

IN THE FAMILY COURT OF THE COUNTY OF ST. LOUIS  
TWENTY-FIRST (21<sup>ST</sup>) JUDICIAL CIRCUIT  
STATE OF MISSOURI

In Re the Marriage of:

ZINIA SUE THOMAS,	)	
XXX-XX-8780,	)	
	)	
Petitioner,	)	
	)	Cause No.:
v.	)	
	)	Division No.:
VIVEK AGNIHOTRI,	)	
XXX-XX-4141,	)	
	)	
Respondent.	)	

PETITION FOR DISSOLUTION OF MARRIAGE

COMES NOW Petitioner Zinia Sue Thomas, by and through her attorneys Stange Law Firm, PC, being first duly sworn, and for her Petition for Dissolution of Marriage does state:

1. Petitioner has been a resident of the State of Missouri for greater than the ninety (90) days immediately prior to the filing of this Petition, has been a resident of the State of Missouri for the last seven (7) consecutive years, and currently resides in the County of St. Louis, at 21 Huntleigh Woods, St. Louis, Missouri 63131.

2. Respondent has been a resident of the State of Missouri for greater than ninety (90) days immediately prior to the filing of this Petition, has been a resident of the State of Missouri for the last seven (7) years, and his current legal residence is in the County of St. Louis, at 21 Huntleigh Woods, St. Louis, MO 63131, however Respondent has not resided at said location since July 4, 2016, and his current physical residence is unknown to Petitioner.

3. Petitioner is a founding partner and fifty percent (50%) owner/shareholder, and Medical Director of Spectrum Psychiatry, PC, located in Frontenac, Missouri, and does practice medicine at the same, and Petitioner's Social Security Number is XXX-XX-8780.

4. Respondent is a founding partner and fifty percent (50%) owner/shareholder and member of the Board of Directors, of Spectrum Psychiatry, PC, is responsible for the initial contracting of certain of the financial dealings of the Corporation, and does practice medicine at the same, and Respondent's Social Security Number is XXX-XX-4141.

5. Spectrum Psychiatry, PC is a Missouri Corporation, established in 2011, as a joint venture by the Parties, and Petitioner is registered with the Secretary of State of the State of Missouri as the Registered Agent of said company.

6. The Parties were married on May 5, 2005, in Maui, Hawaii, and said marriage was duly registered in the same; and separated on July 4, 2016.

7. Petitioner is not now pregnant.

8. There is no reasonable likelihood that the marriage of the Parties can be preserved, and therefore, the marriage is irretrievably broken.

9. Respondent is not a member of the Armed Forces of the United States or of any of its allies on active duty.

10. There are two children born of this marriage, to wit: Kirin Thomas Agnihotri, born May 30, 2007, now age nine (9), and Suhani Grace Agnihotri, born December 20, 2009, now age six (6). ("Minor Children")

11. The Minor Children lived with Petitioner at 21 Huntleigh Woods, St. Louis, MO 63131, have lived with Petitioner since birth, and are presently in the custody of Petitioner.

12. Prior to July 4, 2016, the Minor Children lived with both Petitioner and Respondent at the aforementioned address, until Respondent was forcibly removed from the premises, and incarcerated on charges of domestic assault, and is presently barred from the home by order of the St. Louis County Court.

13. In accordance with RSMo Section 452.480, Petitioner states that the following information is true and correct to the best of her knowledge and belief as to the Minor Children:

- a. The Minor Children currently reside at 21 Huntleigh Woods, St. Louis, MO 63131, and have resided at said address from 2009 – Present, and have resided with Petitioner since birth.
- b. Petitioner is currently involved in the following litigation concerning the children, insofar as all affect the safety, wellbeing, and custody of the Minor Children:
  - i. 16SL-PN03187: Zinia Thomas v. Vivek Agnihotri – Adult Order of Protection, Not Disposed;
  - ii. 16SL-PN03188: Zinia Thomas v. Vivek Agnihotri – Child Order of Protection, on behalf of the minor children Kirin T. Agnihotri & Suhani G. Agnihotri, Not Disposed;
  - iii. 16SL-CR04889: State v. Vivek Agnihotri – Second Degree Domestic Assault, Not Disposed.
- c. Petitioner has no information of any custody proceeding concerning said Minor Children, other than this Cause of Action, and/or those other matters already referenced herein, in Paragraph 11(b), above.

