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IN THE

Supreme Court of Virginia

AT RICHMOND

Record No. 760647

Lucy Ann Romeo,
Appellant

v.

Salvatore Joseph Romeo,
Appellee

APPENDIX

Paul F. Gluchowski
William E. Evans
EVANS, HAMBLEN and GLUCHOWSKI
9121 Church Street
Manassas, Virginia 22110

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SALVATORE JOSEPH ROMEO,)
Plaintiff)
vs.) AT LAW NO. 25305
LUCY ANN ROMEO)
2565 Union Boulevard, Box 374)
Islip, New York 11751)
Defendant,)
SERVE:)
Secretary of the Commonwealth)
Richmond, Virginia.)

MOTION FOR DECLARATORY JUDGMENT

COMES NOW the plaintiff, Salvatore Joseph Romeo, and herein petitions the above styled Court for the entry of a Declaratory Judgment, affirming and declaring the fact that a purported marriage between the parties herein is absolutely void, and in support of said petition alleges as follows:

1. That on July 31, 1964, the parties herein applied to the Clerk of the Circuit Court of the County of Arlington, Virginia, for a marriage license, a copy of which application is attached hereto marked Exhibit "A", and is incorporated herein by reference.

2. That pursuant to the said application, the Clerk of the aforesaid Court did on July 31, 1964, issue a Certificate of Marriage, a copy of which is attached hereto marked Exhibit "B", and incorporated herein by reference. That pursuant to said Certificate of Marriage, the parties did present themselves before one Francis E. Thomas, Jr., a person duly appointed by the Circuit Court of Arlington County, Virginia, to perform marriages, and were supposedly married by him.

3. That the defendant herein, in her application for a marriage license, did willfully and fraudently misrepresent and withhold information as to her true marital status, in that she,

under oath, in Exhibit "A", did indicate that she was a widow and that she had been married one (1) time previous to July 31, 1964, which statements were in fact not true.

4. That in fact the defendant was and had been married to one Richard Harrison Abrams, which marriage had resulted in a divorce in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, and that she had subsequently thereto married one Albert William Lambert, in the State of New York, on the 27th day of November, 1952. A certified copy of the Affidavit for License to Marry, Marriage License and Marriage Certificate are attached hereto marked Exhibits "C", "D", and "E", and incorporated herein by reference.

5. That at the time of the purported marriage to the plaintiff, the defendant was still legally and lawfully married to the said Albert William Lambert, then living, and there was a divorce suit pending at that time in the First Civil Court of Bravos District, Ciudad Juarez, Chihuahua in the Republic of Mexico, in which suit Lucy Lambert was the complainant and Albert William Lambert was the defendant, but that a final divorce decree was not entered in that case until the 9th day of September, 1964, which date is subsequent to the date of the purported marriage between the parties in Arlington County, Virginia. A certified copy of the petition and decree are attached hereto marked Exhibit "F", and are incorporated herein by reference. Therefore, her marriage to the plaintiff was bigamous and absolutely void.

6. That although the plaintiff has informed the defendant on a number of occasions that he does not consider their marriage to be legally binding and that it is, according to the laws of the State of Virginia, absolutely void, the defendant has maintained the fiction of their marriage and is insisting that she be treated as the legal and lawful wife of the complainant.

7. That the defendant is amenable to personal jurisdiction of this Court in that although she is not a resident of the State of Virginia, that under §8-81.2, Code of Virginia, 1950, as amended, she did by her actions fraudently misrepresent the true facts of her marital status to the Clerk of the Circuit Court of Arlington County, Virginia, thereby causing a tortious injury.

WHEREFORE, the plaintiff moves that this Court enter a Judgment Order, declaring that the purported marriage between the parties of July 31, 1964, in Arlington County, Virginia, be declared bigamous and absolutely void ab initio, based on the fact that the defendant was legally and lawfully married to another person at the time of the aforesaid marriage between the parties.

AND THIS CAUSE IS CONTINUED.

SALVATORE JOSEPH ROMEO

By Counsel

PIERCE & PRENDERGAST

By: _____

John J. Prendergast
117 North Fairfax Street
P. O. Box 1099
Alexandria, Virginia
Attorney for Plaintiff

AFFIDAVIT

STATE OF _____
COUNTY/CITY OF _____

This day personally appeared before me, the undersigned Notary Public, Salvatore Joseph Romeo, who after being first duly sworn did make oath that he has read the foregoing Motion for Declaratory Judgment, and attached exhibits, and that to the best of his knowledge and belief all the statements contained therein are true.

_____
Notary Public

V I R G I N I A:

IN THE CIRCUIT COURT OF THE COUNTY OF ARLINGTON

SALVATORE JOSEPH ROMEO, Plaintiff, vs. LUCY ANN ROMEO 2565 Union Boulevard, Box 374 Islip, New York 11751 Defendant, SERVE: Secretary of the Commonwealth Richmond, Virginia.	VERIFIED RESPONSE IN OPPOSITION TO MOTION FOR DECLARATORY JUDGMENT Chancery No. 25305

COMES NOW the defendant, LUCY ANN ROMEO, answering the complaint herein, alleges:

1. That I am the defendant in the above entitled action herein and respectfully submit this Verified Answer in Opposition to the pending Motion for Declaratory Judgment, as instituted by my husband, SALVATORE JOSEPH ROMEO, plaintiff herein.

2. I admit the allegations contained in paragraph (1).

3. I admit the allegations stated in paragraph (2) except deny the allegations that my husband and I were "supposedly married".

4. I deny the allegations contained in paragraph (3), (4) and (5) and categorically and emphatically deny the allegations that at the time the parties were married herein, the defendant was still legally married to ALBERT WILLIAM LAMBERT and that defendant's marriage to the plaintiff was bigamous and absolutely void.

That annexed hereto and made a part of my Answer herein, is a copy of the Final Judgment of the HONORABLE JOSEPH SUOZZI, of the Supreme Court of the State of New York, County of Nassau, dated March 11, 1969, as duly made and entered in the Office of the Clerk of Nassau County on the 11th day of March, 1969, and filed in the Office of the Clerk of Suffolk County, March 21, 1969, State of New York, in which State, both parties were residents at the time the marriage was contracted in Virginia and in which State, the parties are still residents and always have been, and in which said Court, the very issues that the plaintiff attempts to raise herein, were duly heard and tried and Final Judgment obtained and entered on the resolution of the issues and the merits.

5. Deny each and every allegation contained in paragraphs designated (6) and (7).

FOR A FIRST AFFIRMATIVE DEFENSE

1. That there is an existing Final Judgment and Decree made by a proper Court of Competent Jurisdiction, namely Supreme Court of the State of New York, rendered on the merits and determining the same cause of action between the same parties hereto, and that all issues as therein and herein raised, are now Res Judicata.

2. That the very substance and the rights and interests as established in the prior action, as aforenoted, will be destroyed or impaired by the prosecution of plaintiff's present action for a Declaratory Judgment in the State of Virginia.

3. That the prior Judgment and Decree obtained by the defendant herein, is not only final, on the merits, but is and continues to be in existence at a time when the plaintiff caused

his alleged complaint to be served on the defendant herein. There annexed hereto is a copy of the aforementioned Judgment and Decree dated March 11, 1969, which is reiterated and re-alleged as if set forth at length herein.

AS AND FOR A SECOND SEPARATE,
DISTINCT AND AFFIRMATIVE DEFENSE

1. That the Declaratory Judgment of the State of New York, entered on the 11th day of March, 1969, is "Res Judicata" and entitled to Full Faith and Credit by the State of Virginia, under the Fourteenth Amendment of the Constitution of the United States of America.

AS AND FOR A THIRD SEPARATE,
DISTINCT AND AFFIRMATIVE DEFENSE

1. That this Court has no jurisdiction to entertain the application of the plaintiff in that neither plaintiff nor defendant ever were residents of the State of Virginia and were and still are residents and domiciled in the State of New York.

2. That the sole purpose of the plaintiff's spurious Motion for a Declaratory Judgment, addressed to this Court, is a further attempt to defeat the Order and Judgment of the State of New York, in which he is domiciled, to the detriment and utter prejudice of the defendant herein.

3. That the plaintiff attempted to relieve himself of the obligation to support the defendant by bringing on, in the State of New York, sundry motions for re-arguments and modification of support, and to be relieved of his contempt, all of which were decided adversely to him, as the annexed Exhibit will indicate.

4. That on the 24th day of April, 1971, the plaintiff, by his former attorneys, HENESY, KERWICK AND HODGES, ESQS., of Rockville Center, New York, served a Notice of Appeal, from the decision of MR. JUSTICE OPPIDO, which was argued before the APPELLATE DIVISION — SECOND DEPARTMENT, STATE OF NEW YORK, on the 18th day of February, 1972, and which said Judgment and Order were unanimously affirmed, with costs and disbursements, by the said APPELLATE DIVISION. That annexed hereto, is a copy of the Remittitur and Decision of the APPELLATE DIVISION, SUPREME COURT, STATE OF NEW YORK, which unanimously affirmed the Order of MR. JUSTICE OPPIDO.

5. That your deponent has no personal assets whatever and is heavily indebted for loans that she has incurred, since the plaintiff is presently in Contempt of Court, in that he has failed and neglected to support and maintain the defendant in accordance with the Judgment of the Supreme Court of the State of New York, which he has flouted to the fullest extent and is presently in arrears in the stated sum of $1360.00. That consequently, defendant is unable to secure counsel to represent her in the State of Virginia at this juncture of the proceedings.

