IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

William C Collins, Jr)(
Plaintiff)(
SS # [redacted]-0217)(
)(
vs.)(DOCKET NO. 96D - 3022
)(
)(
Connie Payne-Collins)(BOOK 10529 PG 739
Defendant)(
SS# [redacted]-7914)(

FINAL DECREE OF DIVORCE

This cause came before this Court on the 16th day of June 1997 based on the Plaintiff/Husband's complaint for absolute divorce which was filed on October 17, 1996. When the Plaintiff/Husband filed his complaint he made a request for temporary custody of the minor child. This request was granted by this Court on October 21, 1996. The Defendant/Wife was properly served in this cause on October 28, 1996 but failed to answer or otherwise respond in the time required by law. The case therefore came before the Court on March 4, 1997 after the Plaintiff/Husband's Motion for Default Judgement was granted on February 7, 1997. At that time, the Defendant/Wife entered an appearance before this Court and filed an Answer as required by law. The matter being properly contested it was ordered on March 5, 1997 that the default judgement entered against the Defendant was set aside and that the matter should be set on the contested docket. Since that time, the Defendant failed to secure the assistance of counsel or to agree to a setting for the case, so on March 17, 1997 the Plaintiff/Husband's filed a Motion For A Certificate Of Readiness. This Court granted that motion on April 18, 1997 and the Plaintiff filed a Certificate of Readiness and requested a trial date. By Order of the court the matter was set for hearing today, witnesses were subpoenaed and the Defendant/Wife was properly notified.

Therefore based on the testimony of the Plaintiff/Husband, his two witnesses, the Defendant/Wife and the entire record in this cause this Court makes the following findings of fact;

1. That the Plaintiff/Husband and the Defendant /Wife were married in Nashville, Davidson County, Tennessee on October 24, 1992, and;

2. That there is one minor female child born of the marriage on April 7, 1993, Kayla Zari Collins, and;

3. That in December 1996 the Plaintiff and Defendant acquired the property commonly known as 6501 Wildgrove Drive, Antioch TN 37013, more particularly described as Lot 30, Section C, Hickory Woods Subdivision, Davidson County, TN. During the marriage they also acquired a 1988 Toyota Camry Wagon and some furniture and fixtures for the home. The Husband obtained the financing f or all of these purchases based on his income and employment and continues to maintain payments on the obligations.

4. That on or about February, 1996, the Defendant/Wife began to actively practice her addiction to drugs, particularly the drug of crack cocaine, and;

5. That as a result of her active addiction, the Defendant/Wife's behavior underwent a substantial change. She has been unable to keep steady employment and has sold many of her personal belongings and those of the husband to support her habit. She has taken the minor child to the dope house, been arrested twice and stayed away from the home place for weeks at a time. She has therefore been unable to fulfill her responsibilities as a wife and mother, and;

6. That such behavior by the Defendant/Wife is the equivalent of cruel and inhuman treatment of the Plaintiff/Husband since it has caused great economic and emotional hardship. The Plaintiff/Husband has on several occasions gone to the drug house to get the minor child and he has had to assume total responsibility for maintenance of the household, paying all household expense and taking care of the minor child, and;

7. That the Plaintiff/Husband has been adequately discharging his duties as the father of the minor child, Kayla Zari Collins, and appears to be the proper person to have permanent custody of said child, and;

8. That as a result of the Defendant/Wife's active addiction to crack cocaine continued cohabitation with the Plaintiff/Husband and the minor child has become unsafe and unsound. The Defendant wife should therefore be required to leave the home place at 6501 Wildgrove Drive, Antioch TN 37013 and remove her personal belongings so the Plaintiff/Husband and the minor child may continue in sole possession of said premises, and;

9. That as a further result of the Defendant/Wife's active addiction to crack cocaine her visitation with the minor child should be supervised by the Plaintiff/Husband in such a manner as to protect the health and safety of the minor child but not unreasonably interfere with her right to visit with her daughter, and;

10. That in consideration of the Defendant/Wife's condition and employment status no determination should be made on the question of child support at this time. Instead, the Court will expressly reserve the right to make a determination on the question of child support when it is appropriate.

