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MINUTES CIRCUIT COURT, SUMNER COUNTY, TENNESSEE, MINUTES FOR JULY 12, 2005

IN THE CIRCUIT COURT FOR SUMNER COUNTY, TENNESSEE

AT GALLATIN

FILED 2:05 A M
JUL 12 2005
MAHAILIAH HUGHES, CLERK
BY D.C.

ANTHONY VERNAIL GARRETT	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**No. 26945-C**
	)	
TERRY MELISSA GARRETT	)	
	)	
Defendant,	)	

DEFAULT JUDGMENT AND FINAL DECREE OF DIVORCE

This cause came to be heard before Judge C.L. Rogers on the 12th day of July, 2005, pursuant to the Plaintiff's Motion For Default Judgment filed on June 29, 2005. After hearing statements by Plaintiff's counsel, and testimony of the witnesses and the entire record herein; from all of which the Court finds:

1. A Complaint for Divorce was filed in this cause on May 19, 2005.
2. Defendant was served by Sumner County Sheriff's Department on May 24, 2005.
3. The Defendant was required to enter her appearance and make defense on or before June 24, 2005.
4. Defendant has failed to plead or otherwise defend as provided by law and the Tennessee Rules of Civil Procedure.

IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that pursuant to Rule 55.01 of the Tennessee Rules of Civil Procedure the Plaintiff is granted a judgment by default and is allowed to proceed ex parte.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the marriage of the parties is dissolved and Plaintiff, ANTHONY VERNAIL GARRETT, is granted an absolute divorce from the Defendant, TERRY MELISSA GARRETT, on the grounds of inappropriate marital conduct, and both parties are restored to all the rights and privileges of unmarried persons.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the Plaintiff's Permanent Parenting Plan is duly approved and hereby made part of this Final Decree as though set forth fully verbatim herein.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that each party has his/her separate property. Party in possession is awarded exclusive ownership.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that each party shall be responsible for his/her own individual debt.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that the real property, owned by the ~~parties as tenants by the entirety~~ husband as, located 458 Rodney Street, Gallatin, Tennessee and 405 Tuckahoe Drive, Madison, Tennessee shall be owned by the ~~parties as tenants in common~~ husband who shall hold w harmless on the debt as

IT IS SO ORDERED.

ENTERED this the 12 day of July, 2005.

JUDGE C.L. ROGERS

STATE OF TENNESSEE, SUMNER COUNTY
I, Mahailiah Hughes, Clerk, do certify that the foregoing is a true and correct copy of the final decree on file in my office in the case of Garrett vs. Garrett
This the 9th day of Oct 2005
MAHAILIAH HUGHES, CIRCUIT COURT CLERK

MINUTES CIRCUIT COURT,SUMNER COUNTY, TENNESSEE, MINUTES FOR JULY 12, 2005

APPROVED FOR ENTRY:

THOMAS JAY MARTIN, JR. #13877
ATTORNEY FOR THE PLAINTIFF
Cordell Hull Building, Second Floor
113 West Main Street
Gallatin, TN 37066
(615) 452-1519
(615) 452-6203 (Fax)

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Default Judgment and Final Decree of Divorce, has been placed in the U.S. Mail postage pre-paid to Ms. Terry Melissa Garrett, 1533 Mt. Olivet Road, Hendersonville, TN 37075, on this the 12 day of **July, 2005**.

Thomas Jay Martin, Jr.

MINUTES CIRCUIT COURT, SUMNER COUNTY, TENNESSEE, MINUTES FOR JULY 12, 2005

IN THE CIRCUIT COURT OF SUMNER COUNTY, TENNESSEE

AT GALLATIN

FILED 8:05 AM

JUL 12 2005

MAHAILIAH HUGHES, CLERK
BY _____ D.C.

ANTHONY VERNAIL GARRETT	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**No.** 26945-C
	)	
TERRY MELISSA GARRETT	)	
	)	
Defendant,	)	**FINAL PARENTING PLAN**

PERMANENT PARENTING PLAN

Children:

Name	**Birthdate**
ANTHONY VERNAIL GARRETT II	**March 6, 1991**
AMBER VERNEIL GARRETT	**February 3, 1990**

1. RESIDENTIAL SHARING SCHEDULE

The schedule below sets out which parent has responsibility for the children during the week weekends, holidays and vacations.

A. DAY TO DAY SCHEDULE

The **Mother** will have responsibility for the care of the children except the following times and days when the Mother shall have responsibility for the care of the children:

At reasonable times agreeable to the parties.

B. SCHEDULE OF HOLIDAYS RELEVANT TO YOUR FAMILY, SCHOOL SCHEDULE or SPECIAL OCCASIONS

Indicate when children will be with each parent. (In ODD numbered years, EVEN numbered years or EVERY year).

	MOTHER	FATHER
Mother's Day	Every	
Memorial Day (if no school)		
Father's Day		Every
4th of July		
Labor Day		
Thanksgiving		

Holidays to be alternated as the parties agree upon.

