OP

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

CHRISTINA DENISE THOMAS,	)	
	)	
PLAINTIFF,	)	
	)	
v.	)	NO.: 08D-2363
	)	08D2272
	)	
RODNEY ALLEN THOMAS,	)	
	)	
DEFENDANT.	)	



ORDER

This cause came to be heard on the 25th day of August, 2008 before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court of Davidson County, Tennessee upon the Order of Protection filed by the Plaintiff, Christina D. Thomas. The Court after testimony of witnesses, exhibits and statements of counsel for the Plaintiff, the Court finds that the testimony of the Defendant is not credible and that the Order of Protection is granted under Docket Number 08D-2272 by separate Order.

The Court further finds that the Defendant, Rodney Allen Thomas, removed himself from the marital home on June 6, 2008.

The Court further finds that the Defendant has not contributed to the payment on the mortgage note of the marital home and that the marital home is in foreclosure proceedings.

The Court further finds that to prevent the foreclosure on the marital property, that the Plaintiff, Christina Denise Thomas, shall be vested with sole title to the marital property, to either re-finance or borrow funds to prevent foreclosure of the same.

Davidson County DEEDDIV
Recvd: 09/23/08 12:38 6 pgs
Fees:32.00 Taxes:0.00
20080923-0096827

X

The Court further finds that the Defendant, Rodney Allen Thomas, is divested of his interest in the marital residence, located at: 1715 Southwind Drive, Nashville, TN 37217 and is reinvested totally in the Wife's name, to wit: Christina Thomas and said property is more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 42 on the Plan of Town Park Estates, of record in Book 3300, page 86, Register's Office for said County, described as follows:
>
> Beginning on the Northeasterly margin of Honeyhill Drive at the corner of Lots Nos. 41 and 42; thence with the line between said two lots, Northeasterly 122.57 feet to the corner of Lots Nos. 41 and 42 and 43; thence with the line between Lots Nos. 42 and 43, Northeasterly 114.91 feet to the Southeasterly margin of Southwind Drive; thence with the same, Southeasterly 105.38 feet to the beginning of a curve; thence around said curve, have a radius of 25 feet, Southerly 39.27 feet to the Northeasterly margin of Honeyhill Drive; thence with the same; Southeasterly 88.67 feet to the beginning.
>
> Being the same property conveyed to Rodney Allen Thomas and wife, Christina Thomas, by deed from Donna Lee Duke, Executrix of the Estate of Ruth C. Wilson and Donna Lee Duke, individually, and Rick M. Johnson, Attorney as Trustee with full power, of record in Book 8551, Page 829, Register's Office for Davidson County, Tennessee.

This is property with a common address of 1715 Southwind Drive, Nashville, TN 37217

The Court further finds that the Wife is in need of temporary support and the Defendant shall pay the Wife Three Hundred ($300.00) Dollars per week, in addition to the Clerk's fee of five (5%) percent or Fifteen ($15.00) Dollars for a total payment of Three Hundred Fifteen ($315.00) Dollars per week, beginning on

Friday, August 29, 2008, by wage assignment. The Defendant is responsible for making direct payments to the Clerk's Office until such time as a wage assignment takes affect. The Clerk's office shall issue a wage assignment Order to the Defendant's employer: ACS Insulation, 4636 Lebanon Road, Suite 334, Hermitage, TN 37076, to begin on Friday, August 29, 2008. The Clerk's Office shall disburse said payments to the Plaintiff, Christina Thomas at her address: 1715 Southwind Drive, Nashville, TN 37217.

It is therefore, ORDERED, that the testimony of the Defendant is not credible and the Order of Protection is granted under Docket Number 08D-2272 by separate Order.

It is further, **ORDERED**, that to prevent the foreclosure on the marital property, the Defendant is divested of his interest in the marital residence located at: 1715 Southwind Drive, Nashville, TN 37217 and is reinvested totally in the Wife's name, Christina Thomas and said property is more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 42 on the Plan of Town Park Estates, of record in Book 3300, page 86, Register's Office for said County, described as follows:
>
> Beginning on the Northeasterly margin of Honeyhill Drive at the corner of Lots Nos. 41 and 42; thence with the line between said two lots, Northeasterly 122.57 feet to the corner of Lots Nos. 41 and 42 and 43; thence with the line between Lots Nos. 42 and 43, Northeasterly 114.91 feet to the Southeasterly margin of Southwind Drive; thence with the same, Southeasterly 105.38 feet to the beginning of a curve; thence around said curve, have a radius of 25 feet, Southerly 39.27 feet to the Northeasterly margin of Honeyhill Drive; thence with the same; Southeasterly 88.67 feet to the beginning.

Being the same property conveyed to Rodney Allen Thomas and wife, Christina Thomas, by deed from Donna Lee Duke, Executrix of the Estate of Ruth C. Wilson and Donna Lee Duke, individually, and Rick M. Johnson, Attorney as Trustee with full power, of record in Book 8551, Page 829, Register's Office of Davidson County, Tennessee.

This is property with a common address of 1715 Southwind Drive, Nashville, TN 37217

It is further, ORDERED, that the Husband may claim a portion of the equity, if any, in the real property, through the divorce proceedings.

It is further, **ORDERED**, that the Defendant shall pay the Wife Three Hundred ($300.00) Dollars per week, plus the five (5%) percent Clerk's fee for a total payment of Three Hundred Fifteen ($315.00) Dollars per week, beginning on Friday, August 29, 2008 by wage assignment and the Clerk's office shall issue a wage assignment Order to the Defendant's employer: ACS Insulation, 4636 Lebanon Road, Suite 334, Hermitage, TN 37076 and the Clerk's Office shall disburse said payments to the Plaintiff, Christina Thomas at her address: 1715 Southwind Drive, Nashville, TN 37217.

It is further, **ORDERED**, that the Defendant is responsible for making payments directly to the Clerk's office until the wage assignment takes affect.

It is finally, **ORDERED**, that all other matters are reserved pending a final hearing.

ENTERED this the 4th day of September, 2008.

JUDGE

APPROVED FOR ENTRY,

LARRY H. HAGAR #11275
Attorney for Plaintiff
509 Lentz Drive
Madison, TN 37115
(615) 865-5533

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been forwarded by U. S. Mail, postage pre-paid to: Rodney Allen Thomas 410 Gillespie Court, Antioch, TN 37013, on this the 3rd day of September, 2008.

LARRY H. HAGAR

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 04 day of SEPTEMBER , 2008 , in the Case Number 08D2363 between THOMAS, CHRISTINA DENISE Plaintiff, and THOMAS, RODNEY ALLEN 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 17 day of SEPTEMBER in the year two thousand eight and in the 232nd year of American Independence.

SEAL



RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk