MPN 151-01A-009

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

CHERISA MERRICKS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**NO. 06D-2859**
	)	
ROBERT SHAWN MERRICKS,	)	
	)	
Defendant.	)	

Davidson County DEEDDIV
Recvd: 06/04/07 14:57 12 pgs
Fees:62.00 Taxes:0.00
20070604-0066317

FINAL DECREE OF ABSOLUTE DIVORCE

This Cause came on to be heard on the 8th day of May, 2007, before the Honorable Carol L. Soloman, Judge of the Eighth Circuit Court for Davidson County, Tennessee, upon the Complaint for Divorce filed by the Plaintiff CHERISA MERRICKS against ROBERT SHAWN MERRICKS. This Cause proceeded to a bench trial on the Divorce Complaint filed by CHERISA MERRICKS, the Order of Default Judgment heretofore entered against ROBERT SHAWN MERRICKS for having failed to comply with this Court's previous Orders, the Court striking the Defendant's Answer and Counter-Complaint for having failed to abide by this Court's Order compelling his responses to discovery served upon him by Wife's counsel. Based upon the statements and argument of counsel for the Plaintiff, CHERISA MERRICKS, the Order of Default Judgment heretofore entered in this Cause, the sworn testimony of the Plaintiff and her corroborating witnesses, the

exhibits introduced at trial, and the entire record, and the Defendant making no appearance, it is the finding of this Court that CHERISA MERRICKS is entitled to an absolute divorce on the grounds of cruel and inhuman treatment, which have been fully sustained, the Court finding the Defendant guilty of domestic violence.

IS THEREFORE ORDERED, ADJUDGED and DECREED as follows:

1. That the Plaintiff, CHERISA MERRICKS, is hereby awarded an absolute divorce from the Defendant, ROBERT SHAWN MERRICKS, on the grounds of Cruel and Inhuman Treatment, and she is hereby restored to all rights and privileges of an unmarried person.
2. That the Plaintiff, CHERISA MERRICKS, is allowed to retain her married name CHERISA MERRICKS.
3. That the Defendant ROBERT SHAWN MERRICKS is hereby permanently restrained and enjoined from coming about the Plaintiff, CHERISA MERRICKS, for any purpose whatsoever, and expressly for the purpose of harming, harassing, stalking, or in any way interfering with her daily life, pending further Orders of this Court.
4. That the Order of Protection heretofore granted in this Cause in favor of the Plaintiff CHERISA MERRICKS and against ROBERT SHAWN MERRICKS is hereby extended for an additional year from the date of expiration of the current Order of Protection on 9/19/07.

5. That the Plaintiff CHERISA MERRICKS is entitled to a share of the equity in the sum of Twenty-Two Thousand Eight Hundred Dollars ($22,800.00) in the marital residence located at 3733 Waterford Way in Antioch, Davidson County, Tennessee, 37013, hereinafter more particularly described. The Court finds and Orders that if Plaintiff CHERISA MERRICKS has not been paid her aforestated equity by the defendant, ROBERT SHAWN MERRICKS as stated of Twenty-Two Thousand Eight Hundred Dollars ($22,800.00) within ninety (90) days from the date of entry of this Order, it is hereby Ordered that the real estate located at 3733 Waterford Way, Antioch, Davidson County, Tennessee 7013, shall be sold and listed with Linda Jackson CryLike Realtors a licensed real estate agent and shall be sold for cash and from the net proceeds, after payment of the mortgage and the normal closing costs and real estate commission, the Plaintiff, CHERISA MERRICKS, is to receive her equity in the sum of Twenty-Two Thousand Eight Hundred Dollars ($22,800.00), being the Wife's interest in the appreciation of the real property since the party's marriage, the Court finding that Plaintiff CHERISA MERRICKS made substantial contribution to the marriage and contribution to the property and the Court further finding the husband failed to support the wife within the last five years. The

Court imposes a lien on the real estate presently owned by Defendant ROBERT SHAWN MERRICKS in his sole name, which is more particularly described as follows:

Land in Davidson County, TN, being Lot No. 9 on the Plan of Chatham Pointe, of record in Book 6900, Page 444, Register's Office for said County, to which plan reference is hereby made for a more complete description.

Being the same property conveyed to Robert S. Merricks, by Warranty Deed from Robert D. Nash and wife, Sharon A. Miller Nash of record in Deed Book 10027, page 295 Register's Office for Davidson County, TN.