6. That the plaintiff is possessed of property and monies and his potential of gainful employment, still exists.

7. That plaintiff is also a member of the Planning Board of the Town of Brookhaven and has Civil Service — with permanent status in his position with the Union Free School District No. 3 of the Town of East Islip, as Superintendent of Buildings and Grounds, as more particularized in the Civil Service Law of the State of New York, Section 75 thereof, in both of which said positions, he earns upwards of $25,000.00, per annum.

WHEREFORE, defendant respectfully requests that the Court mandate the plaintiff to supply to the defendant, sufficient funds to enable her to personally appear before this Court so as to enable her to properly defend the unmeritorious action he has instituted against her and that plaintiff be required to pay any and all legal fees, disbursements and costs, as may be required by the defendant, for the aforementioned purpose and that the Motion of the plaintiff, for a Declaratory Judgment, be denied with all costs and disbursements.

Yours, etc.

LUCY ANN ROMEO
Defendant
Appearing In Person

2565 Union Boulevard
Post Office Box 374
Islip, New York 11751

VIRGINIA:

IN THE CIRCUIT COURT OF ARLINGTON COUNTY

SALVATORE JOSEPH ROMEO Plaintiff	)	
v.	)	In Chancery No. 25305
LUCY ANN ROMEO Defendant	)	

MEMORANDUM

FROM: THE HONORABLE CHARLES S. RUSSELL, Judge

TO: JOHN J. PRENDERGAST, Esquire, Counsel to Plaintiff
WILLIAM E. EVANS, Esquire, Counsel to Defendant

Salvatore Romeo filed his Petition for Declaratory Judgment against Lucy Ann Romeo, seeking an adjudication that a purported marriage between them is absolutely void on the ground that she had a living husband when a purported marriage was celebrated between the parties hereto on July 31, 1964 in Arlington County, Virginia.

Mr. Romeo testified that all marital cohabitation between the parties had been in the State of New York where the parties went to live immediately after the Virginia marriage. Since separating from the Defendant he has, however, become a resident of Virginia and now resides in the City of Norfolk. The Defendant continues to reside in New York and has never appeared in person or presented any witnesses in this case, although she is represented by counsel, who has made a general appearance in her behalf

The determination of the question involves a review of the Defendant's complex marital history, as well as that of her prior spouses. From the evidence, consisting of certain stipulated facts, numerous exhibits and the oral testimony of Mr. Romeo, the Court reaches the following

FINDINGS OF FACT

The Defendant was born Lucy Ann Rigoglioso on December 21, 1920 in Islip, New York. Some time prior to 1947 she married one Richard Abrams in Babylon, New York. She obtained a divorce from Abrams in the Circuit Court of Volusia County, Florida, on November 24, 1947. No attack is made on the validity of this divorce. Abrams died in 1969, but the Defendant was free to remarry after obtaining the Florida divorce.

Lucy Ann Abrams married Albert William Lambert in Islip, New York on November 20, 1952. The crucial question in this case is whether Lambert was free to marry her at that time, and accordingly it is necessary to examine his marital history in some detail. Lambert had been born in Boston, Massachusetts, on December 25, 1921. On September 12, 1942, in Spring Valley, New York, he married one June Lambert. On July 17, 1946, June Lambert secured a "bilateral" Mexican divorce at Juarez. The original Mexican decree, with translation, has been introduced as Plaintiff's Exhibit No. 4 in this case. It recites that June Lambert filed the divorce proceeding by her attorney, that a summons was issued to the Defendant, Albert Lambert, and that he appeared in the case by written answer and appearance of counsel.

The decree purported to dissolve the marriage between June and Albert Lambert, restoring the Plaintiff's maiden name and expressly providing that the parties were free to remarry.

June Lambert, apparently unsatisfied with her marital status after the entry of the Mexican decree, sued Albert Lambert again for divorce in the Supreme Court of Rockland County, New York, and obtained a final decree against him in that court on September 30, 1948. The record of that case discloses that during all of the Rockland County proceedings Albert Lambert was a resident of New Jersey, and that the only service of process upon him was by personal service outside the forum state, having no effect beyond that of an order of publication. Albert Lambert never made any appearance in Rockland County, but the final decree entered there nevertheless provided that "It shall not be lawful for the Defendant to marry any person other than the Plaintiff during the lifetime of the Plaintiff, except by express permission of the Court." The Defendant points to this provision, as well as relying upon the alleged invalidity of June Lambert's Mexican decree in support of her contention that Albert Lambert was never validly married to her, (being the lawful husband of June Lambert) and that she, Lucy Ann, was therefore free to marry Salvatore Romeo in Virginia in 1964. As stated above, Albert Lambert entered into a purported marriage with the Defendant (then Lucy Ann Abrams) in Islip, Nassau County, New York, on November 20, 1952, notwithstanding the prohibition in the Rockland County decree. No action was taken by either Albert or Lucy Ann Lambert to terminate this marriage up until the time of Lucy Ann's purported marriage to

Salvatore Romeo in Arlington County, Virginia, in 1964, and the validity of the latter is thus entirely dependent on the validity of the former.

About two months after the purported marriage of the Romeos in Arlington, they flew together to Juarez, Mexico, where the Defendant obtained a "unilateral" divorce against Albert Lambert, in the sense that he did not appear in person or by counsel. Neither party seriously contends that this proceeding had any validity or any effect upon the Romeos' marital status. Albert Lambert died in Grand Prairie, Texas, on April 6, 1973. By this time he had evidently "remarried" a lady with the first name of Jacqueline.

The Romeos lived together as husband and wife for about two years in New York. In 1967, after they had separated, Mr. Romeo consulted counsel who advised him that he was not married to the Defendant since she had not been free to contract marriage in 1964. He instituted an annulment proceeding against her in the Supreme Court of Nassau County, New York, on the ground that the Defendant had not been legally divorced from Albert Lambert when she married him. The Memorandum Opinion of Mr. Justice Suozzi in that case, dated February 25, 1969, introduced in evidence as Plaintiff's Exhibit 5, recites that the Defendant, Lucy AnneRomeo, set up as a defense a Mexican divorce (from Albert Lambert) obtained <u>prior</u> to the marriage of the Romeos in Virginia. (The record here shows it to have been obtained two months thereafter.) The Defendant also set up a counter-claim against Mr. Romeo for separate maintenance on the ground of cruelty. At the trial, on

the advice of counsel, Mr. Romeo "discontinued" his cause of action for annulment and the parties submitted the case solely on Mrs. Romeo's counter-claim for cruelty. Mr. Romeo offered no evidence and an award was made of $85.00 a week permanent alimony, together with attorney's fees and a judgment for unpaid alimony.

Mr. Romeo has made a number of efforts to extricate himself from the consequences of this ruling. He moved the Court to set aside the separate maintenance decree in order to reassert his claim of the invalidity of the marriage, but this was denied. An appeal to the Appellate Division was thereafter denied. He filed a new action for annulment in the Supreme Court of Suffolk County in 1973, but was met with a defense of res- judicata and discontinued his cause of action, on the advice of counsel. He thereupon brought this proceeding in Virginia to establish the nullity of the marriage. The Defendant, in addition to maintaining her freedom to contract marriage with him in 1964 by virtue of the alleged invalidity of her prior marriage to Albert Lambert, also relies on the defenses of res judicata and collateral estoppel by virtue of the proceedings between them in the New York courts. Whereupon, the Court reaches the following

CONCLUSIONS OF LAW

The "bilateral" Mexican divorce between June and Albert Lambert was introduced as an exhibit but no evidence was adduced by either party concerning the circumstances which surrounded it. It is regular on its face and indicates process, notice, general appearance of both parties by counsel, an opportunity to be heard and full compliance with Mexican law concerning jurisdiction of

persons and subject matter. After the trial of this case, counsel for the Defendant stated in a Memorandum to the Court that this was nothing more than a "mail order divorce" obtained while both parties stayed in New York. There is, however, no evidence of any such circumstances before the Court and no attack is made upon the decree except the argument of counsel. Decrees of the courts of foreign countries are not, of course, entitled to full faith and credit as are the final judgments of the courts of sister states. They are, however, assumed to have been entered by a court having jurisdiction of the cause, upon regular proceedings, with due notice, and to be untainted by fraud unless the contrary is shown. Judgments affecting the status of persons, as well as other judgments in rem, such as decrees confirming or dissolving a marriage, are generally recognized as valid in every country unless contrary to thepolicy of its own law. Such a judgment is entitled to prima facie weight and validity, although a party disputing its effect in a domestic forum is generally able to mount an attack upon it if he can carry the burden of showing, by a preponderance of the evidence, that the foreign judgment is tainted by lack of jurisdiction of the persons or of the subject matter, proper notice, a fair opportunity to be heard, or based upon law which is repugnant to domestic public policy. Such a foreign judgment is also open to attack on the ground that domestic judgments are not accorded similar respect in the country in which the judgment was entered, i.e., a lack of reciprocity. In mounting an attack upon any foreign judgment, it is clear that the burden is upon the party maintaining the attack

to overcome the prima facie showing of validity made by the [illegible] introduction of the foreign judgment in evidence. An exhaustive discussion of these principles is contained in Hilton V. Guyot, 159 U.S. 133, 16 Sup. Ct. 139. The Defendant has introduced no evidence whatever to attack the Mexican decree of divorce between June and Albert Lambert.

In any event, it appears that the courts of New York have recognized as valid the type of "bilateral" Mexican divorce here considered. Leviton v. Leviton, 6 N.Y.S. 2d 835; In Re Fleischer's Estate, 80 N.Y.S. 2d 543; Rosenstiel v. Rosenstiel, 16 N.Y.S. 2d 64; 209 N.E. 2d 709, Cert. Denn.384 U.S. 971. If the Defendant contends that the Mexican divorce in question was of a character outside the type approved by these authorities, she has failed to carry her burden of going forward with evidence to overcome its prima facie validity.