11. That the Plaintiff/Husband is the proper person to receive sole title to the property, structures, furniture, fixtures and appurtenance at 6501 Wildgrove Drive, Antioch, TN 37013. Such property is also known as Lot 30, Section C, Hickory Woods Estates as recorded in the Office of the Davidson County Registrar in Book 6900, Pages 885 through 887. That the Defendant/Wife should be divested of any title she may hold to the property, so that such title may be vested in the Plaintiff/Husband. He shall be held solely responsible for the mortgage to said property and hold the wife harmless from any liability resulting from their period of joint ownership of said property; and

12. That the Plaintiff/Husband should maintain possession and title to the 1988 Toyota Camry Wagon and continue payments on the same holding the wife harmless from any liability resulting therefrom.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED

1. That the bonds of matrimony that previously existed between the Plaintiff/Husband and the Defendant/Wife are hereby severed and the Plaintiff/Husband is awarded an absolute divorce from the Defendant/Wife based on the fact that the Defendant/Wife is guilty of such cruel and inhuman treatment against the Plaintiff/Husband as to render cohabitation unsafe and unsound.

2. It is further ordered that the Defendant/Wife is required to remove herself and all personal property from the premises at 6501 Wildgrove Drive, Antioch TN 37013 as soon as possible but in no event later than Saturday, June 21, 1997.

3. It is further ordered that the Plaintiff/Husband is granted permanent custody of the minor child, Kayla Zari Collins, and that the Defendant/Wife is granted visitation privileges that are to be supervised by the Plaintiff/Husband in such a manner that will protect the health and safety of the child but not unreasonably interfere with the Defendant/Wife's ability to see her daughter.

4. It is further ordered that the Court makes no finding at this time on the question of child support, instead, the court specifically reserves the issue of child support for future determination at such time as is appropriate.

5. It is further ordered that the Plaintiff/Husband is granted sole title to the property, structures, furniture, fixtures and appurtenances at 6501 Wildgrove Drive, Antioch, TN 37013. Such property is also known as Lot 30, Section C, Hickory Woods Estates as recorded in the Office of the Davidson County Registrar in Book 6900, Pages 885 through 887. The Defendant/Wife shall be and is hereby divested of any title she may hold to the property described above and such title is vested in the Plaintiff/Husband. He shall be held solely responsible for the mortgage to said property and hold the wife harmless from any liability resulting from their period of joint ownership. As evidence of this transfer of interests in real property a copy of this Final Decree of Divorce shall be filed with the Davidson County Registrar's Office.

6. It is further ordered that the Plaintiff/Husband maintain possession and title to the 1988 Toyota Camry Wagon acquired during the marriage and continue to make payments on same holding the Defendant/Wife harmless from any liability resulting therefrom.

7. It is further ordered that the Plaintiff/Husband be held personally responsible for any debts incurred jointly during the course of the marriage and hold the Defendant/Wife harmless from any liability resulting therefrom.

8. It is further ordered that the parties be personally responsible for any debts incurred individually during the course of the marriage and hold each other harmless from any liability resulting therefrom.

9. It is further ordered that the costs in this cause are taxed against the Plaintiff/Husband for which execution may issue.

Entered on this the 20 day of June, 1997

Whitney Stegall
Chancellor Whitney Stegall
(By Designation)

APPROVED FOR ENTRY

William C. Collins, Jr., Pro Se
6501 Wildgrove Drive
Antioch, Tennessee 37013

CERTIFICATE OF SERVICE

I, William C. Collins, Jr., Plaintiff /Husband in this cause having proceeded Pro Se do hereby certify that I have served a copy of this Final Decree of Divorce on the Defendant/Wife, Connie Payne-Collins, by mailing it to her at her last known address of 917 Shelby Avenue, Nashville, Tennessee 37206, on this the 17th day of June, 1997.

William C. Collins, Jr., Pro Se

BOOK 10529 PG 744

STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the FOURTH Circuit Court for Davidson County, Tennessee, on the 20 day of JUNE , 19 97 , in the Case Number 96D3022 between COLLINS, WILLIAM C. JR. Plaintiff, and COLLINS, CONNIE PAYNE Defendant, as same remains of record in Book 270A , Page 771 of the Minutes of said Court.

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IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 15 day of JULY in the year one thousand nine hundred and ninety-seven and in the 222nd year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By B. Kah
Deputy Clerk

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