This description is the same used in the previous deed of record.

Subject to restrictions of record in Book 7358, Page 656; amended in Book 7538, Page 792, Book 7599, Page 812; Book 8667, Page 381; Bylaws in book 8679, Page 446; Easement in Book 3891, Page 476; Charter in Book 7597, Page 977; Quitclaim Deed in book 7683, Page 718, and all matters shown on the Plan of Record.

This is improved property known as 3733 Waterford Way, Antioch, Davidson County, TN 37013.

6. The Court vests the Wife with the following personal property without any further right, title or interest in the husband, ROBERT SHAWN MERRICKS, his interest being herein divested out of him by this Order and vested in the Plaintiff CHERISA MERRICKS:

1. 2005 Nissan Pathfinder
2. Leather chair and ottoman
3. Bookcase in living room

4. 50" Plasma TV and stand
5. 27 inch Phillips TV
6. 27 inch Samsung TV
7. 13 inch white kitchen TV
8. One of 3 DVD players
9. 2 of 4 tables in living room; 2 end tables; 1 sofa table; and 1 coffee table
10. Pillowtop mattress
11. Armoire from Pier 1 Imports
12. One of 2 bedroom lamps
13. Curtains in bedroom
14. ½ of dishes, pots, pans and kitchen accessories.
15. ½ of glasses and silverware
16. Hammock
17. Jayco pop-up camper and accessories that go w/ camper including hitch
18. One of 2 mongoose bicycles
19. 9 ft. pre-lit Christmas Tree and Xmas decorations
20. Large canvas picture (wedding gift)
21. Divide wedding pictures
22. ½ of sheets and pillows
23. Snow Babies collectables
24. Goose down comforter
25. Faux suede comforter
26. Albums of Cherie's uncle
27. ½ of CD's and DVD's
28. Cat: Name: KIKI
29. One of 2 pressure washers
30. Electric hedge clipper
31. Cherie's Uncle Mark's tile cutter & wet saw
32. Water-softener-Rain Soft
33. Longerburger basket
34. Guns, pistols and rifles

The Court Orders that the Defendant, ROBERT SHAWN MERRICKS shall provide access to CHERISA MERRICKS to the residence at 3733 Waterford Way, Antioch, TN 37013 including any outbuildings or storage areas for the purpose of MS. MERRICKS retrieving the above personal property and this shall be

accomplished within 30 days of the date of this Order. MR. MERRICKS under no condition shall be present nor interfere nor cause anyone else to impede the orderly retrieval of the Wife's property.

7. With regard to the guns testified to at the hearing, the Court Orders and grants the right to the Wife to sell the guns and to receive the proceeds as her sole and separate property. The Court divests the Husband of any interest in said guns and reinvests his interest in them in the sole name of the Plaintiff CHERISA MERRICKS free of any further right, title or interest of the Husband. The guns Ordered to be sold are as follows:

Ruger P94DC .40 Cal Automatic	Serial #341-11941
Marlin – Cal .22 S-1 LR Rifle	Serial #20740899
Winchester 12-guage shotgun	Serial #1625076
Hawken Black Powder .50 cal	Serial #86-405362
Winchester Model 62A .22 Cal	Serial #23994s
Winchester Model 70-30-06	Serial #02482470
Thompson Center Arms .50 Cal Black P.	Serial #S27443
Remington Model 700/280 Rem.	Serial D6598842
Daisy Airgun .177 Cal Pellet & BB Cal.	
1 Glock 40mm automatic pistol	

8. The Court hereby grants the Plaintiff, CHERISA MERRICKS her request to keep the 40 millimeter Glock automatic pistol as her sole property if she elects not to sell it.

9. The Court Orders the Defendant ROBERT SHAWN MERRICKS to assume and hold the Plaintiff, CHERISA MERRICKS harmless from his debts including any IRS taxes, state taxes, and any liability owed as a result of Defendant ROBERT SHAWN MERRICKS' business, Allstate Glass Company. Plaintiff CHERISA MERRICKS is Ordered to assume her debts and hold Defendant ROBERT SHAWN MERRICK harmless from any liability thereon. Each party shall be responsible to obtain their own health insurance at their respective expense and obligation, as of the date of this Order. It shall be the Husband's responsibility to secure Cobra coverage through Wife's employment's health insurance company if he elects to convert.