C. **SCHEDULE FOR WINTER HOLIDAY VACATION.**

Reasonable visitation as the parties agree.

D.. **SCHEDULE FOR SPRING VACATION.**

The mother and father shall share or alternate Spring Break as follows:

E. **SUMMER SCHEDULE**

The mother shall be responsible for the care of the children during the summer, except for the following days and times when the other parent will be responsible for the care of the children: **Same as school year schedule.**

F. **TRANSPORTATION ARRANGEMENTS.**

Each parent shall provide the transportation.

G. **OTHER:**

The following special provisions apply to the schedules or residential considerations of the children: N/A

2. **DECISION MAKING**

A. **DAY TO DAY DECISIONS**

Each parent shall make decisions regarding the day-to-day care and control of each child while the children are residing with that parent. Regardless of the

allocation of decision making in this parenting plan, either parent may make emergency decisions affecting the health or safety of the children.

B. CHILD NURTURE

Mother and Father will behave with respect to each other and the children so as to provide a loving, stable, consistent and nurturing relationship with the children even though they, themselves, are being divorced. Mother and Father agree they will not speak badly of each other or the members of the family of the other parent. They will encourage the child to continue to love the other parent and be comfortable in both new families.

C. MAJOR DECISIONS

Major decisions regarding each child shall be made as follows:

Education decisions:	**Mother**
Non-emergency health care:	**Mother**
Religious upbringing:	**Mother**
Extracurricular activities:	**Mother**

D. PRIVATE SCHOOL AND COLLEGE: (Optional) N/A

3. FINANCIAL SUPPORT FOR CHILDREN

A. CHILD SUPPORT PER TENNESSEE GUIDELINES OR DEVIATIONS

Child Support has been set pursuant to an Order in Juvenile Court.

The parties affirmatively acknowledge that Court approval must be obtained before child support can be reduced or modified, unless such payments are automatically reduced or terminated under the terms of the Parenting Plan.

B. Attached and made a part of this parenting plan on a form as directed by the Court is information in compliance with T.C.A. § 36-5-101(a)(4)(B)(I)(ii).

C. TAX DEDUCTION

The **mother** shall receive the tax deduction for **Amber Garrett** and the **father** shall receive the tax deduction for **Anthony Garrett II**.

D. TAX RETURN NOTICE

The parent(s) paying child support shall send to the other parent by and to the Tennessee Department of Human Services Citizen Plaza Building, 400 Deaderick Street, Nashville, TN 37248-0001 or before April 15 of every year (or August 15, if an extension is sought), a copy of their respective W-2(s), 1099(s) or first two pages of his/her tax return.

E. HEALTH INSURANCE

The children are covered by TennCare. Uncovered medical expenses, which include deductibles or co-payments, eyeglasses, contact lenses, routine annual physicals, prescription pharmacy, dental and orthodontic will be **divided equally by the parties**.

After insurance has paid its portion, the parent receiving the bill will send a copy of the bill to the other parent within 10 days. The other parent will pay his/her share within 30 days of receipt of the bill.

F. LIFE INSURANCE (OPTIONAL) N/A

G. DENTAL/ORTHODONTIC CARE: N/A

4. DESIGNATION SOLELY FOR STATE AND FEDERAL STATUTES:

The children named in this parenting plan are scheduled to reside the majority of the time with the **Mother**, SOLELY for purposes of any other state and federal statutes which require a designation or determination of parental responsibility, this parent is designated the "Custodian of the Child." If the parents are joint decision makers as listed in Section II, for purposes of obtaining health or other insurance, they shall be considered "joint custodians." **THIS DESIGNATION SHALL NOT AFFECT EITHER PARENT'S RIGHTS AND RESPONSIBILITIES UNDER THIS PARENTING PLAN.**

5. DISAGREEMENTS ABOUT JOINT DECISIONS OR MODIFICATIONS OF PLAN

Should a disagreement arise about the Parenting Plan or the parties wish to modify the plan, the parties shall make a good faith effort to resolve the issue through the non-binding dispute resolution process, before returning to court.

Unless a limiting factor listed in T.C.A. 36-6-406 precludes a dispute resolution process prior to court action, or an emergency court action is necessary to protect the welfare of the child or a party, the parties agree to the following dispute resolution method:

Disputes between the parties, other than the child support disputes, shall be submitted to:

Settlement Conference with judge not presiding in parents' case.

The out-of-court process shall be commenced by notifying the other party and the Court by **certified mail**.

The cost of the dispute resolution process shall be assessed as follows:

In the dispute resolution process:

(a) Preference shall be given to carrying out this Parenting Plan.

(b) The parents shall use the designated process to resolve disputes relating to implementation of this plan.

(c) A writing shall be prepared of any agreement reached in the mediation, arbitration or settlement conference and signed by each party and shall be provided to each party and filed with the Court.

(d) If the court finds that a parent willfully failed to appear at a scheduled dispute resolution process without good reason, the court, upon motion, may award attorney fees and financial sanctions to the prevailing parent.

