并就这些禁制令生效后进行的所有大额开支向法院报账。但是，您可使用共同财产，准共同财产或您自己的独立财产，聘请律师帮您或者支付诉讼费用。</p>
<p><b>NOTICE---ACCESS TO AFFORDABLE HEALTH INSURANCE:</b></p> <p>Do you or someone in your household need affordable health insurance? If so, you should apply for Covered California. Covered California can help reduce the cost you pay towards high quality affordable health care. For more information, visit <a href="http://www.coveredca.com">www.coveredca.com</a>. Or call Covered California at 1-800-300-1506.</p>	<p><b>通知——获取可负担的健康保险：</b></p> <p>您或您家中的某人是否需要可负担的健康保险？如果需要，您应当申请 Covered California。Covered California 可帮助您减少您为优质的可负担医疗支付的费用。欲获取更多信息，请访问 <a href="http://www.coveredca.com">www.coveredca.com</a>。或者拨打 Covered California 电话号码 1-800-300-1506。</p>
<p><b>WARNING---IMPORTANT INFORMATION</b></p> <p>California law provides that, for purposes of division of property upon dissolution of a marriage or domestic partnership or upon legal separation, property acquired by the parties during marriage or domestic partnership in joint form is presumed to be community property. If either party to this action should die before the jointly held community property is divided, the language in the deed that characterizes how title is held (i.e., joint tenancy, tenants in common, or community property) will be controlling, and not the community property presumption. You should consult your attorney if you want the community property presumption to be written into the recorded title to the property.</p>	<p><b>警告——重要信息</b></p> <p>加州法律规定，为在婚姻或同居伴侣关系解除或合法分居时分割财产，双方在婚姻或同居关系存续期间共同取得的财产，推定为共同财产。如果本案一方当事人在共同持有的共同财产分割前死亡，以描述所有权持有特征（即共有不动产权、分权共有或共同共有）的契约语言为准，不以共同财产推定为准。如果您想把共同财产推定写进财产的产权记载，您应当咨询律师。</p>

无律师的当事人或者律师： 姓名：杨安立律师 律所名称：杨安立律师事务所 街道地址：嘉威西大街 199 号 201 室 市：蒙特利公园市 州：加州 电话号码：877-492-6452 电子邮箱地址：elizabeth@yanglawoffices.com 律师委托人（姓名）：Ying Che 州律师编号：249713 邮政编码：91754 传真号码：626-427-0238	<b>供法院使用</b>  电子提交 加州橙县高等法院 Lamoreaux 司法中心 2019 年 12 月 26 号 12: 17PM David H. Yamasaki 法庭书记员 副书记员：E. Guerrero									
<b>加州 橙 县高等法院</b> 街道地址：城市南路 341 号 邮寄地址：城市南路 341 号 市和邮政编码：橙县 92668-3205 分院名称：Lamoreaux 司法中心										
原告：Ying Che 被告：Lianqlang Cao										
申诉书： <table style="width:100%; border: none;"> <tr> <td style="width:33%;"><input checked="" type="checkbox"/> 解除</td> <td style="width:33%;"><input type="checkbox"/> 婚姻</td> <td style="width:33%;"><input type="checkbox"/> 已修改</td> </tr> <tr> <td><input type="checkbox"/> 合法分居</td> <td><input type="checkbox"/> 婚姻：</td> <td><input type="checkbox"/> 同居伴侣关系</td> </tr> <tr> <td><input type="checkbox"/> 无效：</td> <td><input type="checkbox"/> 婚姻</td> <td><input type="checkbox"/> 同居伴侣关系</td> </tr> </table>		<input checked="" type="checkbox"/> 解除	<input type="checkbox"/> 婚姻	<input type="checkbox"/> 已修改	<input type="checkbox"/> 合法分居	<input type="checkbox"/> 婚姻：	<input type="checkbox"/> 同居伴侣关系	<input type="checkbox"/> 无效：	<input type="checkbox"/> 婚姻	<input type="checkbox"/> 同居伴侣关系
<input checked="" type="checkbox"/> 解除	<input type="checkbox"/> 婚姻	<input type="checkbox"/> 已修改								
<input type="checkbox"/> 合法分居	<input type="checkbox"/> 婚姻：	<input type="checkbox"/> 同居伴侣关系								
<input type="checkbox"/> 无效：	<input type="checkbox"/> 婚姻	<input type="checkbox"/> 同居伴侣关系								
案件编号： 19D010268										

