262A/614

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

PAMELA GALE MOSS) NOTICE OF ENTRY REQUIRED

vs.) NO. 95D-1665

DANNY LYNN MOSS)

BOOK 10651 PG 668

FINAL DECREE/JUDGMENT OF DIVORCE

This cause came to be heard on the 1st day of October, 1996, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court in and for Davidson County, Tennessee upon Wife's Complaint for Divorce, Husband's Answer and Counter-Complaint, and Wife's Answer to Husband's Counter-Complaint. It appears to the Court Husband failed to appear at this hearing after being duly notified. It further appears to the Court that Husband's counsel made an oral motion to be allowed to withdraw as attorney of record and same was well taken.

It further appears to the Court upon testimony of the Wife, testimony of two witnesses, statements of Wife's counsel, and the entire record as a whole that Wife's complaint for absolute divorce, is well taken and hereby granted, it is

THEREFORE ORDERED, ADJUDGED AND DECREED that Robert T. Johnson, is hereby relieved as attorney of record for Husband, Danny Lynn Moss, in the above styled above styled cause. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife, Pamela Gale Moss, is hereby awarded an absolute divorce from Husband, Danny Lynn Moss, on the ground of Inappropriate Marital Conduct and restored to all rights and privileges of an unmarried person. Further, the bonds of matrimony heretofore existing between the parties are hereby perpetually dissolved. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife, Pamela Gale Moss, is hereby awarded absolute care, custody and control of the parties two minor children, Joshua Lynn Moss, date of

birth, 11/14/79; and Trina Michelle Moss, date of birth, 02/04/83. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Husband, Danny Lynn Moss', visitation rights with the minor children is hereby reserved pending further orders of the Court. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Husband, Danny Lynn Moss, shall pay to Wife, Pamela Gale Moss, the sum of $535.00 per month as child support for the minor children, beginning on October 5, 1996, and continuing each month thereafter until the youngest child reaches the age of 18 or graduates with her class, whichever occurs last. Said child support is in compliance with the Tennessee Child Support Guidelines. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Husband, Danny Lynn Moss, shall pay the aforesaid child support of $535.00 per month, through the Circuit Court Clerk's Office, together with the Clerk's lawful commission of 5% ($26.75) for a total of $561.75. It is

FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to T.C.A. § 36-5-101(h), no action by either party will be effective to reduce child support after the due date of each payment, and that the Court approval **must be** obtained before child support can be reduced or prorated. It is

FURTHER ORDERED, ADJUDGED AND DECREED *that said Clerk's Office shall make any and all disbursements for child support from Husband, Danny Lynn Moss, to Wife, Pamela Gale Moss, at her address located at 1124 Florence Avenue, Madison, TN 37115.* *It is*

FURTHER ORDERED, ADJUDGED AND DECREED that Wife, Pamela Gale Moss, shall maintain medical insurance on the parties two minor children and Husband, Danny Lynn Moss, shall reimburse Wife for the medical insurance premiums for this insurance. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Husband, Danny Lynn Moss, shall pay to Wife, Pamela Gale Moss, any and all

medical expenses not covered by insurance for the parties' minor children. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Husband, Danny Lynn Moss, shall retain ownership of the automobile currently in his possession; and all right, title and interest shall be divested out of Wife, Pamela Gale Moss, and vested in Husband solely. Further, Husband shall be responsible for any and all indebtedness owed on said automobile and hold Wife harmless of same. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife, Pamela Gale Moss, shall retain ownership of the automobile currently in her possession; and all right, title and interest shall be divested out of Husband, Danny Lynn Moss, and vested in Wife solely. Further, Wife shall be responsible for any and all indebtedness owed on said automobile and hold Husband harmless of same. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife, Pamela Gale Moss, is hereby awarded any and all personalty in her possession; and Husband, Danny Lynn Moss, is hereby be divested out of all right, title and interest in said personalty, and same is vested in Wife solely. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Husband, Danny Lynn Moss, is hereby awarded any and all personalty in his possession; and Wife, Pamela Gale Moss, is hereby be divested out of all right, title and interest in said personalty, and same is vested in Husband solely. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife, Pamela Gale Moss, is hereby awarded the marital homeplace located at 1124 Florence Avenue, Madison, Davidson County, Tennessee, subject to the mortgage and bankruptcy, and more fully described as follows:

> **"BEING Lot No. 12 on the Plan of Eastlawn Subdivision, Block "G", of record in Book 547, Page 153, Register's Office for Davidson County, Tennessee, to which plan reference is here made for a more complete and accurate description.**
>
> **BEING the same property conveyed to Danny L. Moss and wife, Pamela G. Moss from Mike Suggs by Warranty Deed**

of record in Book 6562, Page 714, Register's Office for Davidson County, Tennessee"

