

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF SAGINAW
FAMILY DIVISION**

MELISSA JAYNE CALICE,

Plaintiff,

File No. 12-017215-DM-1

vs.

HON. FRED L. BORCHARD

RICHARD ANTHONY CALICE, JR.,

Defendant.

BURKHART, PICARD,
TIDERINGTON, & McLEOD, PLLC
BY: TIMOTHY R. McLEOD (P29880)
Attorney for Plaintiff
820 N. Michigan Avenue, P.O. Box 6055
Saginaw, Michigan 48608
(989) 753-4441

THOMAS J. DEMETRIOU (P12663)
Attorney for Defendant
4805 Towne Centre Road, Suite 101
Saginaw, Michigan 48604
(989) 793-6440

A TRUE COPY
Court Clerk

PLAINTIFF'S FIRST AMENDED VERIFIED COMPLAINT FOR DIVORCE

NOW COMES the Plaintiff, MELISSA JAYNE CALICE, who files this First Amended Verified Complaint for Divorce:

The Wife avers:

MARRIAGE

1. On the 6th day of August, 2005, Plaintiff, MELISSA JAYNE CALICE, married the Defendant, RICHARD ANTHONY CALICE, JR., in the City of Charlevoix, State of Michigan, in a marriage ceremony performed by a person who was authorized to perform marriages.

NAME BEFORE MARRIAGE

2. The Wife's complete name is MELISSA JAYNE CALICE; the wife's complete name before marriage was MELISSA JAYNE WALLACE; the husband's complete name was and is RICHARD ANTHONY CALICE, JR.

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RESIDENCE

3. The Plaintiff has resided in the State of Michigan for 180 days immediately preceding the filing of the Complaint; the Plaintiff has resided in Saginaw County for ten (10) days immediately preceding the filing of this Complaint.

**ADDRESSES; PHONE NUMBERS
AND BIRTH DATES**

4. Plaintiff's address is 62 Corral, Saginaw, Michigan 48638; Plaintiff's phone number is 248-259-7606; Defendant's address is 43 Winterberry Court, Hunt Valley, Maryland 21030; Defendant's phone number is 248-506-2138, the Plaintiff's date of birth is 12/01/1974 and the Defendant's date of birth is 12-12-1978. Social Security Numbers are on file with the Friend of the Court's office.

SEPARATION

5. On or about the 2nd day of August, 2012, the parties separated when they ceased cohabitation.

CHILDREN OF THE MARRIAGE

6. There were two children born of this marriage, both of whom are minors. The name(s), age(s) and birthdate(s) of the minor children are:

- ROCCO JEFFERSON CALICE, 5 years of age, d/o/b 10/27/2006
- AMELIA JAYNE CALICE, 4 years of age, d/o/b 04/25/2008

PREGNANCY

7. The wife is not pregnant.

BREAKDOWN OF THE MARRIAGE

8. There has been a breakdown in the marriage relationship to the extent the objects of matrimony have been destroyed and there remains no reasonable likelihood the marriage can be preserved.

PROPERTY

9. There is property to be divided:

- A. Real Property;
- B. Personal Property;
- C. Bank Accounts;
- D. Motor Vehicles.

CUSTODY

10. The Plaintiff is a fit and suitable person to have the care, custody and control of the minor children.

TEMPORARY RESTRAINING ORDER

11. That upon the commencement of these proceedings, the Plaintiff fears the Defendant will interfere with her peaceful residency at the marital home; will change the beneficiaries on any life insurance policies or will terminate coverage on the Wife on any medical, automobile or homeowner's policies; will sell, assign, encumber, move, conceal, withdraw, transfer, destroy, dissipate, damage, rent or otherwise dispose of the property, either real or personal, belonging to either or both of the parties hereto and immediate and irreparable injury will result to Plaintiff unless Defendant is restrained from so doing during the pendency of this suit and thereafter by the order or injunction of this Court.

12. That based upon the above facts as set forth in paragraph 11, and the fact the Wife has decided to institute separate maintenance proceedings, she is apprehensive immediate and irreparable injury, loss or damage will result from the delay required to effect notice or from the risk notice itself will precipitate adverse action before an Order can be issued in that the Husband will interfere with the Wife's peaceful residency at the marital residence; will terminate coverage on the Wife on any medical, automobile or homeowner's policies; will transfer, sell, encumber, conceal and somehow dispose of his assets and property beyond the reach of this Court.

INFORMATIONAL PAMPHLET

13. An informational pamphlet will be provided by the Friend of the Court.

VERIFIED STATEMENT

14. Based upon the fact there are children of the marriage under the age of 18 or temporary or permanent support or alimony is sought, a Verified Statement is attached.

WHEREFORE, the Plaintiff prays:

A. That this Honorable Court grant Plaintiff a Judgment of Divorce according to the statute in such case made and provided.

B. The wife be awarded the temporary and permanent care, custody and control and maintenance of the minor children until said children attains the age of eighteen (18) years or until further order of this Court.

C. The Husband be ordered to pay child support, both temporary and permanent commensurate with the needs of the said children and Defendant's ability to pay.

D. The Husband be ordered to pay the Wife alimony, both temporary and permanent.

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E. The Husband pay medical, dental, hospital, optical and pharmaceutical expenses for the Wife, Melissa Jayne Calice and minor children during the pendency of this suit and permanently upon the entry of a Judgment of Divorce.

F. The Husband pay the mortgage payments, taxes, insurance and utilities on the marital home, including telephone, gas, water and electricity.