**1. 法律关系 (勾选所有适用项目) :**

- a.  我们已婚。
- b.  我们是同居伴侣，我们的同居伴侣关系是在加州确立的。
- c.  我们是同居伴侣，我们的同居伴侣关系不是在加州确立的。

**2. 居住要求(勾选所有适用项目):**

- a.  原告  被告在本申诉书提交前，在本申诉书提交前，已在本州居住至少六个月，并在本县居住至少三个月。  
(对于离婚，第 1a 和 1c 项所述的法律关系中至少一人必须符合该要求。)
- b.  我们的同居伴侣关系是在加州确立的。欲解除我们在此地的伴侣关系，我们不必在加州有居所或住所。
- c.  我们是同性，在加州结婚，但现在住在不承认且将来不会解除我们婚姻关系的法域。本申诉书是在我们结婚的县提交的  
原告居住在 (写明) : \_\_\_\_\_ 被告居住在 (写明) \_\_\_\_\_

**3. 统计事实:**

- a.  (1) 结婚日期 (写明) : 1/9/2004 (2) 分居日期 (写明) : 12/20/2019  
(3) 结婚日期到分居日期的时间 (写明) : 15 年 11 个月
- b.  (1) 在加州州务卿或其他州立同等机构办理同居伴侣登记日期 (写明) : \_\_\_\_\_  
(2) 分居日期 (写明) : \_\_\_\_\_  
(3) 同居伴侣登记日期到分居日期的时间(写明): \_\_\_\_\_ 年 \_\_\_\_\_ 个月

**4. 未成年子女:**

- a.  没有未成年子女:
- b.  未成年子女是:  
 子女姓名: Jiahao Cao 出生日期: 9/22/2008 年龄: 11 性别: 男  
 (1)  下接附件 4b. (2)  子女尚未出生。
- c. 如果上列子女在结婚或同居伴侣关系之前出生，法院有权决定该子女是婚生子女或者同居伴侣子女。
- d. 如果原告和被告有未成年子女，必须附上填好的《统一子女监护管辖与执行 (UCCJEA) 声明》(表格 FL-105)。
- e.  原告和被告在自愿父子关系声明签名 (若有这份文件，附上一份复印件)



原告: Ying Che 被告: Lianqiang Cao	案件编号: 19D010268
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原告请求法院下达以下命令:

**5. 法律依据 (《家庭法》 2200-2210, 2310-2312 条)**

- a.  基于以下原因的  离婚或婚姻或同居伴侣  合法分居 (勾选一项):  
 (1)  不能调和的分歧。 (2)  永久丧失做决定的法律能力
- b.  基于以下原因的无效婚姻或同居伴侣关系  
 (1)  乱伦。 (2)  重婚。
- c.  基于以下原因的可无效婚姻或同居伴侣关系  
 (1)  同居伴侣关系或婚姻登记是原告的年龄。 (4)  欺诈。  
 (2)  以前的婚姻或同居伴侣关系。 (5)  强迫。  
 (3)  精神失常。 (6)  身体失能。

**6. 子女监护与探视 (亲子时间)**

- |                    | 原告                                  | 被告                                  | 共同                       | 其他                       |
|--------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| a. 子女的法律监护权判给      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| b. 子女的生活监护权判给      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| c. 子女探视权 (亲子时间) 准予 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- 根据以下表格的请求:
- |  |                                      |                                      |
|--|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> 表格 FL-311     | <input type="checkbox"/> 表格 FL-312   | <input type="checkbox"/> 表格 FL341(C) |
| <input type="checkbox"/> 表格 FL-341 (D) | <input type="checkbox"/> 表格 FL341(E) | <input type="checkbox"/> 表格 6c(1)    |

**7. 子女抚养费**

- a. 如果原告和被告在该婚姻或同居伴侣关系之前或存续期间生育或收养未成年人子女, 法院将在请求方请求并提交财务表格后, 就子女抚养费下达命令。
- b. 可下达收入分配令, 无需进一步通知。
- c. 被要求支付抚养费的一方, 必须按“法定”利率支付逾期金额的利息, 该利率目前为 10%。
- d.  其他 (写明):

**8. 配偶或同居伴侣抚养费**

- a.  应向  原告  被告支付配偶或同居伴侣赡养费
- b.  解除 (终止) 法院判定赡养费给与  原告  被告的能力
- c.  向  原告  被告支付赡养费的问题, 留待将来决定
- d.  其他

**9. 单独财产**

- a.  据我所知, 没有需要法院确认的此类资产或债务。
- b.  确认  财产声明 (表格 FL-160) 附件  9b 中资产和债务为单独财产。  
 以下列表  项目  确认

当下原告不清楚其个人资产以及负债的性质和范围, 若将来原告获得相关信息, 原告或将请求法庭许可以便修改申诉书, 或将在财务状况中披露。

原告: Ying Che 被告: Lianqiang Cao	案件编号: 19D010268
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**10. 共同和准共同财产**

- a.  据我所知, 没有需要法院确认的此类资产或债务。  
 b.  确定对共同和准共同财产及债务的权利, 所有这些资产和债务均已在以下列明:  
 财产声明 (表格 FL-160) 。  附件 10b  
 如下 (写明) :

当下原告不清楚其个人资产以及负债的性质和范围, 若将来原告获得相关信息, 原告或将请求法庭许可以便修改申诉书, 或将在财务状况中披露。

**11. 其他请求**

- a.  律师酬金和费用由  原告  被告支付  
 b.  原告以前的姓名恢复为 (写明)  
 c.  其他 (写明) :

下接附件 11c.

12. 我已阅读传票背面的禁止令, 并且理解在本申诉书提交时他们适用于我。  
 我根据加州伪证罪罚则声明, 前述事项真实无误。

日期: 12/23/2019

姓名 Ying Che

原告签名

*Ying Che*

日期: 12/23/2019

姓名 Elizabeth Yang

原告律师签名

*Elizabeth Yang*

获取更多信息: 阅读《离婚或合法分居的法律步骤》(表格 FL-107-INFO), 访问 [www.familieschange.ca.gov](http://www.familieschange.ca.gov) 上的“Families Change”(家庭变更), 它是面向办理离婚或分居的父母和子女的在线指南。

请注意: 您可删除 (涂掉) 本案中向本院提交的书面材料中的社会安全号码, 但用于收取子女、配偶或伴侣抚养费的表格除外。

通知---撤销权利: 解除关系或合法分居可能自动撤销同居伴侣或配偶根据另一同居伴侣或配偶的遗嘱、信托、退休计划、授权委托书、死亡时支付的银行账户、对共同不动产的生存者权利以及其他类似物项的权利。它不会自动撤销同居伴侣或配偶作为另一伴侣或配偶人手保险单受益人的权利。您应对审查这些事项以及信用卡、其他信用账户、保险单、退休计划和信用报告, 已确定他们是否应对变更或者您是否应当采取其他行动。有些变更可能要求您的伴侣或配偶的同意或者法院的命令。

无律师的当事人或者律师（姓名以及地址）： 杨安立律师 杨安立律师事务所 嘉威西大街 199 号 201 室 加州蒙特利公园市 邮编 91754 电话号码： 877-692-6452                      传真号码： 626-427-0238 电子邮箱： elizabeth@yanglawoffices.com 律师委托人姓名： Ying Che                      州律协编号： 249173	<b>供法院使用</b>  <b>请勿提交 仅用于提供信息</b>  电子提交 加州橙县高等法院 Lamoreaux 司法中心 2019 年 12 月 26 号 12: 17PM David H. Yamasaki 法庭书记员 副书记员： E. Guerrero
<b>加州橙县高等法院</b> 司法中心： <input type="checkbox"/> 中央 - 加州 圣安娜 西市民中心路 700 号 邮编： 92701-4045 <input checked="" type="checkbox"/> Lamoreaux - 加州 橙县 城市路 341 号 邮编： 92868-3205	
原告： Ying Che 被告： Lianqiang Cao	
<b>家庭法关联案件的通知</b>	案件编号： 19D010268

当一个家庭法案件在橙县高等法院立案并且当事一方发现有关联案件时，双方必须向橙县高等法院提交该表格。关联案件是指当事一方或双方以及他们的未成年子女参与的其他案件。关联案件包括其他家庭法案件，家庭暴力案件，儿童抚养费案件，刑事案件，以及涉及当事一方或双方未成年子女的青少年案件。

请按要求填写以下信息：

1. 我的曾用名是： 无
  
2. 另一方的名字是： Lianqiang Cao  
他/她曾经的名字是： 无
  
3.  涉及当事一方或当事一方的孩子的其他法庭案件：  
(若已知，请填写案件编号)

Case number	Case name	Court Location/Justice Center	Person Involved
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- a.
- b.
- c.
- d.