- d. There are no other persons not a party to these proceedings who have physical custody, or claims to have rights of legal custody, or visitation with respect to the Minor Children.
- e. Petitioner understands that she has a continuing duty to inform the Court of any proceeding in this or any other state that could affect the current proceeding.

14. The Minor Children have been placed in the Custody of Petitioner for the purpose of ensuring their safety and wellbeing.

15. No arrangements have been made as to the support of said Minor Children.

16. It is in the best interest of the Minor Children that Petitioner be awarded sole legal custody.

17. It is in the best interest of the Minor Children that Petitioner be awarded sole physical custody, and that Respondent be awarded only limited and supervised visitation, and only upon completing batterer's intervention, anger management, and parenting courses.

18. Respondent has a history of being physically, sexually, and emotionally abusive of his family.

19. Respondent has both misappropriated and diverted marital funds, and has cut off Petitioner's access from the same, thereby precluding her from paying bills for either the Parties' home or office obligations.

20. Respondent has accrued substantial debt during the pendency of the marriage, that is only now becoming known to Petitioner.

21. Due to Respondent's wrongful behaviors, Petitioner has been unable to access the funds necessary to meet her basic needs, and is therefore in need of an award of maintenance to provide the same.

22. Respondent is employed and earns a substantial and lucrative income, and is able to pay maintenance to Petitioner.

23. Respondent is able-bodied and capable of supporting himself through employment to provide for his own reasonable needs, and therefore is not in need of an award of maintenance from Petitioner.

24. Respondent has the option of maintaining dual citizenship in both the United States and India, and is in possession of at least one government issued passport.

25. As of the time of this Petition, Respondent is facing felony criminal charges that among other consequences, could result both in imprisonment, and the loss of his professional license to practice medicine.

26. Respondent is a native of India, a country that is not a member of the 1980 Hague Convention on the Civil Aspects of International Child Abduction, and a Citizen of the United States, with a valid passport issued by the same, and possesses the means and incentive to leave the country at will.

27. It is in the best interest of the Minor Children that Petitioner and the Minor Children continue to reside in the family home at 21 Huntleigh Woods, St. Louis, Missouri 63131.

28. Although employed, Petitioner lacks adequate financial resources to solely provide for the care, welfare, and support of the Parties' minor children, and no longer has access to financial resources previously available to her, due to Respondent's depletion and denial of Petitioner's access to the same.

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29. The Minor Children are without adequate funds to provide individually, or jointly, for their own care, welfare, and support in a manner commensurate with the financial means of Petitioner and Respondent.

30. Petitioner requests that this Court order Respondent to pay child support to Petitioner in accordance with Rule 88.01 and Form 14 retroactive to the date of the Parties' last paycheck from Spectrum Psychiatry, PC.

31. Petitioner and Respondent have acquired certain property and certain debts during the marriage but have not entered into a property settlement agreement as of the date of the filing of this Petition.

32. Petitioner requests that the Court make a finding that any Marital Settlement other property related provisions included herein, or in the alternative, if the Parties have not executed a Marital Settlement Agreement, that the marital property and marital debts be divided in a fair and equitable manner.

33. Petitioner requests that any Agreement, and/or division of property provide for the possibility of after-acquired discovery of any misrepresentation, dishonesty, non-disclosed information, and/or any other new information that Respondent failed to disclose, and that might in some way have an effect on said distribution, such that Petitioner will be afforded her rightful share of such additional property, and/or Respondent shall be reallocated any additional debt rightfully owed by him.

34. Petitioner and Respondent have certain legitimately obtained non-marital property.

35. Petitioner lacks adequate financial resources with which to pay her attorney's fees and litigation costs incurred in this matter, and, therefore requests that Respondent be ordered to pay Petitioner's attorney's fees and litigation costs incurred herein.

