

MAUGHAN, NIELSON & BRADFORD
MITCHELL D. MAUGHAN, #6419
TODD A. BRADFORD #12452
Attorneys for Shannon Price
765 North Main
Spanish Fork, Utah 84660
Telephone: (801) 794-1016
Facsimile: (801) 794-1017

IN THE FOURTH JUDICIAL DISTRICT COURT OF UTAH COUNTY
PROVO DEPARTMENT STATE OF UTAH

In the Matter of the Estate of :
 :
 : **VERIFIED PETITION FOR ADJUDICATION**
 : **OF COMMON LAW MARRIAGE**
 :
GARY W. COLEMAN, : **Probate No. 103400293**
 :
 deceased. : **Judge: Taylor**
 :
 :

Petitioner, Shannon Price, a.k.a. Shannon Price Coleman, by and through counsel, Mitchell D. Maughan of Maughan, Nielson & Bradford, hereby petitions the Court for an Adjudication of Common Law Marriage, pursuant to Section 30-1-4.5, Utah Code Annotated, as follows:

1. Petitioner is a resident of Salt Lake County, State of Utah.
2. Gary Coleman, (the "decedent") passed away on May 28, 2010, in Utah County, State of Utah.
3. This matter was commenced on June 8, 2010 by the filing of a petition for formal probate of will and formal appointment of personal representative, together with other pleadings by a party who has since withdrawn the petition.

4. To the best of Petitioner's knowledge, the following persons are interested persons in the above named estate, or are otherwise entitled to notice:

Party:	Relationship	Address
a. Willie Coleman Edmonia Sue Coleman	Parents	Frederick R. Jackman, Esq. [REDACTED]
b. Anna Gray	None	Rosemund V. Blakelock, Esq. [REDACTED]
c. Robert L. Jeffs	Special Administrator	Jeffs & Jeffs [REDACTED]

5. Jurisdiction over the subject matter of this Petition is properly vested and exists in this Court pursuant to the provisions of Title 75-1-302 and 78A-5-102, Utah Code Annotated.

6. Venue of this action properly rests in this Court pursuant to the provisions of Title 75-3-301 and/or 75-1-303, Utah Code. Annotated.

7. Petitioner filed a Petition for Formal Probate of Will and Formal Appointment of Personal Representative, as a devisee under the will as the surviving spouse of the decedent.

8. Petitioner first met the decedent when he was involved in filming a movie in the State of Utah in April of 2005.

9. After meeting, Petitioner and the decedent immediately began having a romantic relationship.

10. In July of 2005, the decedent purchased a home located in Santaquin, Utah.
11. After purchasing the home, Petitioner and the decedent began living and cohabitating together until the decedent passed away.
12. Petitioner and the decedent continuously resided together since moving into the home in Santaquin, until the decedent passed away.
13. Petitioner and the decedent were married on August 28, 2007.
14. Petitioner's and the decedent's marriage established among other things, that Petitioner and the decedent were of legal age, capable of giving consent, and that they were legally capable of entering into a solemnized marriage.
15. Petitioner and the decedent were divorced on or about August 12, 2008 by a Sealed Decree of Divorce entered in the Fourth Judicial District Court of Utah County, Civil No. 084401702.
16. As part of the divorce decree, the decedent was awarded the marital residence located in Santaquin, Utah.
17. After the entry of the divorce decree, Petitioner and the decedent were of legal age, capable of giving consent and were legally capable of entering into a solemnized marriage.
18. After the entry of the decree of divorce, Petitioner and the deceased made little if any changes to their pre-divorce relationship.
19. Petitioner and the decedent continued to reside and cohabited in the home together.
20. After the entry of the decree of divorce, Petitioner and the decedent continued to have a romantic relationship and engaged in romantic and sexual relations.

21. After the decree was entered, Petitioner and the decedent assumed all marital rights, duties and obligations consistent with a marital relationship.

22. Petitioner and the decedent consistently attended to each others physical, emotional and general welfare needs. They cared for each other when ill. Both Petitioner and the decedent contributed to the common and every day costs of living.

23. During the post divorce relationship, the decedent provided most of the income for Petitioner and himself, while Petitioner ran a small business of the residence.

24. During the post divorce relationship, Petitioner and the decedent each manifested their intent and consent to be married, evidenced by:

- a. They held and/or maintained joint bank accounts;
- b. They incurred debt jointly;
- c. They filed joint tax returns for the 2007, 2008 and recently obtained an extension for the 2009 tax year as "married filing jointly".
- d. They celebrated holidays together, recreated together, gave each other birthday presents, valentine cards, Christmas gifts, used joint money for household expenses, gas, transportation, etc.
- e. They jointly owned and shared personal property.
- f. The decedent named Petitioner as the sole beneficiary of his pension account.
- g. The decedent applied for Supplemental Security Income on April 28, 2010, naming Petitioner as his wife.
- h. The decedent applied for Social Security Benefits on April 28, 2010, naming Petitioner as his wife.

25. Subsequent to the divorce, Petitioner and the decedent continued to hold themselves out to the public as a married couple and acquired a uniform and general reputation as husband and wife since the time of their divorce until the decedent passed away.

26. Subsequent to the entry of the decree of divorce, Petitioner and the decedent proclaimed the other as their respective spouse when meeting new acquaintances and/or when interacting at public events or functions.

WHEREFORE, Petitioner prays for relief as follows:

a. For an Order of Adjudication declaring that Petitioner and the decedent established a common law marriage, pursuant to Section 30-1-4.5, Utah Code Annotated, commencing as of the date the Petitioner and the decedent were divorced up until the decedent passed away.

b. For an Order declaring that Petitioner is the surviving spouse of the decedent, entitled to all of the same privileges and subject to all of the same duties and responsibilities of a spouse under a formal marriage.

c. For such other relief as may be fair and equitable under the premises.

DATED this ___ day of July, 2010.

MAUGHAN, NIELSON & BRADFORD

Mitchell D. Maughan
Attorney for Shannon Price

VERIFICATION

Shannon Price, being first duly sworn and under oath, deposes and says that she is the Petitioner in the above-entitled action; that she has read the foregoing Petition and understands the contents thereof, and the same is true to the best of her own knowledge.

Shannon Price

STATE OF UTAH)
 ss
COUNTY OF UTAH)

Shannon Price appeared before me on the ____ day of July, 2010 with satisfactory evidence to prove to me her identity. Shannon Price then signed this document in my presence and affirmed that she had read this document and understood its contents and that the contents were true to her personal knowledge.

DATED this ____ day of July, 2010.

Notary Public

Residing at:
My Commission Expires:



CERTIFICATE OF MAILING

I certify that I caused to be mailed a true and correct copy of the foregoing Petition for Adjudication of Common Law Marriage to Frederick R. Jackman, Esq. at [REDACTED] to Rosemund V. Blakelock, Esq., at [REDACTED] and to Robert L. Jeffs, Esq. at Jeffs & Jeffs, [REDACTED] on the ____ day of July, 2010, by United State mail, postage prepaid.

MITCHELL D. MAUGHAN