A further question arises as to whether the Defendant has any standing to attack the divorce between her prior husband and his earlier wife, or whether she is estopped from doing so.

> "The doctrine that a party may be precluded from asserting the invalidity of a judgment is peculiarly applicable where the attack upon the judgment is made in a collateral proceeding, so that whether or not there are grounds which would ordinarily subject the judgment to collateral attack, such attack may be precluded by acquiescence of the party, by ratification of the acts complained of, or by acts of the party sufficient to constitute an estoppel. This rule has been applied where the party seeking to attack the judgment had secured the rendition thereof or had taken the benefits of the judicial proceeding." (emphasis supplied) 46 Am.Jur.2d, "Judgments", Sec. 629.

Here the Defendant relied upon the dissolution of Albert Lambert's earlier marriage to June Lambert by entering into a

marriage with him in Islip, New York, on November 20, 1952. She had accepted the "benefits" of whatever judicial proceedings had terminated Albert Lambert's marriage to June Lambert (if indeed a marriage to Mr. Lambert may be so characterized) and, having lived with him for many years as his wife, should now be precluded from asserting that she was a bigamist in having done so, and that by virtue of her many years of wrongdoing, she is now in a position to rely upon Mr. Romeo for support.

The problems with respect to the prohibition against remarriage contained in June Lambert's later Rockland County divorce (e.g., whether the prohibition had any effect on Albert Lambert who never submitted to the personal jurisdiction of the Rockland County court, whether any lack of jurisdiction was remedied when he subsequently married Lucy Ann Lambert in another New York county, and whether this state should give full faith and credit to the prohibitionary clause) need not concern us in view of the foregoing conclusions expressed with regard to June Lambert's Mexican decree. The Court concludes that the marriage of Lucy Ann Lambert to Albert Lambert in 1952 was valid and subsisting at the time of her purported marriage to the Plaintiff in 1964, and that she is estopped from asserting the invalidity of her marriage to Lambert.

It remains to be seen whether the Defendant is entitled to set up the defense of res judicata in bar of Plaintiff's cause of action. The records of the several New York proceedings introduced in evidence make it clear that Mr. Romeo asserted the ground upon which he now relies in support of his original annulment suit in 1967, but that before trial he entered a

"discontinuance", and voluntarily withdrew that cause of action from consideration by the court, whereupon the Defendant obtained an award of alimony on her cross-bill for separate maintenance. In each of his subsequent efforts to assert this ground, he was met with the defense of res judicata, the New York court treating the validity of his marriage as a matter that had been impliedly adjudicated in granting separate maintenance to the Defendant. However, it appears that the Supreme Court of Virginia has given a more precise interpretation of the law of res judicata than that evidently assumed by the New York courts in the several Romeo v. Romeo cases. Bates v. Devers, 214 Va. 667 sets forth the four categories of res judicata, and the precise requirements of each. "Merger" applies to personal judgments for money, which absorb the original cause of action on which the claim was based. It is inapplicable here. "Direct estoppel" arises when the Defendant has won a judgment not on the merits. Although Plaintiff's cause of action may survive the judgment, the parties are precluded in any subsequent action based upon that cause of action from re-litigating any issue actually litigated and determined by the judgment. "Res judicata - bar" is the doctrine providing that a valid personal judgment on the merits in favor of a Defendant bars relitigation of the same cause of action or any part thereof which could have been litigated between the same parties and their privies. The case points out that the words "which could have been litigated" refer not to an unrelated claim which might permissibly have been joined, but to a claim which, if tried separately, would constitute claim splitting. "Collateral estoppel" is the doctrine providing that in a subsequent action,

from consideration by the court, whereupon the Defendant obtained an award of alimony on her cross-bill for separate maintenance. In each of his subsequent efforts to assert this ground, he was met with the defense of res judicata, the New York court treating the validity of his marriage as a matter that had been implicdly adjudicated in granting separate maintenance to the Defendant. However, it appears that the Supreme Court of Virginia has given a more precise interpretation of the law of res judicata than that evidently assumed by the New York courts in the several Romeo v. Romeo cases. Bates v. Devers, 214 Va. 667 sets forth the four categories of res judicata, and the precise requirements of each. "Merger" applies to personal judgments for money, which absorb the original cause of action on which the claim was based. It is inapplicable here. "Direct estoppel" arises when the Defendant has won a judgment not on the merits. Although Plaintiff's cause of action may survive the judgment, the parties are precluded in any subsequent action based upon that cause of action from re-litigating any issue actually litigated and determined by the judgment. "Res judicata - bar" is the doctrine providing that a valid personal judgment on the merits in favor of a Defendant bars relitigation of the same cause of action or any part thereof which could have been litigated between the same parties and their privies. The case points out that the words "which could have been litigated" refer not to an unrelated claim which might permissibly have been joined, but to a claim which, if tried separately, would constitute claim splitting. "Collateral estoppel" is the doctrine providing that in a subsequent action,

based on a different cause of action, the parties to the [illegible] action are precluded from litigating any issue of fact actually litigated and essential to a valid and final personal judgment in the first action. Bates v. Devers, supra, at page 670.

It is apparent that Mr. Romeo's claim of the invalidity of his marriage was withdrawn from consideration by the New York court and at no time "actually litigated". Thus neither the doctrine of direct estoppel nor that of collateral estoppel apply. Collateral estoppel is further inapplicable because the Plaintiff's claim was there, and is here, a cause of action and not a mere issue of fact. The doctrine of "res judicata - bar" is likewise inapplicable because Mr. Romeo's claim of the invalidity of his marriage and Mrs. Romeo's claim of cruelty were obviously not so inextricably intertwined that a separate trial would constitute claim splitting. In fact, the opinion of Mr. Justice Suozzi makes it clear that this was the very procedure employed. When the Plaintiff withdrew his assertion of invalidity from consideration by the Court, no objection was made by the Defendant or by the court, but the adjudication of the Defendant's right to alimony proceeded on an uncontested basis. As a matter of fact, the opinion indicates that the Defendant there set up her Virginia marriage and, far from submitting the question of the validity of her prior marriage to Lambert to judicial determination, fraudulently asserted that she had obtained a valid Mexican divorce from Lambert prior to the Virginia marriage to Romeo. It is now conceded that this "unilateral" Mexican divorce was granted two months after the Virginia marriage here challenged.

The Court concludes that the issue here presented was at no time litigated in the court of a sister state, nor was so inextricably involved in the final judgment of such a court as to constitute a ground for the defense of res judicata.

Code of Virginia, Sec. 20-43, as amended, provides:

> "All marriages which are prohibited by law on account of either of the parties having a former wife or husband then living shall be absolutely void, without any decree of divorce or other legal process."

Judicial proceedings in another state may not be employed to breathe life into that which is a nullity ab initio in this state, nor through the doctrine of res judicata or otherwise, to draw a veil of approval over a bigamous marriage.

> "We have said that when a decree is defined as void, we have exhausted the descriptive possibilities of the English language.
>
> * * * *
>
> If it be null, no action on the part of the plaintiff, no inaction on the part of the defendant, no resulting equity in the hands of third persons, can invest it with any of the elements of power or vitality. It has been a long time since life was breathed into a dead body." Howe v. Howe, 179 Va. 111, 119; Heflinger v. Heflinger, 136 Va. 289.

Although no judicial proceedings are necessary to establish the invalidity of this purported marriage, the Plaintiff is entitled to a judgment declaratory of his status in this situation. Defendant has not contested the propriety of the remedy sought by the Plaintiff, but it is noted that a Declaratory Judgment is probably the only adequate remedy available in this situation since the 1975 amendments to Code Sec. 20-89.1. In these

circumstances a Declaratory Judgment may properly be rendered. 26 C.J.S. "Declaratory Judgments" Sec. 38; American National Bank v. Kushner, 162 Va. 378; Engel v. Engel, 87 N.Y.S. 2d, 1.

Counsel for Plaintiff should prepare and present a draft decree in accordance with the foregoing rulings.

January 8th, 1976.

Judge

IN THE CIRCUIT COURT OF ARLINGTON COUNTY

SALVATORE JOSEPH ROMEO,)
Plaintiff,)
vs.) IN CHANCERY NO. 25305
LUCY ANN ROMEO,)
Defendant.)

ORDER

THIS CAUSE came on to be heard on October 23, 1975, upon the Plaintiff's bill for a declaratory judgement praying that his purported marriage to the Defendant be decreed void ab initio; wherein the Plaintiff and his counsel, and the Defendant by her counsel, appeared; and that after hearing the evidence, the arguments of both counsel, and the briefs submitted by the Plaintiff and the Defendant, and after due consideration to all of the above, the Court in a Memorandum Opinion on January 8, 1976, by the Honorable Charles S. Russell, made findings of fact and conclusions of law; and in accordance with said opinion it is, therefore,

ADJUDGED, ORDERED AND DECLARED that the purported marriage between Salvatore Joseph Romeo and Lucy Ann Romeo, on July 31, 1964, in Arlington County, Virginia, was bigamous in nature, and therefore absolutely void ab initio.

ENTERED this 23rd day of January, 1976.

/s/ CHARLES S. RUSSELL
JUDGE

SALVATORE JOSEPH ROMEO

By: John J. Prendergast, Counsel

V I R G I N I A:

IN THE CIRCUIT COURT OF ARLINGTON COUNTY

SALVATORE JOSEPH ROMEO Plaintiff	)	
v.	)	CHANCERY NO. 25305
LUCY ANN ROMEO Defendant	)	

NOTICE OF APPEAL AND ASSIGNMENT OF ERROR

TO JOSEPH C GWALTNEY, CLERK OF THE CIRCUIT COURT OF ARLINGTON COUNTY:

Counsel for Lucy Ann Romeo, defendant in the above-styled suit, will apply to the Supreme Court of Virginia for a Writ of Error, to said Judgment, and herewith sets forth his Assignments of Error as follows:

1. the Court erred in ruling that a New York Decree from a Court of Competent jurisdiction granting the defendant permanent separation from the plaintiff is not to be given full Faith and Credit pursuant to Article IV, Section 1 of the Constitution of the United States.

