

SUPREME COURT OF THE STATE OF ALASKA

Jacob A. Marquez v. Dawn L. Marquez

Marquez v. Marquez · No. S-19019/19029 · Decided April 10, 2026

SUMMARY

The Alaska Supreme Court reviews an appeal and cross-appeal arising from the division of an approximately \$8.2 million marital estate. The court affirms rulings concerning a landscaping business’s future reclamation costs, valuation of a truck purchased after separation, valuation of personal property, and liens securing an equalization payment. It vacates and remands the decision to award interest only on later installments because the superior court did not explain its decision to withhold interest on the earlier installments.

CASE DETAILS

COURT	Supreme Court of the State of Alaska
WRITING FOR THE COURT	Borghesan, Justice; Carney, Chief Justice; Henderson, Justice; Pate, Justice; Oravec, Justice
JURISDICTION	Supreme Court of the State of Alaska
DECIDED	April 10, 2026
DOCKET	S-19019/19029
DISPOSITION	vacated
PROCEDURAL POSTURE	Jacob Marquez appealed the superior court's property-division rulings concerning a landscaping-business reclamation obligation, valuation of a truck purchased after separation, valuation of personal property, and security for an equalization payment. Dawn Marquez cross-appealed the superior court's decision to award interest only on later installments of the deferred equalization payment.
STANDARD OF REVIEW	Classification of marital property is reviewed for clear error as to underlying factual findings and de novo as to legal questions. Valuation of assets is reviewed for clear error. Equitable distribution is reviewed for abuse of discretion. The decision to award or withhold interest on a divorce judgment is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	published
PARTIES	Jacob A. Marquez v. Dawn L. Marquez, Estate of Dawn L. Marquez

TOPICS

equitable distribution

dissolution of marriage

appellate procedure

standard of review

preservation of error

PRACTICE AREAS

family law

marital property division

appellate procedure

QUESTIONS PRESENTED

1. Whether the superior court erred by declining to treat the future cost of reclaiming Knik Landscaping's gravel-mining lands as a marital debt.
2. Whether the superior court clearly erred by valuing Dawn's post-separation truck at fair market value rather than its purchase price.
3. Whether the superior court erred by assigning no value to personal items Dawn took from a shed when Jacob presented no evidence of their value.
4. Whether the superior court abused its discretion by refusing to add a partial-release clause to the deeds of trust securing the equalization payments when the request was first made on reconsideration.
5. Whether the superior court abused its discretion by awarding interest only on later installments of the deferred equalization payment without explaining its decision.

HOLDINGS

1. The superior court did not err by refusing to treat the estimated future cost of reclaiming the gravel-mining lands as a marital debt because the asserted obligation lacked a specific creditor and reasonably certain amount and was speculative and contingent on future events.
2. The superior court did not clearly err by valuing the truck at its current fair market value rather than its original purchase price because the evidence did not establish that Dawn wasted, dissipated, or converted marital property.
3. The superior court did not clearly err by assigning no value to the shed items because Jacob failed to present evidence establishing their value.
4. The superior court did not abuse its discretion by declining to add a partial-release clause because Jacob raised the request for the first time in a motion for reconsideration.
5. When a superior court declines to award interest on a deferred marital-property distribution, it must explain its decision; the superior court's unexplained decision to postpone interest until after the first two installments therefore had to be vacated and remanded.

KEY QUOTATIONS

“A marital debt subject to division is identified by the existence of a debtor, a creditor, and an amount owed.”
(at 9)

“Recapture is justified only when the court expressly finds, “based on evidence, that the assets in question were actually wasted, dissipated, or converted to non-marital form.”” (at 11)

“But if it declines to award interest, it “must explain its decision.”” (at 14-15)

FACTUAL BACKGROUND

Jacob and Dawn Marquez divorced after nearly 42 years of marriage, leaving an approximately \$8.2 million marital estate that included real property, rental businesses, vehicles, and Knik Landscaping. The superior court declined to treat Knik's future gravel-mine reclamation costs as a marital debt, valued a truck Dawn purchased after separation at its fair market value rather than its purchase price, and assigned no value to certain shed items Dawn took because Jacob presented no valuation evidence. The court awarded Dawn a \$1,015,751 equalization payment payable over four years and ordered interest to begin only after the first two installments, without explaining that decision.

PROCEDURAL HISTORY

After nearly 42 years of marriage, the parties obtained a divorce and litigated the division of an approximately \$8.2 million marital estate. The Alaska Superior Court for the Third Judicial District, Anchorage, entered a property-division order, allocated the estate 53% to Dawn and 47% to Jacob, ordered Jacob to pay Dawn \$1,015,751, and later established an installment schedule secured by deeds of trust. The superior court denied Jacob's motion for partial reconsideration and did not explain why interest would accrue only after the first two installments. The Alaska Supreme Court affirmed the property-division rulings, vacated the order awarding only partial interest, and remanded for an explanation of the interest decision.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The superior court must explain its reasoning for awarding interest only on the later installments of the deferred equalization payment. The order dividing the marital estate and the remaining property-division rulings are affirmed.

CASES CITED

- Day v. Williams, 285 P.3d 256, 264 (Alaska 2012)
- Partridge v. Partridge, 239 P.3d 680, 692 (Alaska 2010)
- Ethelbah v. Walker, 225 P.3d 1082, 1086, 1090-91, 1093, 1096 (Alaska 2009)
- Miller v. Miller, 105 P.3d 1136, 1139-40, 1143 (Alaska 2005)
- Pasley v. Pasley, 442 P.3d 738, 744 (Alaska 2019)
- Beals v. Beals, 303 P.3d 453, 459 (Alaska 2013)
- Josephine B. v. State, Department of Health & Social Services, Office of Children's Services, 174 P.3d 217, 220 (Alaska 2007)
- Aubert v. Wilson, 483 P.3d 179, 186, 189 (Alaska 2021)
- Grove v. Grove, 400 P.3d 109, 112 (Alaska 2017)

- Societe Financial, LLC v. MJ Corp., 542 P.3d 1159, 1173-74 (Alaska 2024)
- Vang v. Xiong, 531 P.3d 979, 983 (Alaska 2023)
- Almond v. Gilmer, 49 S.E.2d 431, 442 (Va. 1948)
- Stanhope v. Stanhope, 306 P.3d 1282, 1286, 1290-91 (Alaska 2013)
- Richter v. Richter, 330 P.3d 934, 939 (Alaska 2014)
- Perry v. Perry, 449 P.3d 700, 703-05 (Alaska 2019)
- Jones v. Jones, 942 P.2d 1133, 1137, 1140 (Alaska 1997)
- Jerry B. v. Sally B., 377 P.3d 916, 924 (Alaska 2016)
- Root v. Root, 851 P.2d 67, 69 (Alaska 1993)
- Hartland v. Hartland, 777 P.2d 636, 640 (Alaska 1989)
- Brooks v. Brooks, 733 P.2d 1044, 1056 (Alaska 1987)
- Ivy v. Calais Co., 397 P.3d 267, 275 (Alaska 2017)
- Wells v. Barile, 358 P.3d 583, 589 n.17 (Alaska 2015)
- Hudson v. Hudson, 532 P.3d 272, 284-85 (Alaska 2023)
- Dixon v. Dixon, 747 P.2d 1169, 1171-72 (Alaska 1987)