4.  没有涉及当事一方或当事一方的孩子的其他法庭案件。

日期： 12/24/2019

Ying Che

(打印或输入当事方姓名或其律师姓名)

Ying Che

(当事方或其律师签字)

无律师的当事人或者律师 (姓名, 州律协编号以及地址) : 杨安立律师 (州律协编号: 249713) 杨安立律师事务所 嘉威西大街 199 号 201 室, 蒙特利公园市, 加州 邮政编码: 91754 电话号码: 877-492-6452 传真号码: 626-427-0238 电子邮箱地址: elizabeth@yanglawoffices.ocm 律师委托人 (姓名) : Ying Che	<b>供法院使用</b>  电子提交 加州橙县高等法院 Lamoreaux 司法中心 2019 年 12 月 26 号 12: 17PM David H. Yamasaki 法庭书记员 副书记员: E. Guerrero
<b>加州 橙 县高等法院</b> 街道地址: 城市南路 341 号 邮寄地址: 城市南路 341 号 市和邮政编码: 橙县 92868-3205 分院名称: Lamoreaux 司法中心	<b>案件编号:</b> 19D010268
原告: Ying Che 被告: Lianqiang Cao 有关第三方:	
被监护未成年人姓名: Jiahao Cao  <p style="text-align: center;"><b>统一子女监护管辖与执行法案 (UCCJEA) 声明</b></p>	

1. 我是该儿童监护权程序的当事方。
2.  我的现有住址以及每个与我居住在一起的孩子的地址根据家庭法 3429 部以及第三项中我的选择而保密。
3. 共有 1 名未成年子女包含在该程序中, 如下表:  
 (填写下表所要求的信息。请务必提供过去五年的居住信息)

a. 儿童姓名 Jiahao Cao	出生地 中国 广州	出生日期 2008 年 9 月 22 日	性别 男
居住时段 2016 年 7 月 至今	地址 加州尔湾阳光大街 8 号 邮编 92603 <input type="checkbox"/> 保密	与儿童一起居住的人 (姓名以及完整地址) Ying Che, Lianqiang Cao <input type="checkbox"/> 保密	关系 母子、父子
2014 年 12 月至 2016 年 7 月	儿童居住地址 中国广州海珠区逸景翠园	与儿童一起居住的人 (姓名以及完整地址) Ying Che, Lianqiang Cao	母子、父子
至	儿童居住地址	与儿童一起居住的人 (姓名以及完整地址)	
至	儿童居住地址	与儿童一起居住的人 (姓名以及完整地址)	
b. 儿童姓名 居住地址信息与儿童 a 的信息一致 (若不一致, 填写下方表格)	出生地	出生日期	性别
居住时段 至今	地址 <input type="checkbox"/> 保密	与儿童一起居住的人 (姓名以及完整地址) <input type="checkbox"/> 保密	关系
至	儿童居住地址	与儿童一起居住的人 (姓名以及完整地址)	
至	儿童居住地址	与儿童一起居住的人 (姓名以及完整地址)	
至	儿童居住地址	与儿童一起居住的人 (姓名以及完整地址)	

- c.  附件 3c 中详见上述表格项目 a 或 b 的儿童居住信息之补充。
- d.  其他儿童的信息在 FL105 (A)/GC-120(A). (在该表中已经为其他儿童提供了所有要求的信息)

案件名称: Che 诉 Cao	案件编号: 19D010268
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4. 你是否以当事方、证人或者其他身份参与了在加州或者其他州的关于本案涉案儿童案件或监护权探访权程序或者知道相关信息?  
 是  否 (若回答是, 请附随一份该命令的复印件 (若你有的话) 并提供下列信息)

法律程序	案件编号	法庭 (分院名称, 所属州, 地址)	法庭命令或 判决 (日期)	每个涉案儿童的 姓名	你与此案件的 关系	案件状态
a. <input type="checkbox"/> 家事法律						
b. <input type="checkbox"/> 监护权						
c. <input type="checkbox"/> 其他						

法律程序	案件编号	法庭 (分院名称, 所属州, 地址)
d. <input type="checkbox"/> 青少年犯罪/青少年 抚养权		
e. <input type="checkbox"/> 收养		

5.  若一个或者多个家庭暴力限制/保护令正在生效 (提供一份该命令的复印件并提供如下信息)

法庭	县	州	案件编号 (若已知)	命令过期 (日期)
a. <input type="checkbox"/> 刑事犯罪				
b. <input checked="" type="checkbox"/> 家事法律				
c. <input type="checkbox"/> 青少年犯罪/青少年 抚养权				
d. <input type="checkbox"/> 其它				

6. 你是否知道任何非本案当事方但是对涉案儿童拥有人身监护权或者有权主张监护以及探访的人?