2. that the Court erred when it ruled that the New York decree of separation was not res judicata as to plaintiff's instant cause of action.

3. that the Court erred when it ruled that the plaintiff is not estopped from bringing his cause of action in Virginia upon the grounds of "Collateral Estoppel".

4. that the Court erred in recognizing the validity of a Mexican Divorce Decree between June Lambert and Albert William Lambert, which upon its face indicated that neither party was physically present in Mexico, both having acted through a "special" attorney.

5. that the Court erred in not giving Full, Faith and Credit to a New York Divorce Decree between June Lambert and Albert William Lambert which prohibited Albert William Lambert from marrying again in the State of New York during the lifetime of June Lambert.

6. that the Court erred in granting to the plaintiff a decree of annulment from an obviously valid marriage.

Counsel for Lucy Ann Romeo, the defendant, states that a statement of facts will hereinafter be filed with the Clerk of Court of Arlington County Circuit Court.

STATE OF NEW YORK
SUPREME COURT : SUFFOLK COUNTY

----------x

SALVATORE J. ROMEO,

Plaintiff,

- against -

LUCY ANN ROMEO,

Defendant.

----------x

Plaintiff, complaining of the defendant by his attorneys SIBEN & SIBEN, ESQ., respectfully alleges as follows:

FIRST: That the parties hereto are husband and wife, having intermarried on the 31st day of July, 1964, in Arlington, Virginia, in a civil ceremony.

SECOND: That there are no issue of the instant marriage of the plaintiff and defendant.

THIRD: That heretofore and on or about the 27th day of November 1952, the defendant herein intermarried with one ALBERT WILLIAM LAMBERT.

FOURTH: That upon information and belief the said ALBERT WILLIAM LAMBERT was living at the time of plaintiff's purported marriage to the defendant LUCY ANN ROMEO, and that said ALBERT WILLIAM LAMBERT is still alive.

FIFTH: That in or about the year 1964 the defendant herein, LUCY ANN ROMEO, obtained, what purported to be a decree, dissolving the marriage of said LUCY ANN ROMEO from the aforesaid ALBERT WILLIAM LAMBERT.

SIXTH: That upon information and belief [illegible]

ALBERT WILLIAM LAMBERT neither appeared by attorney in fact, nor did he personally appear in the Mexican jurisdiction on the 9th day of September 1964 in connection with obtaining a certain decree of divorce, dissolving the marriage of LUCY ANN ROMEO and ALBERT WILLIAM LAMBERT.

SEVENTH: That by virtue of the foregoing and by virtue of the further fact that said decree was ex parte decree, no legal right could flow therefrom.

EIGHTH: That by virtue of the foregoing no lawful marriage ever took place between this plaintiff and defendant and that the purported marriage ceremony between plaintiff and defendant herein on the 31st day of July 1964 was null and void and was of no effect, and that plaintiff did not thereby become and never was the husband of the defendant.

NINTH: That at the time of the purported marriage of plaintiff and defendant herein the defendant LUCY ANN ROMEO, was in fact and in truth the lawful wife of ALBERT WILLIAM LAMBERT, and that there was no decree of any court of competent jurisdiction effectively dissolving this marriage.

WHEREFORE, plaintiff respectfully prays that a judgment of annulment be entered herein, declaring the aforesaid marriage of plaintiff and defendant, entered into on the 31st day of July 1964, null and void, together with such other, further and different relief as may be just and proper.

SUPREME COURT : SUFFOLK COUNTY

----------X

SALVATORE J. ROMEO,

Plaintiff,

-against-

LUCY ANN ROMEO,

Defendant.

----------X

ANSWER

Defendant, LUCY ANN ROMEO, by PAULA S. SEIDER, her attorney, for an answer to the complaint herein;

1. Admits the allegations in the paragraphs of the complaint marked: "FIRST", "SECOND", "THIRD".

2. Denies each and every allegation in the paragraphs numbered: "FOURTH", "SEVENTH", "EIGHTH", "NINTH", and "FIFTH", except as to allegation designated as "FIFTH", defendant admits that upon advice and counseling of plaintiff's attorney, she did obtain a divorce from the said ALBERT WILLIAM LAMBERT.

3. Defendant denies that she has any knowledge or information thereof sufficient to form a belief as to the allegations contained in paragraph or subdivision of plaintiff's complaint numbered and designated as "SIXTH".

FOR A FIRST, SEPARATE AND DISTINCT DEFENSE TO THE COMPLAINT, DEFENDANT ALLEGES

4. That both plaintiff and defendant, being desirous of marrying each other, and defendant not having heard from or having had actual knowledge of the whereabouts of her aforesaid husband, ALBERT WILLIAM LAMBERT, for approximately ten years precedent thereto, both parties, at the sole suggestion of the plaintiff, attended at the office of plaintiff's attorney who advised and counseled, at plaintiff's behest and in his presence, that the defendant obtain a unilateral divorce in Mexico, making clear to both plaintiff and defendant the limitations of such a divorce.

That this advice was given plaintiff and defendant by plaintiff's attorney because of his extreme awareness, having personally known plaintiff for many years, of the strong desire of plaintiff to marry the defendant.

FOR A SECOND, SEPARATE AND DISTINCT DEFENSE HEREIN TO THE COMPLAINT, DEFENDANT ALLEGES

5. That plaintiff, having paid his aforesaid attorney for the advice and counseling he sought and received on their mutual behalf, did accompany the defendant to Mexico, remaining there with her and urging and assisting her in procuring her divorce from the aforesaid ALBERT WILLIAM LAMBERT, paying all legal fees in connection therewith. That plaintiff is at this time legally estopped from denying the validity of the Mexican divorce.

WHEREFORE, the defendant demands judgment and prays the complaint herein may be dismissed and further demands

(a) That defendant be awarded a reasonable sum as and for alimony;

(b) That defendant be awarded a reasonable sum as and for her counsel fees to defray the costs of this action;

(c) And for such other, further and different relief as to the Court may seem just and proper, together with the costs and disburse-

COUNTY CLERK'S OFFICE
STATE OF NEW YORK } SS.:
COUNTY OF SUFFOLK

I, LESTER M. ALBERTSON, Clerk of the County of Suffolk and the Court of Record thereof, do hereby certify that I have compared the annexed with the original Copy Answer FILED in my office Sept 3, 1968 and, that the same is a true copy thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said County and Court this 16 Oct, 1975 Clerk.

Form No. 236

At a Special Term, Part V, of the Supreme Court of the State of New York, held in the County of Nassau, for the County of Suffolk, at the Courthouse, 100 Supreme Court Drive, Mineola, New York, on the 11 day of March, 1969.

PRESENT:

HONORABLE JOSEPH A. SUOZZI

JUSTICE.

- -X

Index No. 162982-60
Calendar No. M 110-5

SALVATORE J. ROMEO,
14 N. Park Drive
Pascagoula, N.Y. Plaintiff,

- against -

LUCY ANN ROMEO,
To Juan P. Sorrell
4134 Jewett Ave
Bay Shore, N.Y. Defendant.

Contested Judgment of Separation

Entered
Mar 21 - 1969
@ 11:41 A.M.

- -X

The above entitled action, having been brought by the plaintiff, SALVATORE J. ROMEO, for a judgment of annulment in favor of plaintiff, and against the defendant, LUCY ANN ROMEO, on the alleged grounds set forth in the Complaint, in which he claimed that the marriage was null and void, and the Summons and verified Complaint having been duly personally served upon the defendant, within the State of New York and the said defendant, having thereafter appeared herein and having served her verified Answer and a subsequent verified Amended Answer containing defenses to the said action and a Counterclaim for a Judgment of Separation based upon the cruel and inhuman treatment of the said defendant, LUCY ANN ROMEO, by the said plaintiff, SALVATORE J. ROMEO, and also Counterclaims for conversion of her personal property by the plaintiff, SALVATORE J. ROMEO, and the plaintiff, the said SALVATORE J. ROMEO, having replied thereto, and issue having been duly joined and the cause having come on for Trial before this Court, at a Special Term, Part V, of the Supreme

Court of Nassau County, held in and for the County of Suffolk, on the 7th day of January, 1969 and the plaintiff, having appeared before me by his attorneys, SIBEN and SIBEN, ESQS., by HOWARD ROSENSTONE, ESQ., of counsel, and the defendant, having appeared before me by her attorney, JULIA L. SEIDER, ESQ., and the plaintiff, SALVATORE J. ROMEO, and his attorneys, SIBEN and SIBEN, ESQS., by HOWARD ROSENSTONE, ESQ., of counsel, having stipulated in open Court to withdraw his Complaint, and the defendant, LUCY ANN ROMEO, by her attorney, JULIA L. SEIDER, ESQ., having thereafter proceeded with the cause of action for separation based on the cruel and inhuman treatment by the defendant, and her other grounds, as specified in her said Amended Answer and the issues raised by the pleadings, having been tried by the Court and testimony having been given in open Court satisfactorily proving the allegations of cruel and inhuman treatment as to entitle the defendant, LUCY ANN ROMEO, to a judgment of separation on her first counterclaim, and the Court having been fully advised in the premises and thereafter and on January 16, 1969, on oral application made to the Court by the defendant wife in the presence of plaintiff's aforementioned attorneys and counsel, for a direction that the plaintiff return to the defendant, her automobile, and said application having been granted on the Court's finding that the said automobile involved was the property of the said defendant, and the Court having thereafter made a decision in writing on the 25th day of February, 1969, duly filed, stating separately the facts found and the conclusions of law, and directing the entry of a judgment in favor of the defendant and against the plaintiff, SALVATORE J. ROMEO,

