

STATE OF MINNESOTA
COUNTY OF MARSHALL

IN DISTRICT COURT
NINTH JUDICIAL DISTRICT

In Re the Marriage of:

Court File No. 45-FA-21-96

Anders Leland Odegaard,
Petitioner,

ORDER

vs.

Carissa Joy Odegaard,
Respondent.

This case was before the Court on June 25, 2021, for hearing on the appointment of a Custody Evaluator. Petitioner appeared pro se. Respondent appeared with her attorney, Mr. Cody Cummings.

At the outset of the hearing, Petitioner advised that he was withdrawing his Petition for Dissolution. The Court noted his request and will dismiss Petitioner's Petition. However, since Respondent filed an Answer and Counter-petition for dissolution, the case will remain pending. Respondent shall not be required to file a new Petition. Rather, the Court will treat her Answer and Counter-petition as the Petition in this case.

With this change, Mr. Odegaard indicated that he would not consent to service, nor would he agree to service by mail. Ms. Odegaard indicated that she would serve Mr. Odegaard by sheriff.

Mr. Odegaard requested a modification of the case heading. Going forward, this case shall be captioned as follows:

Carissa Joy Odegaard, Petitioner vs. Anders Leland Odegaard, Respondent.

There is no change to the court file number in this case.

Mr. Odegaard objected to the appointment of a Custody Evaluator as premature. Mr. Odegaard has not decided if he intends to respond to Ms. Odegaard's Petition or if he intends to proceed by default. The Court took that matter under advisement.

Based upon the foregoing, the Court issues the following:

ORDER

1. Mr. Odegaard's Petition is hereby **DISMISSED**. Ms. Odegaard's Counter-Petition is now the pending Petition in this case.
2. Going forward, this case shall be captioned as follows:

Carissa Joy Odegaard, Petitioner vs. Anders Leland Odegaard, Respondent.

Marshall County Court Administration shall make the necessary changes on MNCIS to reflect this change.
3. Petitioner shall complete personal service upon Respondent. If Respondent is unable to be personally served, Petitioner may request service by alternate means.
4. The Court will defer making a decision on the appointment of the Custody Evaluator at this time. The Court will wait to see if Respondent provides a formal Answer to Petitioner's Petition or he decides to proceed by default.
5. A Telephone Status Conference shall be held at **8:30 a.m. on August 12, 2021**. To participate in the conference call the following number: 1-712-770-5505, and use access code 318718#. The purpose of this status conference is to address whether Respondent has been served, to determine whether Respondent has offered a formal response, and to set a date and time for a Default Hearing in the event there is no formal response.

BY THE COURT:

Hon. Anne M. Rasmusson
Judge of District Court