6. STANDARD PARENTING ORDERS

Pursuant to *Tennessee Code Annotated, §* 36-6-101(a) both parents are entitled to the following rights:

1. To unimpeded telephone conversations with the child at least twice each week at reasonable times and for a reasonable duration;

2. To send mail to the child which the other patent shall not open and will not censor;

3. To receive notice and relevant information as soon as practical (but within 24 hours) in the event of hospitalization, major illness, or death of the child;

4. To receive directly from the school, upon written request, which includes a current mailing address and upon payment of reasonable cost of duplicating, copies of the child's report cards, attendance records, names of teachers, class schedules, standardized test scores, and any other records customarily made available to parents.

5. Unless otherwise provided by law, the right to receive copies of the child's medical, health or other treatment records directly from the physician or health care provider who provided such treatment or health care upon written request which contains a current mailing address and upon payment of reasonable costs of duplication; provided, that no person who receives the mailing address of a parent as a result of this requirement shall provide such address to the other parent or a third person.

6. To be free of derogatory remarks made about such parent or such parent's family by the other parent to or in the presence of the child.

7. To be given at least forty-eight (48) hours notice, whenever possible, of all extra curricular activities, and the opportunity to participate or observe, including, but not limited to, the following:

(i) School activities;
(ii) Athletic activities;
(iii) Church activities; and
(iv) Other activities as to which parental participation or observation would be appropriate.

8. To receive from the other parent, in the event the other parent leaves the state with the minor child or children for more than two (2) days, an itinerary including telephone numbers for use in the event of an emergency.

9. Access and participation in education, including the right of access to the minor child or children for lunch and other activities, on the same basis that is provided to all parents, provided the participation or access is reasonable and does not interfere with day-to-day operations or with the child's educational performance.

NOTICE: T.C.A. § 36-5-101(a)(4)(B)(I)(ii) REQUIRES CERTAIN INFORMATION TO BE FILED AND UPDATED. IT IS ORDERED FAILURE TO APPROPRIATELY UPDATE THIS INFORMATION OR GIVING FALSE INFORMATION COULD LEAD TO BEING CITED FOR CONTEMPT OF COURT OR HAVING A DEFAULT JUDGMENT ENTERED AGAINST YOU. FURTHER, IT IS ORDERED BY THE COURT THAT BOTH PARTIES UPDATE THE FOLLOWING INFORMATION WITH ANY CHANGES WITHIN 10 DAYS OF THE CHANGE TO THE CLERK AND MASTER, ROOM 400, COURTHOUSE, GALLATIN, TN 37066

Mother's Information:

Full Name: Terry Melissa Garrett

Address: 1533 Mt. Olivet Road
Hendersonville, TN 37075

SSN: [redacted]-3011

Telephone No. 406-9226

Birth date: April 30, 1967

Mailing Address (if different from above)

Birthplace:
City: Madison
State: Tennessee

Drivers License No:

Employer's Name: NCH Health Care Systems

Telephone No.

Employer's Address: Hendersonville, TN

Health Insurance Company:
Address of Health Insurance Company:

Available through Employer?

Cost of Health Insurance to Employee:

Gross Annual Income: $

Father's Information

Full Name: Anthony Vernail Garrett

SSN: [redacted]-6639

Address: 458 Rodney Street
Gallatin, TN 37066

Telephone No. 714-1490

Birth date: January 9, 1967

Mailing Address (if different from above)
405 Tuckahoe Dr
Madison, TN 37115

Birthplace: Sumner County
City:
State: Tennessee

Drivers License No. 86772426

Employer's Name: Self employed
Employer's Address: 7024 Church Street East
Brentwood, TN 37027

Telephone No. (615) 714-1490

Health Insurance Company:
Address of Health Insurance Company:

Available through Employer? No

Cost of Health Insurance to Employee:
$

Gross Annual Income: $26,400.00

Children Information:

Child One:

Full Name: Anthony Vernail Garrett II SSN:

Address: 1533 Mt. Olivet Road
Hendersonville, TN 37075

Birth date: March 6, 1991

Child Two:

Full Name: Amber Verneil Garrett SSN:

Address: 1533 Mt. Olivet Road
Hendersonville, TN 37075

Birth Date: February 3, 1990

Verification by Mother (Notary requirement for Proposed Plan only)

I make oath that the foregoing information is true, and that my gross annual income is as stated.

TERRY MELISSA GARRETT **DATE**

Verification by Father (Notary requirement for Proposed Plan Only)

I make oath that the foregoing information is true, and that my gross annual income is as stated.

ANTHONY VERNAIL GARRETT **DATE**

ORDER BY THE COURT

IT IS SO ORDERED, ADJUDGED, AND DECREED that the Parenting Plan set forth above is adopted and approved as an order of this court.

Dated: 7-12-05

JUDGE C. L. ROGERS

APPROVED FOR ENTRY:

THOMAS JAY MARTIN, JR. #13877
ATTORNEY FOR THE PLAINTIFF
Cordell Hull Building, Second Floor
113 West Main Street
Gallatin, TN 37066
(615) 452-1519
(615) 452-6203 (Fax)