NOW, on motion of JULIA L. SEIDER, Esq. the attorney for the defendant, it is

ORDERED, ADJUDGED AND DECREED, that the defendant,

LUCY ANN ROMEO, lawful wife of the plaintiff, SALVATORE J. ROMEO, be and she hereby is forever separated from said plaintiff, his bed and board, upon the ground of the plaintiff's cruel and inhuman treatment, as set forth in her first counterclaim; and it is further

ORDERED, ADJUDGED AND DECREED, that the plaintiff, SALVATORE J. ROMEO herein be directed to pay to the defendant, LUCY ANN ROMEO, as and for her support, beginning February 15, 1966, the sum of eighty-five dollars ($85.00) per week, until the defendant, LUCY ANN ROMEO, dies or re-marries, and it is further

ORDERED, ADJUDGED AND DECREED, that the plaintiff, SALVATORE J. ROMEO, shall pay to the defendant, LUCY ANN ROMEO, as and for additional Counsel Fees allowed to defendant's counsel, JULIA L. SEIDER, the sum of Two hundred and fifty dollars ($250.00) which is to be paid by said plaintiff, SALVATORE J. ROMEO, within thirty (30) days after the date of Entry of this Judgment, which payment shall be made by the plaintiff by mail addressed to the defendant at the office of her said attorney, JULIA L. SEIDER, ESQ., 134 Fourth Avenue, Bay Shore, New York, 11706, and it is further

ORDERED, ADJUDGED AND DECREED, that the defendant, LUCY ANN ROMEO, have a money judgment against the plaintiff, SALVATORE J. ROMEO, in the sum of Six Hundred Dollars ($600.00) for unpaid alimony arrears pendente lite, pursuant to the Order of MR. JUSTICE LEFF dated August 27, 1960, duly made and entered herein, and it is further

ORDERED, ADJUDGED AND DECREED, that the Clerk of Suffolk County, upon receipt and presentation of this Judgment for filing, be and he hereby is ordered and directed to enter a Money Judgment in favor of the defendant, LUCY ANN ROMEO, and against the plaintiff, SALVATORE J. ROMEO, in the amount of Six Hundred Dollars ($600.00), pursuant

to Section 244 of the Domestic Relation Law, and it is further

ORDERED, ADJUDGED AND DECREED, that the defendant, LUCY ANN ROMEO, have execution therefore, and it is further

ORDERED, ADJUDGED AND DECREED, that the plaintiff, SALVATORE J. ROMEO, pay to the defendant, LUCY ANN ROMEO, the said sum of Eighty - Five Dollars ($85.00) per week, as aforestated, at her residence, or at any other place that she may hereafter designate in writing, for said purposes, and it is further

ORDERED, ADJUDGED AND DECREED, that the second and third counterclaims as interposed by the defendant, LUCY ANN ROMEO, against the plaintiff, SALVATORE J. ROMEO, be, and the same are hereby dismissed, and it is further

ORDERED, ADJUDGED AND DECREED, that the defendant, LUCY ANN ROMEO, have leave to apply at the foot of this decree for such other and further relief as to the Court may seem just and proper in the premises.

Enter.

JOSEPH A. SUOZZI

J.S.C.

GRANTED
MAR 11 1980
DAVID W. McCONNELL
CLERK

Filed March 21 - 1980
in Suffolk County
Leslie M. Alberson
Clerk

No. 1924

Rearg.LvApp.Ct.App.

At a Term of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, held in Kings County on June 15, 1972.

HON. SAMUEL RABIN, Presiding Justice
HON. JAMES D. HOPKINS
HON. M. HENRY MARTUSCELLO
HON. HENRY J. LATHAM.
HON. I. IRWIN SHAPIRO

Salvatore J. Romeo, Appellant, v. Lucy Ann Romeo, Respondent.	Decision and Order on Motion to Reargue Appeal or to Appeal to the Court of Appeals

In the above-entitled cause, the above-named appellant , having moved to reargue the appeal or for leave to appeal to the Court of Appeals;

Now, upon the papers filed in support of the motion and papers filed in opposition or in relation thereto; upon the papers on which the appeal was determined; and the motion having been duly submitted and due deliberation having been had thereon, it is

ORDERED that the motion is hereby denied.

Enter:

IRVING N. SELKIN

Clerk of the Appellate Division
June 15, 1972 - No. 1924

468 E Salvatore J. Romeo, appellant, v. Lucy Ann Romeo, respondent.

In a matrimonial action, plaintiff husband appeals from an order of the Supreme Court, Nassau County, dated March 14, 1971, which denied his motion to vacate a decree of separation, to reinstate his action for annulment, and to modify support provisions.

Order affirmed, with $10 costs and disbursements.

The judgment of separation is res judicata as to the validity of the marriage (Statter v. Statter, 2 N Y 2d 668; Psaroudis v. Psaroudis, 27 N Y 2d 527). As plaintiff's allegations do not fall into the category of newly discovered evidence, it would have been improper to reopen issues inherently decided in the action two years before (Matter of Wareham v. Wareham, 34 A D 2d 647).

RABIN, P.J., HOPKINS, MARTUSCELLO, LATHAM and SHAPIRO, JJ., concur.

PODER JUDICIAL DEL ESTADO DE CHIHUAHUA

COPIA CERTIFICADA DE SENTENCIA DE DIVORCIO

Nº 146782

Lic. Arturo Bosa A.

[illegible] JULIA, SUPLENTE DEL JUZGADO PRIMERO DE PRIMERA I[illegible]

[illegible] CERTIFICA, QUE EN EL EXPEDIENTE NUMERO [illegible]

que en el Juicio de Divorcio Necesario promovido por LUCY LAMBERT en contra

ALBERT WILLIAM LAMBERT se dictó una resolución del tenor literal siguiente:

R E S O L U C I O N :- "Ciudad Juárez, Distrito Bravos, Estado de Chihuahua
[illegible] ocho días del mes de septiembre de mil novecientos sesenta y cuatro
V I S T O, para resolver en definitiva el juicio de Divorcio Necesario
promovido por la señora LUCY LAMBERT en contra de su esposo el señor A
BERT WILLIAM LAMBERT (Expediente número 3951/964); y, R E S U L T A N
1.- Que por escrito fechado en esta Ciudad el día veintisiete de julio
del año en curso, la señora LUCY LAMBERT, quién compareció en persona
ante este Juzgado, acompañada de su abogado el señor licenciado Arturo B
Aguilar, y sometiéndose expresamente a esta jurisdicción, promovió jui
io de divorcio necesario en contra de su esposo el señor ALBERT WILLIAM L
MBERT, alegando como causales del divorcio la incompatibilidad de carac
res que existe entre ambos cónyuges, misma que les ha hecho imposible
continuación de su vida matrimonial, al grado que el demandado abandon
a la actora desde el mes de septiembre de mil novecientos cincuenta y
tres; y, exponiendo: que el matrimonio fue contraído el día veintisie
de noviembre de mil novecientos cincuenta y dos en Islip, Nueva York,
Estados Unidos de Norteamérica, como consta de la información testimonial
que se rindió al efecto; que de su matrimonio con el demandado no tuvo
procreados hijos; que no existen bienes de la sociedad conyugal en con
secuencia no hay cosas que dividir, y que se le reconozca su n
bre de soltera de LUCY RACCILLIOLO.- 2.- Por acuerdo del día veintisiete
de octubre de mil novecientos sesenta y cuatro, este Juzgado admitió la demanda y ordenó que se
cite al demandado, dando vista de la información testimonial ofrecida y que se notifique y emplace
al demandado por medio de edictos conforme a la ley.- 3.- En la misma
fecha, la actora compareció en persona ante este Juzgado, acompañada de
su abogado el señor Licenciado Arturo Bosa Aguilar, exhibiendo su certifi
cado de Inscripción en el Registro Municipal de esta Ciudad y ratificó su
escrito de demanda y se dió por notificada del acuerdo anterior.- 4.- En la misma
fecha, veintisiete de julio del año en curso, este Juzgado ordenó que se
notificara al demandado por medio de publicación de edictos, los cuales
aparecieron por dos veces consecutivas en el Periódico Oficial del Esta
do y en la localidad que obra en autos.- 5.- Por acuerdo del día primero de
septiembre del año en curso, se tuvo la demanda por contestada en sent
ido negativo en virtud de que dicho demandado no la contestó y se abrió el
juicio a prueba por el término legal y se citó a la demandada a que co
mparezca personalmente a absolver posiciones, de acuerdo con el interro
gatorio escrito presentado por el actor, al efecto conforme a la Ley.- 6.
Durante la dilación probatoria, se rindió como prueba la confesional d
el demandado en los términos del interrogatorio escrito presentado por la
actora, y habiéndose calificado de legales las posiciones contenidas en
dicho interrogatorio y que se refieren exclusivamente a los hechos expu
estos en la demanda, y al no haber comparecido el demandado a absolver d