WHEREFORE, Petitioner prays that the Court hear and determine this cause, and upon such hearing, the Court make a finding that the marriage of the Parties is irretrievably broken, and the Court order, adjudge, and decree that:

- A. The marriage between Petitioner and Respondent be dissolved;
- B. Petitioner be granted sole physical custody, and sole legal custody of the minor children;
- C. Respondent be awarded limited and supervised visitation with the Minor Children;
- D. Respondent be required to surrender his United States issued passport, until such time as all matters related to the dissolution of the Parties' marriage, disposition of their property, and any other legal matters for which Respondent must answer have been concluded;
- E. Respondent be required to complete (1) a batterer's intervention course; (2) an anger management course; and (3) a parenting course;
- F. Respondent be required to account for, and remit to Petitioner, any and all marital funds he has diverted, removed, and/or misappropriated from the Parties', whether known or not yet discovered as of the date of this Petition;
- G. Respondent immediately reinstates (or if newly established, provides) Petitioner access to all bank accounts, credit cards, and/or other monies not specifically mentioned herein that contain any marital funds, no matter how small the amount;

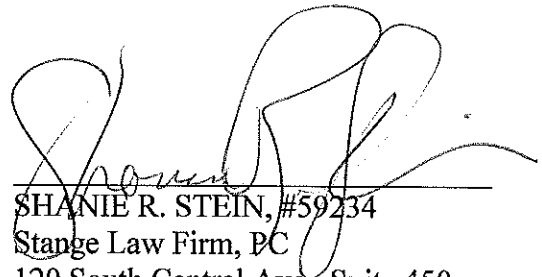
- H. Respondent immediately disclose a complete accounting of all debt whether outstanding or fully repaid, that was unilaterally acquired during the pendency of the Parties' marriage;
- I. Ensure that Petitioner all back-pay from the Parties' business is paid to Petitioner without delay, and that she continue to receive a regular paycheck, and any and/or all other financial payouts from the business, in an amount equal to that received by Respondent;
- J. Pay Petitioner a monthly maintenance award in an amount of three thousand five-hundred dollars (\$5,000.00) per month;
- K. Petitioner and the children be allowed to continue residing in the family home located at 21 Huntleigh Woods, St. Louis, Missouri 63131, and require that Respondent pay fifty percent (50%) of the monthly mortgage, HELOC loan payments, and any/all other household bills for that home;
- L. Respondent be ordered to pay child support to Petitioner in accordance with Rule 88.01 and Form 14, retroactive to the date of the last paycheck prior to the filing of this Petition, that was issued to the Parties' by Spectrum Psychiatry;
- M. The Court will divide any marital property and debts, not otherwise disposed of, in a fair and equitable manner;
- N. The Court will ensure that any dispossession of marital property provide for the distribution of any and/or all property not discovered due to Respondent's actions, and/or behaviors, until after this divorce decree has been granted;
- O. Respondent pay Petitioner's attorney's fees and litigation costs incurred as a result of these and/or any related legal proceedings,



P. And any other such relief as this Court deems just and appropriate under these circumstances.

Respectfully Submitted,

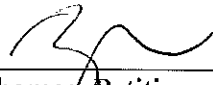
STANGE LAW FIRM, PC

A handwritten signature in black ink, appearing to read 'Shanie R. Stein', is written over a horizontal line. The signature is stylized and cursive.

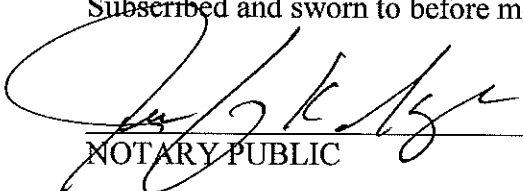
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*Attorneys For Petitioner*

STATE OF MISSOURI            )  
  ) SS.  
COUNTY OF ST. LOUIS        )

Comes now ZINIA THOMAS, the Petitioner herein, being first duly sworn according to law, states that she has read the foregoing document and states that the facts contained therein are true and correct according to her best knowledge, information, and belief.

  
\_\_\_\_\_  
Zinia Thomas, Petitioner

Subscribed and sworn to before me this 26<sup>th</sup> day of July, 2016.

  
\_\_\_\_\_  
NOTARY PUBLIC

My commission Expires: 3-4-18

JENNIFER K. AGLES  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for St. Louis County  
My Commission Expires: March 04, 2018  
Commission Number: 14934090