是  否 (若回答为是, 请提供下列信息)

a. 此人姓名以及地址	b. 此人姓名以及地址	c. 此人姓名以及地址
<input type="checkbox"/> 有人身监护权 <input type="checkbox"/> 主张监护权 <input type="checkbox"/> 主张探访权	<input type="checkbox"/> 有人身监护权 <input type="checkbox"/> 主张监护权 <input type="checkbox"/> 主张探访权	<input type="checkbox"/> 有人身监护权 <input type="checkbox"/> 主张监护权 <input type="checkbox"/> 主张探访权
各个涉案儿童姓名	各个涉案儿童姓名	各个涉案儿童姓名

本人声明, 以上提供的咨询准确无误, 否则甘愿根据加州法律接受伪证罪处罚。

日期: 2019年12月24日

Ying Che (声明人姓名)

Ying Che (声明人签字)

7.  共有 页附件。

声明人请注意: 若你在其他加州或者加州之外的法庭获得了关于本案涉案儿童的监护权信息, 你有持续的义务通知本法庭相关信息。

无律师的当事人或律师： 姓名： 律所名称： 街道地址： 市： 电话号码： 电子邮箱地址： 律师委托人（姓名）：	州律协编号：  <b>供法院使用</b>  <b>请勿提交</b> <b>仅用于提供信息</b>
加州高等法院，                      县 街道地址： 邮寄地址： 市和邮政代码： 分院名称：	
原告： 被告：	
<b>答辩书</b> <input type="checkbox"/> 解除（脱离）： <input type="checkbox"/> 合法分居： <input type="checkbox"/> 无效：	<input type="checkbox"/> 请求 <input type="checkbox"/> 婚姻 <input type="checkbox"/> 婚姻 <input type="checkbox"/> 婚姻
<input type="checkbox"/> 已修改 <input type="checkbox"/> 同居伴侣关系 <input type="checkbox"/> 同居伴侣关系 <input type="checkbox"/> 同居伴侣关系	案件编号：

**1. 法律关系（勾选所有适用项目）：**

- a.  我们已婚。
- b.  我们是同居伴侣，我们的同居伴侣关系是在加州确立的。
- c.  我们是同居伴侣，我们的同居伴侣关系不是在加州确立的。

**2. 居住要求（勾选所有适用项目）：**

- a.  原告     被告    在本申诉书提交前，已在本州居住至少六个月，并在本县居住至少三个月。  
 （对于离婚，第 1a 和 1c 项所述的法律关系中至少一人必须符合该要求。）
- b.  我们的同居伴侣关系是在加州确立的，欲解除我们在此地的伴侣关系，我们不必在加州有居所或住所。
- c.  我们是同性，在加州结婚，但现在住在不承认且将来不会解除我们婚姻关系的法域。本申诉书是在我们结婚的县提交的。原告居住在（写明）：                      被告居住在（写明）：

**3. 统计事实**

- a.  (1) 结婚日期（写明）：                      (2) 分居日期（写明）：  
 (3) 结婚日期到分居日期的时间（写明）：                      年                      个月
- b.  (1) 在加州州务卿或其他州立同等机构办理同居伴侣登记日期（写明）：  
 (2) 分居日期（写明）：  
 (3) 同居伴侣登记日期到分居日期的时间（写明）：                      年                      个月

**4. 未成年子女**

- a.  没有未成年子女。
- b.  未成年子女是：  
 子女姓名                      出生日期                      年龄                      性别

- (1)  下接附件 4b。
- (2)  子女尚未出生
- c. 如果子女在结婚或同居伴侣关系之前出生，法院有权决定该子女是婚生子女或者同居伴侣子女。
- d. 如果原告和被告有未成年子女，必须附上填好的《统一子女监护管辖与执行法案（UCCJEA）声明》（表格 FL-105）。
- e.  原告和被告在自愿父子关系声明签名。     已附     未附副本。