[illegible] no obstante que fue debidamente citado [illegible]
[illegible] ya citó que se le tuviera por confeso al tenor de las mismas.- 7.- A [illegible]
[illegible]ición de la actora, se señaló fecha para la audiencia de alegatos y se
[illegible]tó a las partes para oír sentencia, la cual hoy se dicta en virtud de
[illegible] han sido satisfechos todos los requisitos legales, inclusive el pago de
los derechos para la publicación de la misma, según certificado número
1164 de la Recaudación de Rentas; y, C O N S I D E R A N D O :- I.- Es
competente este Juzgado para conocer y resolver en el presente caso, d
acuerdo con los artículos 23 y 24 de la Ley del Divorcio, ya que la ac
ra compareció en persona ante este Juzgado, exhibiendo su certificado
inscripción en el Registro Municipal de esta Ciudad y se sometió expre
mente a esta jurisdicción y renunció a toda otra Ley que se le pudiera
plicar en este caso, y conforme lo ordena el artículo 29 del mismo Cue
de Leyes, la existencia del matrimonio fue acreditada conforme a la Le
II.- Como causales del divorcio la actora señaló la incompatibilidad de
carácteres que existe entre ambos cónyuges y el abandono por parte del
demandado desde el mes de septiembre de mil novecientos cincuenta y tres
[illegible] en las fracciones XVI y XIX del artículo 3o. de la Le
del Divorcio, y al no haber comparecido el demandado a absolver las po
[illegible]

[illegible]ferirse exclusivamente a los hechos controvertidos, se le declara confeso al
tenor de las mismas en los términos de los artículos 291 a 304 fracción I,
del Código de Procedimientos Civiles, aplicado supletoriamente, y como confe
me al artículo 370 del mismo Cuerpo de Leyes, dicha confesión hace prueba p
na, debe decirse que la actora probó su acción.- III.- Habiéndose manifestado
por la actora que de su matrimonio con el demandado no fueron procreados hi
jos ni se adquirieron bienes de la sociedad conyugal en esta jurisdicción e
los cuales hacer división, esta sentencia nada resolverá sobre tales partic
[illegible]yes.- Por todo lo expuesto y con apoyo además en los artículos 1, 2, 43,
y 45 de la Ley del Divorcio, se falla:- PRIMERO:- Se declara disuelto con to
das sus consecuencias legales el matrimonio contraído por la señora LUCY LA
[illegible] con el señor ALBERT WILLIAM LAMBERT el día veintisiete de noviembre de
mil novecientos cincuenta y dos en Islip, Nueva York, Estados Unidos de Nort
[illegible], quedando ambas partes en aptitud legal de contraer nuevo matrimonio
[illegible]:- Se restituye a la actora su nombre de soltera de: LUCY RIGGOLIOSO
[illegible]:- Regístrese la presente resolución, publíquese, dénse a los interes
[illegible] las copias certificadas que de la misma soliciten y en su oportunidad,
[illegible]chívese el expediente por tratarse de asunto concluído.- ASI, definitivamen
[illegible] juzgado, lo sentenció y firma el C. Rodolfo Silva, Juez Interino del Juz
[illegible] Primero de lo Civil del Distrito Bravos, actuando con dos testigos de as
[illegible]tencia que dió fé.- R. Silva.- R. Macías G.- F. Gutiérrez V.- Rúbricas."- -

ES COPIA FIEL Y EXACTA DE SU ORIGINAL, LA CUAL SE COMPULSA EN UNA FOJA UTIL

MENTE COTEJADA, SELLADA Y RUBRICADA, PARA PARTE INTERESADA.- SE AUTORI

ZA Y FIRMA EN CIUDAD JUAREZ, CHIHUAHUA, MEXICO, A LOS NUEVE DIAS DEL MES DE

SEPTIEMBRE DE MIL NOVECIENTOS SESENTA Y CUATRO.- DOY FE.- - - - - - - - - -

EL C. JUEZ INTERINO DEL
JUZGADO PRIMERO DE LO CIVIL,

RODOLFO SILVA.

UNITED MEXICAN STATES
STATE OF CHIHUAHUA
CONSULATE OF THE UNITED STATES OF AMERICA
AT CIUDAD JUAREZ } ss:

I, Robert H. Knickmeyer, Vice Consul of the United States of America at Ciudad Juarez, Chihuahua, Mexico, duly commissioned and qualified, do hereby certify that Rodolfo Silva, whose true signature and official seal are respectively subscribed and affixed to the annexed document was on the 9 day of SEPTEMBER 1964, the date thereof, Acting Judge of the First Civil Court, (Juez Interino del Juzgado Primero de lo Civil), Bravos District, Ciudad Juarez, Chihuahua, Mexico, duly commissioned and qualified to whose official acts faith and credit are due.

The Consulate assumes no responsibility for the contents of the annexed document, nor for the validity of this document or for its acceptability in any state in the United States.

IN WITNESS THEREOF I have hereunto set my hand and affixed the seal of this Consulate at Ciudad Juarez, Chihuahua, Mexico, this 11 day of SEPTEMBER 1964.

Robert H. Knickmeyer
Vice Consul of the United States of America

Item No. 48
Fee $2.50

Silva (Acting)

COURT OF BRAVOS DISTRICT, STATE OF CHIHUAHUA, REPUBLIC OF MEXICO, -

C E R T I F I E S : That in the suit for necessary divorce instituted by LUCY LAMBERT against ALBERT WILLIAM LAMBERT, there is a final decree which to the letter says: ----------

D E C R E E :

City of Juárez, Bravos District, State of Chihuahua, on the eighth of September of nineteen hundred and sixty four. HAVING BEFORE ME FOR READING and passing final resolution on the suit for necessary divorce instituted by LUCY LAMBERT against her husband ALBERT WILLIAM LAMBERT, (File Number 3261/964); and, R E S U L T I N G T H E R E F R O M : 1.- That by written complaint dated in this City on the twenty seventh of July of this year, LUCY LAMBERT who personally appeared before this Court accompanied by her Counsel Arturo Sosa Aguilar, and expressly submitting to this jurisdiction, instituted action for necessary divorce against her husband ALBERT WILLIAM LAMBERT, giving as grounds for the divorce the incompatibility of temperaments that exists between both spouses, which makes impossible the continuation of their married life, to the extent that the defendant deserted her since the month of September of nineteen hundred and fifty three; and, SHE STATED: That the marriage was performed on the twenty seventh of November of nineteen hundred and fifty two in Islip, New York, UnitedStates of America, as was duly accredited according to Law; that there is no issue of this marriage; that there is no community property within this jurisdiction to be divided between them, and that her maiden name of LUCY RIGOGLIOSO be restored to her. 2.- By resolution of the twenty seventh of July last, this Court admittedthe complaint and ordered that the testimony offered be received and service be made on the defendant by means of publications according to Law. 3.- On the same date, plaintiff appeared in person before this Court, accompanied by her Counsel Arturo Sosa Aguilar,

the certificate issued by the Municipal Registry of this City and ratified said complaint, being duly notified of the above resolution. 4.- On the same date, twenty seventh of July of this year, the order for Publication was issued and notice was published accordingly applied, and as pursuant to Article 370 of the same Body of Laws said confession makes full proof, it must be said that plaintiff proved her action. III.- Plaintiff having stated that there is no issue of her marriage with the defendant nor any community property within this jurisdiction to be divided between them, this sentence shall not pass on such particulars. N O W, thereby, and basing ourselves further on Articles 1, 2, 43, 44 and 45 of the Law of Divorce, it is resolved: FIRST: The marriage of LUCY LAMBERT -- with ALBERT WILLIAM LAMBERT, performed on the twenty seventh of November of nineteen hundred and fifty two in Islip, New York, United States of America, is hereby declared dissolved together with all its legal consequences and both parties thereto are legally free to enter into new matrimony. SECOND: Plaintiff's maiden name of -- LUCY RIGOGLIOSO is restored to her. THIRD: Register the present -- resolution, publish it, issue the certified copies hereof that the parties may request, and in due time, file away this record as a closed case. THUS, definitively judging, it was sentenced and signed by the Honorable Rodolfo Silva, Judge Ad-Interim of the First Civil Court of Bravos District, acting with the Assistant Clerk -- [illegible] ----------

[illegible] COPY OF ITS ORIGINAL [illegible] THIS [illegible] WHICH [illegible] TO WHICH [illegible] THE CITY OF [illegible], [illegible], ON THE [illegible] NINTH OF SEPTEMBER OF NINETEEN HUNDRED AND SIXTY FOUR. ATTEST. THE CLERK. (SIGNED) RODOLFO SILVA. THE SEAL OF THE COURT. ----------

EL CIUDADANO MARCOS GARCIA SORIANO, SECRETARIO DEL JUZGADO PRIMERO DE LO CIVIL DEL DISTRITO BRAVOS, ESTADO DE CHIHUAHUA, REPUBLICA MEXICANA, CERTIFICA: Que en el Juicio de Divorcio Necesario promovido por el señor Licenciado Federico Muñóz como apoderado jurídico de la señora JUNE LAMBERT encontra del señor ALBERT LAMBERT se dictó una resolución que obra en el Libro de Minutas de Sentencia correspondientes al mes de Julio de 1946 y que a la letra dice:- - - -

Cumplase la presente resolución, publíquese, dése a los las copias certificadas que soliciten y en su oportunidad archívense los autos.- Así definitivamente juzgando lo sentenció y firma el C.- Licenciado Jesús Barba Cornejo, Juez Primero de lo Civil del Distrito Bravos.- Doy fé.- J. Barba C.- R. Silva.- rúbricas.- - - -

[illegible] CARLOS SORIANO, CLERK OF THE FIRST CIVIL COURT OF AND FOR THE DISTRICT OF BRAVOS, STATE OF CHIHUAHUA, REPUBLIC OF MEXICO, CERTIFIES: That in the suit for necessary divorce filed by Attorney Federico Muñoz as special attorney for Mrs. JUNE LAMBERT against ALBERT LAMBERT a judgment was pronounced worded as follows in the Book of Final Decrees granted in the month of July 1946 which to the letter says:- - - - - -