G. The Husband make all payments due on any debts or liabilities to preserve the marital estate.

H. The Husband pay the wife's attorney fees.

I. A Temporary Restraining Order be issued restraining the Husband from transferring or disposing of assets or interfering with the wife's peaceful residency.

J. The Court award to this Plaintiff such part or portion of the property described in paragraph 9 as shall be agreeable to equity and good conscience.

K. This Court enter an Ex Parte Order referring the issues of custody, child support, spousal support and payment of bills to the Circuit Court Facilitator.

L. This Plaintiff may have such other and further relief in the premises as shall be agreeable to equity and good conscience.

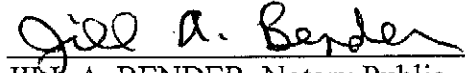
I declare the statements above are true to the best of my information, knowledge and belief.



MELISSA JAYNE CALICE
Plaintiff

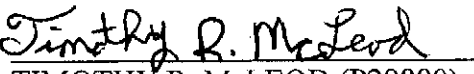
STATE OF MICHIGAN)
COUNTY OF SAGINAW) ss.

On this 12TH day of September, 2012, before me personally appeared MELISSA JAYNE CALICE, the above named Plaintiff, and made oath that she has read the foregoing First Verified Complaint for Divorce by her subscribed and she knows the contents thereof, that the same is true of her own knowledge except as to those matters which are therein stated to be upon her information and belief and as to those matters she believes it to be true.



JILL A. BENDER, Notary Public
Saginaw County, Michigan
My Commission Expires: 09-02-2017

Prepared by:



TIMOTHY R. McLEOD (P29880)
Attorney for Plaintiff

Approved, SCAO

Original - Court
1st copy - FOC (if applicable)
2nd copy - Defendant/Respondent
3rd copy - Plaintiff/Petitioner

STATE OF MICHIGAN 10TH JUDICIAL CIRCUIT PROBATE COURT SAGINAW COUNTY	FIRST AMENDED UNIFORM CHILD CUSTODY JURISDICTION ENFORCEMENT ACT AFFIDAVIT	CASE NO. 12-017215-DM-1
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Court address 111 S. MICHIGAN AVENUE, SAGINAW, MICHIGAN 48602	Court telephone no. (989) 790-5540
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CASE NAME: MELISSA JAYNE CALICE VS. RICHARD ANTHONY CALICE, JR.

- The name and present address of each child (under 18) in this case is:
 ROCCO JEFFERSON CALICE, 62 CORRAL, SAGINAW, MICHIGAN 48638
 AMELIA JAYNE CALICE, 62 CORRAL, SAGINAW, MICHIGAN 48638
- The addresses where the child(ren) has/have lived within the last 5 years are:
 620 CATALPA, ROYAL OAK, MICHIGAN 48067 - 10/27/2006 UNTIL 09/27/2011
 43 WINTERBERRY COURT, HUNT VALLEY, MARYLAND 21030 - 10/03/2011 UNTIL 08/02/2012
 62 CORRAL, SAGINAW, MICHIGAN 48638 - 08/02/2012 UNTIL PRESENT
- The name(s) and present address(es) of custodians with whom the child(ren) has/have lived within the last 5 years are:
 MELISSA JAYNE CALICE, 62 CORRAL, SAGINAW, MICHIGAN 48638
 RICHARD ANTHONY CALICE, JR., 43 WINTERBERRY COURT, HUNT VALLEY, MARYLAND, 21030
- I do not know of, and have not participated (as a party, witness, or in any other capacity) in any other court decision, order, or proceeding (including divorce, separate maintenance, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and protection from domestic violence) concerning the custody or parenting time of the child(ren), in this state or any other state, **except:** Specify case name and number, court name and address, and date of child custody determination, if one.
- I do not know of any pending proceeding that could affect the current child custody proceeding, including a proceeding for enforcement or a proceeding relating to domestic violence, a protective order, termination of parental rights, or adoption, in this state or any other state, **except:** Specify case name and number, court name and address, and nature of the proceeding.
 That proceeding is continuing. has been stayed by the court.
 Temporary action by this court is necessary to protect the child(ren) because the child(ren) has/have been subjected to or threatened with mistreatment or abuse or is/are otherwise neglected or dependent. Attach explanation.
- I do not know of any person who is not already a party to this proceeding who has physical custody of, or who claims rights of legal or physical custody of, or parenting time with, the child(ren), **except:** State name(s) and address(es) of each person.

DEP
 Clerk

7. The child(ren)'s "home state" is MICHIGAN. See back for definition of "home state."

8. I state that a party's or child's health, safety, or liberty would be put at risk by the disclosure of this identifying information.

I have filled this form out completely, and I acknowledge a continuing duty to advise this court of any proceeding in this state or any other state that could affect the current child-custody proceeding.

Melissa Jayne Calice MELISSA JAYNE CALICE 62 CORRAL, SAGINAW, MICHIGAN 48638
 Signature of affiant Name of affiant (type or print) Address of affiant

Subscribed and sworn to before me on 9-13-12, SAGINAW County, Michigan.
Date

My commission expires: 09-02-2017 Signature: Jill A. Bender
Date JILL A. BENDER

Notary public, State of Michigan, County of SAGINAW

"Home state" means the state in which the child(ren) lived with a parent or a person acting as a parent for at least 6 consecutive months immediately before the commencement of a child-custody proceeding. In the case of a child less than 6 months of age, the term means the state in which the child lived from birth with a parent or person acting as a parent. A period of temporary absence of a parent or person acting as a parent is included as part of the period.