



## JUSTICE SPOTLIGHT

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# Did Kenny Lie to Renee?

**CITING "FRAUD," RENEE ZELLWEGER SEEKS TO ANNUL HER MARRIAGE OF JUST FIVE MONTHS**

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Few people seemed surprised that the marriage of Kenny Chesney and Renee Zellweger imploded within five months, but the revelation that Zellweger filed for an annulment -- due to fraud, no less -- has created a buzz.

An annulment usually suggests a Britney Spears type scenario -- her 55-hour Vega marriage to childhood friend Jason Allen Alexander was declared void, as if it never happened, before it was likely even consummated. An annulment for fraud, however, requires that the person seeking to dissolve the marriage jump substantial hurdles.

"The kinds of fraud that would traditionally void a marriage are grave, such as mental incapacity or a very serious misrepresentation," says Georgia family law attorney John Mayoue. Mark Vincent Kaplan, a California divorce attorney, agrees. "The courts are restrictive," he says. A party seeking an annulment for fraud must show "really significant misrepresentation or non-disclosure."

California law does not set out specific frauds that can be grounds for an annulment, but Mayoue says certain general principles may apply. "It would have to be a material misrepresentation that induced Ms. Zellweger to marry Mr. Chesney," he says, "one that she relied upon in marrying him. In the traditional sense, it would be something like he was already married and still married to that other person, or he wasn't of the age of consent, which obviously isn't the case, or that they were related too closely to be married, which, again, wouldn't apply. The fraud would have to be serious enough that it affected his ability to be married to her."

One persistent rumor has been that Chesney is gay, and that his sexual orientation may have led Zellweger to claim fraud in her petition for an annulment. Mayoue doubts a court would rule in her favor in that case, however. "Gay people can legally marry someone of the opposite sex, so I don't think a misrepresentation of his sexuality would suffice. That's something she could use as grounds for divorce, but not for an annulment," Mayoue says.

In order for the marriage to be annulled, a judge will have to agree with Zellweger that a fraud did occur and that it was serious enough to justify an annulment. If the judge rules against her, she can still file for divorce.

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No comments yet:

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