原告: 被告:	案件编号:
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被告请求法院下达以下命令:

5. 法律依据 (《家庭法》 2200-2210、2310-2312)

- a.  被告抗议双方未曾合法结婚或者办理同居伴侣登记。
  - b.  被告否认申诉书第五项列出的原因。
  - c.  被告请求
    - (1)  基于以下原因的  离婚或婚姻或同居伴侣
      - (a)  不能调和的分歧。
    - (2)  基于以下原因的无效婚姻或同居伴侣关系
      - (a)  乱伦。
    - (3)  基于以下原因的可无效婚姻或同居伴侣关系
      - (a)  同居伴侣关系或婚姻登记时被告的年龄。
      - (b)  以前的婚姻或同居伴侣关系。
      - (c)  精神失常。
- 合法分居:  
 永久丧失做决定的法律能力。  
 重婚。  
 欺诈。  
 强迫。  
 身体失能。

6. 子女监护与探视 (亲子时间)

- |                         | 原告                       | 被告                       | 共同                       | 其他                       |
|-------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. 子女的法律监护权判给.....      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. 子女的生活监护权判给.....      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. 子女探视权 (亲子时间) 准予..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- 根据以下表格的请求:  表格 FL-311     表格 FL-312     表格 FL-341 (C)
- 表格 FL-341 (D)     表格 FL-341 (E)     附件 6c (1)

7. 子女抚养费

- a. 如果原告和被告在该婚姻或同居伴侣关系之前或存续期间生育或收养未成年子女, 法院将在请求方请求并提交财务表格后, 就子女抚养费下达命令。
- b. 可下达收入分配令, 无需进一步通知。
- c. 被要求支付抚养费的一方, 必须按“法定”利率支付逾期金额的利息, 该利率目前为 10%。
- d.  其他 (写明):

8. 配偶或同居伴侣抚养费

- a.  应向  原告  被告支付配偶或同居伴侣抚养费
- b.  解除 (终止) 法院判定抚养费给予  原告  被告的能力
- c.  向  原告  被告支付抚养费的问题, 留待将来决定
- d.  其他 (写明):

9. 单独财产

- a.  据我所知, 没有需要法院确认的此类资产或债务。
- b.  确认  财产声明 (表格 FL-160)     附件 9b 中资产和债务为单独财产。
- 以下列表。    项目    确认

原告: 被告:	案件编号:
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**10. 共同和准共同财产**

- a.  据我所知，没有需要法院确认的此类资产或债务。
- b.  确定对共同和准共同财产及债务的权利。所有这些资产和债务均已在以下列明  
 财产声明 (表格 FL - 160) 。  附件 10b。  
 如下 (写明) :

**11. 其他请求**

- a.  律师酬金和费用由  原告  被告支付
- b.  被告以前的姓名恢复为 (写明) :
- c.  其他 (写明) :

下接附件 11 C。

我根据加州伪证罪罚则声明，前述事项真实无误。

日期:

\_\_\_\_\_  
(键入或打印姓名)

\_\_\_\_\_  
(被告签名)

日期:

\_\_\_\_\_  
(键入或打印姓名)

\_\_\_\_\_  
(被告律师签名)

获取更多信息：阅读《离婚或合法分居的法律步骤》(表格 FL- 107-INFO)，访问 [www.familieschange.ca.gov](http://www.familieschange.ca.gov) 上的“Families Change (家庭变更)”，它是面向办理离婚或分居的父母和子女的在线指南。

请注意：您可删除 (涂掉) 本案中向本院提交的书面材料中的社会安全号码，但用于收取子女、配偶或伴侣抚养费的表格除外。

**通知——撤销权利：**解除关系或合法分居可能自动撤销同居伴侣或配偶根据另一同居伴侣或配偶的遗嘱、信托、退休计划、授权委托书、死亡时支付的银行账户、对共同不动产的生存者权利以及其他类似物项的权利。它不会自动撤销同居伴侣或配偶作为另一伴侣或配偶人寿保险单受益人的权利。您应当审查这些事项以及信用卡、其他信用账户、保险单、退休计划和信用报告，以确定它们是否应当变更或者您是否应当采取其他行动。有些变更可能要求您的伴侣或配偶的同意或者法院的命令。

**必须向法院提交原始答辩书以及向原告送达副本的证明。**