J U D G M E N T :- Ciudad Juárez, Chihuahua, July 17, 1946.- In suit for necessary divorce filed by the Attorney Federico Muñoz as special atty. for Mrs. JUNE LAMBERT against Mr. ALBERT LAMBERT (File 2153/946); and WHEREAS:- By writ dated in this city on July 11 of the current year, attorney Federico Muñoz with the personality stated filed suit for necessary divorce against his principal husband Mr. ALBERT LAMBERT alleging as grounds the incompatibility of characters and declaring: That the marriage was contracted on September 12, 1942 in Spring Valley, New York, United States of North America, as appears from the testimonial evidence offered that as issue of the marriage there is one minor named WILLIAM RAYMOND, who is living under the custody of the mother.- The suit was entered and the order given to summon the defendant as requested to Mr. ALBERT LAMBERT and by writ dated today Attorney Xavier Rosas Cevallos as special attorney of him answered the petitimn filed against him confessing same in all its parts and prayed for judgment which is issued today in view of the fact that all legal requirements have been complied with including the payment for the publication of same and WHEREAS: This court is competent to rule in the present case according to article 23 of the Divorce Law and according to article 29 of the Divorce Law testimonial evidence was rendered to accredit the marriage of both parties and the existence of the minor.- As grounds for divorce the plaintiff alleged the grounds provided for in Section XIX of article 3 of the said Divorce Law and the defendant havign admitted to the petition in all its parts said grounds were fully proved in accordance with article 370 of the Code of Civil Procedure.- The petition having set forth that there are no common property to be

divided within this jurisdiction nothing is decided in this particular and in regard to the minor according to article14 of the Divorce Law and taking in consideration the opinion given by the District Attorney he will continue in the same situation as at present.- THEREFORE and based on articles 1, 2, 10, 37, 43, 44 and 45 of the Divorce Law invoked, IT IS DECREED: FIRST:- The marriage contracted by ALBER LAMBERT and JUNE LAMBERT on September 11, 1942 in Spring Valley, New York, United States of North America, is declared dissolved with all its legal consequences leaving both parties legally free to contract new marriage.- SECOND: The plaintiff recovers her maiden name,- THIRD:- This judgment is to be registered, published and the certified copies requested by the parties concerned, must be issued to them, and in due time, judicial record be filed.- Thus this final judgment of the Hon. Attorney Jesus Barba Cornejo, Judge of the First Civil Court of the District of Bravos.- Attest. J. Barba C.- R. Silva.- signed.- - - - --

THIS IS A TRUE AND CORRECT COPY TAKEN FROM ITS ORIGINAL WHICH IS ISSUED IN THIS LEGAL FOLIO FOR INTERESTED PARTY BEIG DULY SEALED AND COMPARED IS AUTHORIZED AND SIGNED AT CIUDAD JUAREZ, CHIHUAHUA, MEXICO, ON THIS 13 DAY OF NOVEMBER NINETEEN HUNDRED AND SEVENTY FIVE.- I SO CERTIFY.-

MARCOS GARCIA SORIANO

Clerk.-

Seal of Court.-

JUAREZ, STATE OF CHIHUAHUA, REPUBLIC OF MEXICO.

JUNE LAMBERT
Plaintiff

ALBERT LAMBERT
Defendant

Docket No. 2153/946

RODOLFO SILVA, Clerk of the First Civil Court, Bravos District, State of Chihuahua, Mexico, C E R T I F I E S:

That on July 17, 1946, in Ciudad Juarez, Chihuahua, this Court made its findings in the divorce suit filed by Atty. Federico Muñoz as special attorney for Mrs. JUNE LAMBERT against Mr. ALBERT LAMBERT, as follows:

On July 11, 1946, Mr. Federico Muñoz as special attorney for Mrs. June Lambert appeared before this Court and filed a suit for necessary divorce against Mr. Albert Lambert.

THE PLAINTIFF ALLEGES AND PRAYS:

1.- That the ground for divorce is: incompatibility of temperaments.

2.- That the parties were married in Spring Valley, New York, United States of America, September 12, 1942.

3.- That the marriage of the parties wasproved by the testimony rendered.

4.- That the plaintiff expressly submitted to the jurisdiction of this Court by applying to this Court for relief.

5.- That there is a minor child by the name of William Raymond, who is under the custody of the mother.

THE COURT FINDS AS FOLLOWS:

I.- The Court acquired jurisdiction by the submission of the plaintiff to the authority of this Court.

II.- The petition was filed and summons issued to the de-

Juan Carvallos, as special attorney for said defendant answered the petition acknowledging the allegations.

III.- The defendant submits to the jurisdiction of this Court praying for judgment.

IV.- This decision is rendered in view of the fact that all the legal requirements have been complied with including the payments for the publication and copies of this decree.

V.- This Court is competent to rule in the present suit in accordance with the provisions of Article 23 of the Divorce Law.

VI.- The marriage of the parties and the birth of the minor were proved by the testimony presented in accordance with the provisions of Article 29 of the same Law.

VII.- Grounds for divorce is: incompatibility, grounds provided for in Part XIX of the 3rd Article of the Divorce Law, which was fully provided for in accordance with the provisions of Article 370 of the Code of Civil Procedure.

VIII.- Nothing was mentioned as to property, therefore no orders are entered and as to the minor in conformity with Article 14 of the Law of Divorce and petition of theDistrict Attorney, said minor is to continue in the same condition as at present.

THEREFORE, By reason of the terms of Articles 1, 2, 10, 37, 43, 44 and 45 of the Law of Divorce invoked,

IT IS ORDERED: The dissolution with all its legal consequences of the marriage existing between ALBERT LAMBERT and JUNE LAMBERT, contracted in Spring Valley, New York, United States of America, September 12, 1942.

The parties are free to remarry.

The plaintiff may use her maiden name.

This decision must be notified, registered, [illegible]

the certified copies requested by the parties must be issued to them and in due time judicial decree is filed. So it was finally ordered and signed by Atty. Jesus Barba Cornejo, Judge of the First Civil Court, Bravos District.- Attest.- J. Barba C.- Rodolfo Silva.-

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THIS IS A TRUE AND CORRECT COPY TAKEN FROM THE ORIGINAL ON THESE TWO LEGAL SHEETS, DULY COMPARED AND AUTHORIZED IN CIUDAD JUAREZ, CHIHUAHUA, MEXICO, IS ISSUED TO MRS. JUNE LAMBERT, THIS THE SEVENTEENTH DAY OF JULY, NINETEEN HUNDRED AND FORTY-SIX.- - - - - - - - -

The Clerk:

Rodolfo Silva

Approved:

Jesus Barba Cornejo

Judge of the First Civil Court

[illegible] Court of the State of [illegible]
held ~~in and~~ for the County of ~~Dutchess~~ White Plains,
at the Court House in the City of ~~Poughkeepsie~~, New York, on the 28th
day of September, 1948.

Present:

HON. FREDERICK G. SCHMIDT,

Justice.

- -

JUNE LAMBERT,

Plaintiff,

-against-

ALBERT LAMBERT,

Defendant.

- -

The above entitled action having been brought by plaintiff for a judgment of divorce dissolving the marriage heretofore existing between the parties hereto, upon the ground of the adultery of the defendant and the defendant having been duly personally served with the summons and verified complaint in this action in the State of New Jersey and twenty days having elapsed since said service, and the defendant not having appeared, answered or otherwise moved with regard to the said complaint and the cause having been duly brought on for trial at a Special Term of this Court before Hon. Frederick G. Schmidt, one of the Justices of this Court, on the 10th day of September, 1948, and the plaintiff by her attorneys having appeared and presented her verified complaint, written proof of the service of the summons and complaint on the defendant, affidavit of regularity of this proceeding, and testimony having been heard by the Court sustaining the allegations set forth in the complaint, the Court having been thereupon fully advised in the premises,

of fact and conclusions of law, that among other things, that the plaintiff was entitled to a judgment against the defendant dissolving the marriage heretofore existing between the parties hereto pursuant to the statute because of the adultery of the defendant:

Now on motion of Lexow & Jenkins, attorneys for the plaintiff, it is

ORDERED, ADJUDGED AND DECREED that the plaintiff is entitled to a judgment dissolving the bonds of matrimony heretofore existing between the plaintiff and the defendant and freeing the plaintiff from the obligation thereof, and permitting the plaintiff to remarry but forbidding the defendant from remarrying any other person than the said plaintiff during the lifetime of the plaintiff except by express permission of the Court, and it is further

ORDERED, ADJUDGED AND DECREED that the plaintiff have the custody of the infant child, William Raymond, age six years, the issue of said marriage, and it is further

ORDERED, ADJUDGED AND DECREED that this judgment is interlocutory, but shall become the final judgment as of course three months after the entry and filing thereof, unless for sufficient cause the Court in the meantime shall have otherwise ordered. Upon this judgment becoming the final judgment, the said marriage shall be dissolved and the plaintiff shall hereby be divorced from the defendant and it shall be lawful for the plaintiff to marry again, the same as if the defendant was dead, but it shall not be lawful for the defendant to marry any person other than the plaintiff during the lifetime of the plaintiff, except by express permission of the Court.

E N T E R in Rockland County,

Kellock V. Wenzel
Justice of the Supreme Court

ENTERED SEP 30 1948 3:00 P.M.

SUPREME COURT : ROCKLAND COUNTY

- -

JUNE LAMBERT,

Plaintiff,

-against-

ALBERT LAMBERT,

Defendant.