10. Both parties shall be required to obtain their own health insurance coverage at their expense from the date of this Order.

11. The Plaintiff CHERISA MERRICKS is hereby vested with sole title to her retirement account through John Hancock account number 10630 with any and all right, title, or interest of Defendant ROBERT

SHAWN MERRICK herein divested out of him and reinvested in the Plaintiff CHERISA MERRICKS.

12. The Court further finds as *alimony in solido* that the Plaintiff CHERISA MERRICKS shall be granted her attorney's fees for representation by PHILIP W. DUER, Attorney, and shall receive the sum of $2,362.50 as attorney fees, as supported by affidavit of Counsel filed contemporaneous herewith, the same to be a lien on the real estate at 3733 Waterford Way, Antioch, Davidson County, Tennessee 37013, until paid which shall be reduced to judgment for which execution shall issue if necessary.

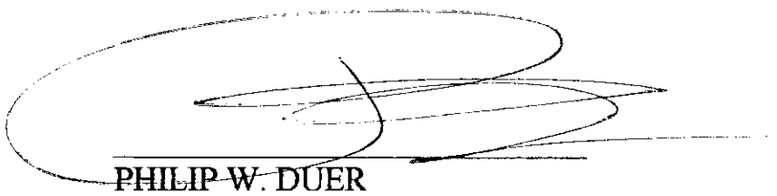
13. The cost of this cause are hereby assessed against the Defendant ROBERT SHAWN MERRICKS for which execution shall issue if necessary.

IT IS SO ORDERED, ADJUDGED, AND DECREED.

ENTER this 23rd day of May, 2007.

JUDGE

APPROVED FOR ENTRY:

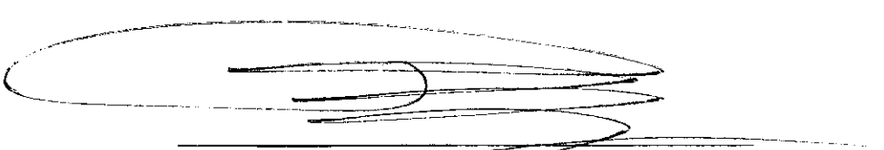


PHILIP W. DUER
ATTORNEY FOR PLAINTIFF
214 Third Avenue, North
P. O. Box 190638
Nashville, TN 37219-0638
(615) 244-2070
Tennessee Supreme Court
Registration No. 4647

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been mailed by U. S. Mail, postage pre-paid, to the following interested parties in said action at their last known addresses on this the 11th day of May, 2007:

Robert Shawn Merricks, *pro se*
3733 Waterford Way
Antioch, TN 37013



PHILIP W. DUER, ATTORNEY

cc: Cherisa Merricks

NOTICE OF ENTRY
CERTIFICATE OF SERVICE

DOCKET NO. 06D-2859

Pursuant to Rule 58(3) of the Tennessee Rules of Civil Procedure, I hereby certify that I have mailed a copy of the foregoing Order to the parties/counsel listed below, on this the 23rd day of May, 2007.

Philip W. Duer, Attorney
214 Third Avenue North
P.O. Box 190638
Nashville, TN 37219-0638

Robert Shawn Merricks
3733 Waterford Way
Antioch, TN 37013

By: _____
Ronnell Griffin, Clerk
Eighth Circuit Court

THIS BECOMES A LEGAL RECORD WHEN PROPERLY EXECUTED AND FILED.

TYPE OR PRINT IN PERMANENT BLACK INK.

TENNESSEE DEPARTMENT OF HEALTH
CERTIFICATE OF DIVORCE OR ANNULMENT

RULE DOCKET NO. 06D-2859

STATE FILE NO.

HUSBAND

1a. HUSBAND'S NAME (First, Middle, Last): Robert Shawn Merricks

1b. SOCIAL SECURITY NUMBER: Unknown

2a. RESIDENCE—STATE: Tennessee

2b. COUNTY: Davidson

2c. CITY, TOWN, OR LOCATION: Antioch

2d. STREET AND NUMBER: 3733 Waterford Way 37013

3. BIRTHPLACE (State or Foreign Country): Orlando, Florida USA

4. DATE OF BIRTH (Month, Day, Year): 12/20/1970

WIFE

5a. WIFE'S NAME (First, Middle, Last): Cherisa Merricks

5b. MAIDEN NAME: Chrisa Cliff

5c. SOCIAL SECURITY NUMBER: [redacted] USA

6a. RESIDENCE—STATE: Tennessee

6b. COUNTY: *Withheld Because of Domestic Violence

6c. CITY, TOWN, OR LOCATION:

6d. STREET AND NUMBER: And Order of Protection

7. BIRTHPLACE (State or Foreign Country): Nash. Tn. USA

8. DATE OF BIRTH (Month, Day, Year): 4/14/1972

MARRIAGE

9a. PLACE OF THIS MARRIAGE—STATE (or Foreign Country): Tennessee

9b. COUNTY: Davidson

9c. DATE OF THIS MARRIAGE (Month, Day, Year): 6/27/1998

10. DATE COUPLE LAST RESIDED IN SAME HOUSEHOLD (Month, Day, Year): 9/13/2006

11a. NUMBER OF CHILDREN EVER BORN ALIVE OF THIS MARRIAGE (Specify): 0

11b. CHILDREN UNDER 18 IN THIS FAMILY (Specify): 0

11c. NUMBER OF CHILDREN UNDER 18 WHOSE PHYSICAL CUSTODY WAS AWARDED TO: X No Children — Husband ___ Wife ___ Joint (Husband/Wife) ___ Other ___

12. PETITIONER: 1 ☐ Husband 2 X Wife 3 ☐ Both 4 ☐ Other (Specify) ___

13a. NAME OF PETITIONER'S ATTORNEY (Type/Print): Philip W. Dyer

13b. ADDRESS (Street or R.F.D. No., City or Town, State, Zip): 530 Church St. Suite 500 Nash. Tn. 37219

DECREE

DO NOT USE A SEAL ON THIS CERTIFICATE.

14a. I CERTIFY THAT THE MARRIAGE OF THE ABOVE NAMED PERSONS WAS DISSOLVED ON: (Month, Day, Year): 05.08.07

14b. TYPE OF DECREE: 1 X Absolute 2 ☐ Limited 3 ☐ Annulment

14c. WAS MAIDEN NAME OR PREVIOUS LEGAL SURNAME RESTORED? (Specify Name): No

14d. COUNTY OF DECREE: Davidson

14e. TITLE OF COURT: 1 X Circuit 2 ☐ Chancery 3 ☐ General Sessions 4 ☐ Probate 5 ☐ Other (Specify) ___

14f. DATE OF RECORDING DECREE (Month, Day, Year): 05.23.07

SIGNATURE MUST BE IN PERMANENT BLACK INK.

14g. SIGNATURE OF CERTIFYING COURT OFFICIAL: RICHARD R. ROOKER, CLERK BY [signature] D.C.

14h. TITLE OF CERTIFYING COURT OFFICIAL: Clerk

14i. DATE SIGNED BY CERTIFYING COURT OFFICIAL (Month, Day, Year): 05.25.07

ALL ITEMS 1-18 MUST BE COMPLETED.

CONFIDENTIAL INFORMATION

	15. Race—American Indian, Black, White, etc. (Specify below)	16. Number of This Marriage First, Second, Etc. (Specify)	17. If Previously Married, Last Marriage Ended (Specify below)	18. Education—Specify Highest Grade Completed: Elementary or Secondary (0-12)	College (1-4 or 5+)
HUSBAND	15a. White	16a. First	17a. 1 X Not previously married 2 ☐ By death 3 ☐ By Divorce or Annulment	18a. 12	
WIFE	15b. White	16b. First	17b. 1 X Not previously married 2 ☐ By death 3 ☐ Divorce or Annulment	18b. 12	

PH-1682 (Revised 6/99)

RDA 1399

Davidson County
P.O. Box 196303
Nashville, Tennessee 37219-6303

STATE OF TENNESSEE

RICHARD R. ROOKER
Circuit Court Clerk
1 Public Square, Room 302
615-862-5181

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 EIGHTH Circuit Court for Davidson County, Tennessee, on the 23 day of MAY , 2007 , in the Case Number 06D2859 between MERRICKS, CHERISA Plaintiff, and MERRICKS, ROBERT SHAWN Defendant, as same remains of record in 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 29 day of MAY in the year two thousand seven and in the 230th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

RICHARD R. ROOKER CIRCUIT COURT CLERK