Therefore, Husband, Danny Lynn Moss, is hereby divested out of any right, title and interest he may have in the above described property and said right, title and interest shall be vested in Wife solely. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Husband, Danny Lynn Moss, is hereby ordered to pay and any and all marital debts of the parties and hold Wife harmless of any and all indebtedness owed on said debts. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Husband, Danny Lynn Moss, is hereby permanently enjoined and restrained from contacting or coming about the Wife, Pamela Gale Moss, for any reason whatsoever, whether at home or work. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Husband, Danny Lynn Moss, is hereby permanently enjoined and restrained from harming, harassing, molesting, threatening and physically or verbally abusing the Wife, Pamela Gale Moss, in any manner whatsoever. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife, Pamela Gale Moss, is hereby awarded a judgment against Husband, Danny Lynn Moss, in the amount of $3,300.00 which represents deficiency payments due on the mortgage. Said judgment is hereby awarded to the Wife as alimony in solido, and is non-chargeable in bankruptcy court, and shall be a judgment to the Wife for which execution shall issue if necessary. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife, Pamela Gale Moss, is hereby awarded a judgment against Husband, Danny Lynn Moss, in the amount of $5,000.00 which represents the IRS debts and the marital assets, i.e. furniture and appliances Husband took the dump after the parties separation. Said judgment is hereby awarded to the Wife as alimony in solido, and is non-chargeable in bankruptcy court, and shall be a judgment to the Wife for which execution shall issue if necessary. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife, Pamela Gale Moss, is hereby awarded 1/2 of Husband's pension from the

Aladdin Industries, Incorporated Pension Plan for Factory Employees of the Consumer Products Division and Aladdin Synergetics, Incorporated. Husband, Danny Lynn Moss' pension is a straight life benefit which shall be payable beginning on July 1, 2021, in the amount of $408.83; and monthly early straight life retirement benefit to begin as early as July 1, 2006, in the amount of $140.64. Further, a Qualified Domestic Relations Order shall be filed with this Honorable Court for the aforesaid pension/retirement. It is

FURTHER ORDERED, ADJUDGED AND DECREED that with respect to each party's responsibility for payment of certain debts and liabilities and their obligation to hold the other harmless for the payment thereof, the parties understand that their obligation shall not be discharged as a debt under the Bankruptcy Code. Further, it is the intent of this Court that the obligations in this Order are intended to be non-dischargeable pursuant to *11 U.S.C. § 523 (a) 5* and are in the nature of alimony and/or support under the guidelines of ***IN RE Calhoun 715 F.2d 1103 (1983).*** Further, this Court shall continue to have the power to enforce the terms and conditions of this Final Decree/Judgment of Divorce by such powers or means as the Court may deem necessary, and that for this reason, all questions pertaining to the enforcement of the terms and conditions of this agreement are reserved by the Court and continued under advisement by the Court for such further action as the Court may deem necessary. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife, Pamela Gale Moss, is hereby restored to her maiden name of "Sage". It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife, Pamela Gale Moss, attorney, George J. Duzane is hereby awarded a judgment for attorney's fees in the amount of $1,000.00 against Husband, Danny Lynn Moss. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Husband, Danny Lynn Moss, shall pay the costs of this cause for which execution shall issue if necessary. It is

FURTHER ORDERED, ADJUDGED AND DECREED that George J. Duzane is hereby relieved as attorney of record for Wife after the signing and entering of this Final Decree of Divorce.

ENTERED this 18th day of October, 1996.

HONORABLE MURIEL ROBINSON
Judge of Fourth Circuit Court

APPROVED FOR ENTRY:

GEORGE J. DUZANE, #6461
Attorney for Complainant/Wife
Duzane, Kooperman & Mondelli
603 Woodland Street
Nashville, TN 37206-4211
(615) 259-1214

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Mail

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Final Decree/Judgment of Divorce has been forwarded by U. S. Mail to Mr. Robert T. Johnson, Attorney at Law, 518 South Gallatin Pike, Madison, TN 37115 and to Mr. Danny Lynn Moss, at his last known address of 1124 Florence Avenue, Madison, TN 37115 on this 18th day of October, 1996.

GEORGE J. DUZANE #6461

xc: Ms. Pamela Moss

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IDENTIF. & REFERENCE

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FELIX Z. [illegible] REGISTER
DAVIDSON COUNTY, TN.

STATE OF TENNESSEE

BOOK 10651 PG 674

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 18 day of OCTOBER , 19 96 , in the Case Number 95D1665 between MOSS, PAMELA GALE Plaintiff, and MOSS, DANNY LYNN Defendant, as same remains of record in Book 262A , Page 614 of the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 20 day of OCTOBER 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. Goodman
Deputy Clerk