



LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS TRIBAL COURT
7500 Odawa Circle ~ Harbor Springs, MI 49740 ~ (231) 242-1462

CIVIL DIVISION

Dawn Marie Nightlinger,
Petitioner,

Jointly with,

Kendall Hugh Nightlinger,
Petitioner.

Case No. C-140-0112
Hon. Jenny Lee Kronk

ORDER OF SIMPLE DISSOLUTION OF MARRIAGE

On January 4, 2012, Dawn Marie Nightlinger and Kendall Hugh Nightlinger filed a Joint Petition for Simple Dissolution of Marriage, with supporting documents, requesting that the Court grant a divorce. The Parties averred that there was no real property to be divided and proposed that the parties be awarded the personal property in their possession.

Jurisdiction

The Little Traverse Bay Bands of Odawa Indians (LTBB) Tribal Court has jurisdiction in this matter pursuant to WOS 2008-007 because Dawn Marie Nightlinger is a Tribal citizen of LTBB and has been a *bona fide* resident of the Tribal Jurisdiction for a period of at least 180 days prior to the filing of the action.

Findings of Fact

1. Petitioner Dawn Marie Nightlinger is a Tribal Citizen of LTBB, Enrollment Number 0468.
2. The Petitioners were married on June 8, 2007, on Mackinac Island, Michigan.
3. The Petitioners have no children together under the age of 18 and/or no dependent children together, and the wife is not pregnant.
4. The Petitioners agree that their marriage has broken down irretrievably, and that there remains no reasonable likelihood that the marriage can be preserved.
5. The Petitioners stopped living together as husband and wife on or about February 2011.

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6. Beginning on June 23, 2011, Petitioner Dawn Marie Nightlinger has lived at 416 Creekside Drive in Levering, Michigan 49755, which is in the Tribal Jurisdiction.
 7. The Petitioners own no real estate.

Conclusions of Law

Having reviewed the file, the Court finds that it has jurisdiction over this divorce proceeding for the Simple Dissolution of Marriage of Kendall Hugh and Dawn Marie Nightlinger. Petitioner Dawn Marie Nightlinger is a Tribal Citizen and has been a *bona fide* resident within the Tribal Jurisdiction at 416 Creekside Drive in Levering for a period of at least 180 days, beginning on June 23, 2011, until and after the filing of this action on January 4, 2012.

Further, the Court finds that the marriage between Dawn Marie and Kendall Hugh Nightlinger has broken down irretrievably, and that there remains no reasonable likelihood that the marriage can be preserved. In addition, the Petitioners have mutually and voluntarily lived separate and apart without cohabitation for a period of approximately one year, since February 2011.

The Court agrees that the Dissolution of the Marriage between Dawn Marie and Kendall Hugh Nightlinger should be granted without regard to the fault of either party, and pursuant to WOS-2008-007 § IV (2), the Tribe's Dissolution of Marriage Statute, this decree is being entered without a hearing.¹ Further, the Court accepts the parties division of the property and awards each the property currently in his and her possession.

Therefore, it is **ORDERED** that:

- A decree of a Simple Dissolution of the Marriage between Dawn Marie Nightlinger and Kendall Hugh Nightlinger is hereby **GRANTED**. The marriage is dissolved and the parties are divorced.
- As agreed upon by the parties, Dawn Marie Nightlinger and Kendall Hugh Nightlinger are awarded the items of personal property in his or her possession, free and clear of any claim by the other party.
- Dawn Marie Nightlinger's former name is restored to her and she shall henceforth be known as Dawn Marie Sineway.

This judgment of divorce is final on the date this written judgment is filed with and entered by the Court. This judgment resolves the last pending claim and closes the case.

Feb. 8, 2012
February 8, 2012

Hon. Jenny Lee Kronk, LTBB Tribal Judge

¹A simple dissolution shall be granted by the Court without a hearing.