- -

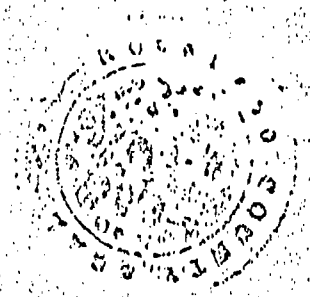
STATE OF NEW YORK
COUNTY OF ROCKLAND SS:

I, JOHN W. COYLE, Clerk of the Supreme Court of Rockland County, do hereby certify that a decision and interlocutory judgment of divorce in favor of plaintiff in an action brought in the Supreme Court, Rockland County by June Lambert, plaintiff against Albert Lambert, defendant was filed and entered in this office on the 30th of September, 1948, and that no order or direction of the Court in any way affecting said judgment has since been filed in this office and that the same has become final as of course.

WITNESS my hand and official seal this 31st day of December, 1948.

John W Coyle
County Clerk of Rockland County

By Earl Weinrich
Deputy



COMMONWEALTH OF VIRGINIA

47.

FULL NAME OF GROOM: SALVATORE JOSEPH ROMEO — CLERK'S NO. 1687

PRESENT NAME OF BRIDE: LUCY ANN LAMBERT — MAIDEN NAME: RIGOGLIOSO

GROOM				BRIDE			
AGE	RACE	SINGLE, WIDOWED, OR DIVORCED	NO. TIMES PREV. MARRIED	AGE	RACE	SINGLE, WIDOWED, OR DIVORCED	NO. TIMES PREV. MARRIED
43	W	Widower	1	43	W	Widow	1

OCCUPATION: Partner — INDUSTRY OR BUSINESS: Const.

OCCUPATION: Bookkeeper — INDUSTRY OR BUSINESS:

BIRTHPLACE: TERRA NOVA, ITALY

BIRTHPLACE: GREAT RIVER, NEW YORK

FATHER'S FULL NAME: JOSEPH ROMEO

FATHER'S FULL NAME: CHARLES RIGOGLIOSO

MOTHER'S MAIDEN NAME: MARIA STELLA PEDATELLA

MOTHER'S MAIDEN NAME: PHYLIS LAURIANTI

RESIDENCE CITY OR COUNTY MAILING ADDRESS: 14 West Lake Dr. Patchogue, N. Y.

RESIDENCE CITY OR COUNTY MAILING ADDRESS: 37 Union St. Islip, N. Y.

Proposed Date of Marriage: July 31, 1964 — Proposed Place of Marriage: Arlington, Virginia

Given under my hand this 31 day of July, 1964

H. Bruce Green, Clerk

Clerk of Circuit Court.

CERTIFICATE OF DATE AND PLACE OF MARRIAGE

I, Francis X. Thomas, Jr. appointed by the Arlington Circuit Court (Denomination), do hereby certify that on the 31st day of July 1964, in the county, of Arlington, Virginia, under authority of this license I joined together in the Holy State of Matrimony the persons named and described therein. I qualified and gave bond in the county of Arlington, year 1964, which authorizes me to celebrate the rites of marriage in the Commonwealth of Virginia.

Given under my hand this 31st day of July 1964

Address of celebrant 2060 N. 14th Street Arlington, Virginia

(Person who performs ceremony sign here)

MARRIAGE LICENSE

Virginia: ARLINGTON COUNTY, to-wit:

TO ANY PERSON LICENSED TO CELEBRATE MARRIAGES:

You are hereby authorized to join together in the Holy State of Matrimony, according to the rites and ceremonies of your Church or religious denomination, and the laws of the Commonwealth of Virginia,

SALVATORE JOSEPH ROMEO and LUCY ANN LAMBERT

Given under my hand, as Clerk of CIRCUIT Court of ARLINGTON County (or City) this 31 day of July, 1964

H. Bruce Green, Clerk

By _____ Deputy Clerk

This license expires Sept. 29, 1964 (Insert date of 60th day following issuance)

A COPY, TESTE:

H. BRUCE GREEN, CLERK

BY _____ Deputy Clerk

MARRIAGE LICENSE

County (or City) ARLINGTON

SALVATORE JOSEPH ROMEO Groom

LUCY ANN LAMBERT Bride

Date of Issue JULY 31, 1964

Marriage Register No. 33 Page 1

STATE OF NEW YORK

Affidavit for License to Marry

STATE OF NEW YORK } No. 340
County of Suffolk
Town of Islip

Albert William Lambert
(Groom)

and Lucy Ann Abrams
(Bride)

applicants for a license for marriage, being severally sworn, depose and say, that to the best of their knowledge and belief the following statement respectively signed by them is true, and that no legal impediment exists as to the right of the applicants to enter into the marriage state.

From the Groom

Full name Albert William Lambert (Groom)
Color white
Place of residence New York (state)
Suffolk (county) Islip (city, village or town)
17 Dunagen St (street address) Is residence within limits of city or incorporated village? no
Age 30 Date of birth Dec. 25, 1921
Usual occupation machinist
Industry or business Garage
Place of birth Boston, Mass.
Name of father Austin D. Lambert
Country of father's birth U.S.A.
Maiden name of mother Rita Abrams
Country of mother's birth Nova Scotia
Number of proposed marriage 2nd
Former wife or wives living or dead living
Is applicant a divorced person? yes If so, when and where, and against whom divorce or divorces were granted Feb. 11, 1946 Crested Chihuahua, Mexico against Albert Lambert

I declare that no legal impediment exists as to my right to enter into the marriage state.

Albert William Lambert
(Groom)

From the Bride

Full name Lucy Ann Abrams (Bride)
Color white
Place of residence New York (state)
Suffolk (county) Islip (city, village or town)
37 Union St. Ext. (street address) Is residence within limits of city or incorporated village? no
Age 31 Date of birth Dec. 21, 1920
Usual occupation Secretary Registrar
Industry or business Board of Education, N.Y.C.
Place of birth Great River, N.Y.
Name of father Charles Ricciardiello
Country of father's birth Italy
Maiden name of mother Phyllis Lanciano
Country of mother's birth Italy
Number of proposed marriage 2nd
Former husband or husbands living or dead living
Is applicant a divorced person? yes If so, when and where, and against whom divorce or divorces were granted Nov. 24, 1947 Volusia Co. Fla. against Richard Harrison Abrams

I declare that no legal impediment exists as to my right to enter into the marriage state.

Lucy Ann Abrams
(Bride)

Subscribed and sworn to before me this 20 day of Nov. 1952 11:00 a.m.

B. Ellen Carter
Deputy Clerk

FUTURE ADDRESS
(Enter here EXACT FUTURE ADDRESS after marriage if known)
16 Kensington St
(street address)
Islip, N.Y.
(city, town, or village)

NOTICE TO TOWN OR CITY CLERK. The original marriage license and certificate with affidavit for license and consent, must be filed in the office of the state department of health on or before the fifth of each month. Place of state department should be filed and the license is returned with the certificates showing that the marriage has taken place and was actually performed.

See reverse of blank for "documentary proof of age" requirement.

[illegible] marriage license is valid for thirty [illegible] days in the State of New York [illegible] after sixty days from the date of issue. The Marriage Certificate on the reverse must be [illegible]

The written consents of the Parents, Guardians, or Persons under whose care such persons the Minor or Minors may be have been [illegible] in the Town or City Clerk's office in _____ and verbal proof of age was submitted as provided by Section 13, Article 3 of the Domestic Relations Law.

MARRIAGE CERTIFICATE
TO CLERGYMEN AND MAGISTRATES

The license and the certificate duly signed by the person who shall have solemnized the marriage therein authorized shall be returned by him to the office of the town or city clerk who issued the same within five days succeeding the date of the solemnizing of the marriage therein authorized and any person or persons who shall wilfully neglect to make such return within the time above required shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars or more than fifty dollars for each and every offense.

A marriage shall not be solemnized within three days from the date on which the applicant has claim for the surcharged fee provided for by Section 15-b of the Domestic Relations Law, and not until twenty-four hours after the issuance of the marriage license, or, if such consultation and aid shall be dispensed with by order of a judge or justice or shall not be required pursuant to such section, within three days from the date of issuance of the marriage license thereto, unless authorized by an order of a court of record as provided in Section 15-b of the Domestic Relations Law nor shall it be solemnized after sixty days from the date of the issuance of the marriage license. Where the immediate solemnization of the marriage is so authorized, the person who solemnizes the marriage must file the court order with the town or city clerk who issued the license within five days after the marriage is solemnized.

Where either of the parties is under the age of twenty-one years, the marriage shall be solemnized only by a clergyman, mayor of a city, justice or judge of a court of record, justice of the court of Special Sessions of the city of New York, justice of the Domestic Relations Court of the city of New York or by a judge of a Children's Court.

I, Oscar K. Bailey a clergyman residing at 340 Main St (street address) in the city / town / village of Islip in the county of Suffolk and state of New York, do hereby certify that I did on this 27th day of November in the year A.D. 1952 at 4 P. M., at Islip (city, village, or town) in the county of Suffolk and state of New York, solemnize the rites of matrimony between Colleen Mullin Lambert of Islip (city, village, or town) in the county of Suffolk and state of New York, and Leroy Ernest Adams of Islip (city, village, or town) in the county of Suffolk and state of New York in the presence of Herman O. Schmidt Jr. and Rose Agnew as witness, and the license therefor is hereto annexed.

Witness my hand at Islip in the county of Suffolk this 27th day of November A.D. 1952

in the presence of

Herman O. Schmidt Jr. (Signature of Witness)

Residence 11 Dorgee St. Islip, N.Y.

Rose Agnew (Signature of Witness)

Residence West Babylon, N.Y.

Oscar K. Bailey (Signature of Person Performing Ceremony)

340 Main St. (Address of Person Performing Ceremony)

Islip, N.Y.