

# Matheu D. Nunn and Co-Authors Publish "‘Temple’ of Doom: The Prima Facie Showing of Cohabitation Remains a Mystery" in New Jersey Law Journal

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As [Matheu D. Nunn](#) and co-authors Jeralyn L. Lawrence, Carolyn N. Daly, Sheryl J. Seiden, Debra S. Weisberg, and Robin C. Bogan explain, their New Jersey Law Journal article is not about the titular star of Steven Spielberg’s Indiana Jones, but maybe it should be. Only Harrison Ford’s character would be able to navigate the patchwork of decisions that incorrectly and inconsistently construe the prima facie burden needed to establish cohabitation under N.J.S.A. 2A:34-23(n).

Notwithstanding the opinion in *Temple v. Temple*, 468 N.J. Super. 364 (App. Div. 2021), courts continue to misapply N.J.S.A. 2A:34-23(n) when determining whether a litigant presented a prima facie showing of cohabitation. This showing is the first hurdle for spouses who seek termination or suspension of alimony based upon cohabitation. Unfortunately, the post-Temple decisions continue to misapply N.J.S.A. 2A:34-23(n) by setting an artificially high prima facie burden and ignoring the crux of Temple’s holding: that the prima facie burden should not be an insurmountable obstacle akin to Indiana’s travails.

[Read full article here.](#) (Subscription may be required.)