

FILED FOR RECORD

'67 JAN 9 PM 3:13

E.E. LEATHERMAN
CLERK, CIRCUIT COURT
DADE CO. FLA.

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA. IN CHANCERY

No.

67- 319

JOE EATON

TANIA SALA GUTIERREZ,)
)
Plaintiff,)
)
vs.)
)
ELOY GUTIERREZ,)
)
Defendant.)

COMPLAINT FOR DIVORCE
Depo 18,50

Comes now Tania Sala Gutierrez, the plaintiff in the above styled suit, and brings this her complaint for divorce against her husband, Eloy Gutierrez, the defendant, and thereupon complaining says:

1. That the plaintiff is an actual bona fide resident of Dade County, Florida, and has been such a resident for more than six months prior to the filing of this complaint.
2. That the defendant is a resident of Cuba and is not in the military service of the United States of America or any of its allies.
3. That the parties were married in the City of Miami, Dade County, Florida, on November 9, 1961; that one child, Elena Patricia Gutierrez has been born as a result of their marriage who is now four years of age.
4. That subsequent to the marriage, the defendant, became more interested in the political affairs of Cuba than he did in his family, to-wit: the plaintiff and minor daughter; that he failed to exhibit toward the plaintiff love and interest in her welfare; that without any word or provocation, the defendant abandoned the plaintiff and their minor child on May 2, 1964, and went, as your plaintiff is informed and believes and, therefore, alleges to the Dominican Republic; that he has contributed

nothing toward the maintenance of the plaintiff and their daughter;
that the defendant made no move or effort to return to the
plaintiff since his departure on May 2, 1964.

5. That the plaintiff always conducted herself as a
dutiful wife.

WHEREFORE, plaintiff charges the defendant with extreme
cruelty toward her and desertion and prays that this court may
grant unto her a divorce a vinculo matrimonii from the defendant
and grant unto her custody of the minor child.

Tania Sala Gutierrez
Plaintiff

HYZER, KNIGHT & LUND

By: Richard Hyzer
Attorneys for Plaintiff

STATE OF FLORIDA)

COUNTY OF DADE)

Beofre me, the undersigned authority, personally appeared
TANIA SALA GUTIEEREZ who, being by me first duly sworn, did
depote and say that she is the plaintiff named in the above
and foregoing complaint for divorce; that she has read the said
complaint and that the allegations therein contained are true.

Sworn to and subscribed before me at Miami, Dade County,
Florida, this 28 day of December, 1966.

Patricia Acker
Notary Public, State of Florida at Large
My commission expires:

Notary Public, State of Florida at Large
My commission expires March 30 1968
Bonded by Transamerica Insurance Co.

RECORD
1967 JAN 9 PM 3:13
CLERK OF THE COURT
DADE CO. FLA.

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA. IN CHANCERY

No. 67- 319

TANIA SALA GUTIERREZ,)
)
 Plaintiff,)
)
 vs.)
)
 ELOY GUTIERREZ,)
)
 Defendant.)

AFFIDAVIT OF
NON-RESIDENCE

STATE OF FLORIDA)
COUNTY OF DADE)

TANIA SALA GUTIERREZ, being first duly sworn, deposes and says that she is the plaintiff in the above styled cause; that diligent search and inquiry has been made to discover the residence of the defendant, Eloy Gutierrez; that he is a resident of a country other than the State of Florida; That the residence as particularly as is known to your affiant is Prisoner no. 35138, Building no. 5, Isle of Pines Prison, Isle of Pines, Cuba; that said defendant is over the age of 21 years; that he is not in the military service of the United States or any of its allies; that there is no person in the State of Florida upon service of process would bind said defendant.

Tania Sala Gutierrez

Subscribed and sworn to before me
this 3 day of January, 19 68.

Patricia Hassen

Notary Public, State of Florida at Large
My commission expires:

Notary Public, State of Florida at Large
My commission expires Mar. 30 1968
Bonded by Transamerica Insurance Co.

**MIAMI REVIEW
AND DAILY RECORD**

Published Daily except Saturday and Sunday.
Miami, Dade County, Florida.

BOOK 799 PAGE 599
Filed this 17th Day of Feb A. D. 1967 and
recorded this 20th Day of Feb A. D. 1967 in
Circuit Court Minute Book 799 on page 599

E. B. LEATHERMAN,
Clerk Circuit Court

By [Signature]
Deputy Clerk

STATE OF FLORIDA
COUNTY OF DADE:

Before the undersigned authority personally appeared Martha Drobnie, who on oath says that she is the Office Manager of the Miami Review and Daily Record, a daily (except Saturday and Sunday) newspaper, published at Miami in Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement or Notice in the matter of 67-319

TANIA SALA GUTIERREZ

vs.

ELOY GUTIERREZ

In the Circuit Court,
was published in said newspaper in the issues of

January 10, 17, 24, 31, 1967

Affiant further says that the said Miami Review and Daily Record is a newspaper published at Miami, in said Dade County, Florida, and that the said newspaper has heretofore been continuously published in said Dade County, Florida, each day (except Saturday and Sunday) and has been entered as second class mail matter at the post office in Miami, in said Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or fee for the purpose of securing this advertisement for publication in the said newspaper.

Martha Drobnie
Sworn to and subscribed before me this
31st day of January 1967
[Signature]
Notary Public, State of Florida at Large.

My Commission expires April 15, 1969

NOTICE BY PUBLICATION
IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN
AND FOR DADE COUNTY,
FLORIDA.—CIVIL ACTION NO.
67-319

TANIA SALA GUTIERREZ,
Plaintiff,

vs.

ELOY GUTIERREZ,
Defendant.

TO: ELOY GUTIERREZ
Prisoner no. 35138
Building no. 5
Isles of Pines, Prison
Isle of Pines, Cuba

You are hereby notified that a complaint for divorce has been filed against you and you are required to serve a copy of your answer and/or other pleadings on the plaintiff's attorneys, Hyzer, Knight & Lund, 2701 South Bayshore Drive, Miami, Florida 33133, and file the original thereof in the office of the Clerk of the above styled court, Dade County Courthouse, Miami, Florida, on or before the 15th day of February, 1967. If you fail to do so, a decree pro confesso will be filed against you for the relief demanded in the complaint.

Dated at Miami, Dade County, Florida, this 9th day of January, 1967.

E. B. LEATHERMAN,
Clerk of the Circuit Court,
Dade County, Florida

(Circuit Court Seal)
By: C. P. COPELAND
Deputy Clerk
1/10-17-24-31

DADE COUNTY CLERK
E. B. LEATHERMAN
FILED FOR RECORD
FEB 17 PM 12:47
1967

MK

FILED FOR RECORD

'68 AUG 16 PM 12:40

E. B. LEATHERMAN
CLERK CIRCUIT COURT
DADE CO. FLA.

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

NO. 67-319

No L.P.
[Signature]

TANIA SALA GUTIERREZ,
Plaintiff,

vs.

ELOY GUTIERREZ,
Defendant.

ORDER OF DISMISSAL
FOR
LACK OF PROSECUTION

THIS CAUSE having come on to be heard upon the Court's own motion, and it appearing that no action, by any party to the cause, has been taken by the filing of pleadings, Order of Court, or otherwise, in this case for a period of more than one year prior to the date of this Order, it is therefore

ORDERED, ADJUDGED AND DECREED that this cause be and the same is Rule 1.420 (e) Florida Rules of Civil Procedure. hereby dismissed pursuant to ~~SECTION 19.01, F.L.A.~~

DONE AND ORDERED in Chambers, at Miami, Dade County, Florida, this
16 day of August 19 68.

David Popper
CIRCUIT JUDGE

IT IS HEREBY CERTIFIED that a true copy of the foregoing Order was mailed on the 16 day of August 19 68 to the attorneys of record.

n.m.

Secretary

Filed this 16 day of Aug 68 A.D. 1968 and recorded the 20 day of Aug A.D. 1968 in Circuit Court Minute Book 977 page No. 310

E. B. LEATHERMAN
Clerk Circuit Court
By *[Signature]*
DEPUTY CLERK