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FILED

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

2008 DEC 19 PM 4:26

RICHARD R. ROOKER, CLERK

D.C

CHRISTINA DENISE THOMAS,	)	
	)	
PLAINTIFF,	)	
	)	
v.	)	NO. 08D-2363
	)	NOTICE OF ENTRY REQUESTED
RODNEY ALLEN THOMAS,	)	
	)	
DEFENDANT..	)	

ORDER OF DIVORCE

This cause came on to be heard upon the 16th day of December, 2008, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court, upon the Complaint for Divorce filed by the Wife, Christina Denise Thomas, for an absolute divorce, a default having been entered against the Husband and the Husband being duly served and notified of the Final Hearing and the Court noting his failure to appear. After hearing testimony of the Wife, witnesses, a review of the pleadings, Exhibits, statement of counsel for the Plaintiff and the record as a whole, the Court finds that the Wife is hereby awarded a divorce on the grounds of inappropriate marital conduct, T.C.A. 36-4-102(a)(11), and indignities, pursuant to T.C.A. 36-4-101(12) and she is restored to all rights and privileges of an unmarried person.

The Court further finds that the Wife is awarded the 2003 Chevrolet Monte Carlo, the 1986 Pontiac Firebird, the 2001 Chevrolet Blazer and the 1994 HydroSport boat and trailer, free and clear of the Husband's interest.

The Court further finds that the Husband is awarded the 1994 Chevrolet pickup truck, free and clear of the Wife's interest.

Davidson County DEEDDIV
Recvd: 01/20/09 11:36 9 pgs
Fees:47.00 Taxes:0.00
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The Court further finds that the Wife is awarded all personal property in her possession, including jewelry and furniture, free and clear of the Husband's interest. That the Husband is awarded all personal property he has in his possession free and clear of the Wife's interest.

The Court further finds that the Court in previous Orders had awarded the real estate since it was in default and allowed the Wife to stop foreclosure proceedings. The Court finds that the Husband's interest in the real property is hereby divested from the Husband and reinvested solely in the Wife in fee simple free and clear of any interest of the Husband, said property known as: 1715 Southland Drive, Nashville, Davidson County, Tennessee, for 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

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The Court further finds that the Wife shall be responsible for the mortgage note and any liens against the real property and shall hold the Husband harmless thereon.

The Court further finds that the Husband has a retirement with over Sixty Thousand ($60,000.00) Dollars in said retirement and that the Wife is and shall be entitled to one-half (½) of the Husband's retirement with the National Asbestos Workers Pension Fund through a Qualified Domestic Relations Order (QDRO), if necessary.

The Court further finds that the Husband was Ordered to pay Three Hundred Fifteen ($315.00) Dollars per week (includes $15.00 clerk fee) as *pendente lite* alimony and that as of December 19, 2008 the Husband is in arrears in the amount of Two Thousand Three Hundred Five ($2,305.00) Dollars. The Court finds that this is reduced to a judgment, for which execution may issue and that it is non-dischargable debt in Bankruptcy, since it is considered support for the Wife.

In addition, the Court finds that the Husband shall continue to pay alimony by wage assignment through his employer and any successor employers at the rate of Three Hundred Fifteen ($315.00) Dollars per week until death, re-marriage or further Orders of the this Court.

The Court further finds that the Husband shall continue to name the Wife as beneficiary on his life insurance policy in the amount of Twenty-five Thousand ($25,000.00) Dollars.

The Court further finds that as a result of the assault by the Husband and injuries received by the Wife, the Husband shall pay any and all medical bills associated with said injury that were not paid by insurance or that the Wife has had to pay out-of-pocket.

The Court further finds that the Wife's health insurance through her employer is primary and that the health insurance through the Husband's insurance is secondary. The Husband shall continue to carry the Wife on his health insurance under the COBRA provision and the Husband shall be

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required to pay any and all premiums associated with said insurance, through The National Asbestos Workers Medical Fund, or any successors.

The Court further finds that the Husband shall pay the Wife's attorney fees in the amount of Two Thousand ($2,000.00) Dollars, plus the costs of this cause, for which execution may issue if necessary.

It is **THEREFORE, ORDERED, ADJUDGED and DECREED,** that the Wife is awarded a divorce on the grounds of inappropriate marital conduct and indignities, and is restored to all rights and privileges of an unmarried person.

It is further, **ORDERED, ADJUDGED and DECREED**, that the Wife is awarded the 2003 Chevrolet Monte Carlo, the 1986 Pontiac Firebird, the 2001 Chevrolet Blazer, and the 1994 HydroSport boat and trailer, free and clear of the Husband's interest.

It is further, **ORDERED, ADJUDGED and DECREED,** that the Husband is awarded the 1994 Chevrolet pickup truck, free and clear of the Wife's interest.

It is further, **ORDERED, ADJUDGED and DECREED**, that the Wife is awarded all personal property in her possession, including jewelry and furniture, free and clear of the Husband's interest and the Husband is awarded all personal property he has in his possession free and clear of the Wife's interest.

It is further, **ORDERED, ADJUDGED and DECREED**, that the Wife is awarded the real property located at: 1715 Southland Drive, Nashville, Davidson County, Tennessee 37217, and the Husband is divested of any interest in the same and the real property is reinvested in the Wife, in fee simple, free and clear of any interest of the Husband, more particularly described as follows:

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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, ADJUDGED and DECREED**, that the Wife shall be responsible for the mortgage note and any lien on said property and she shall hold the Husband harmless thereon.

It is further, **ORDERED, ADJUDGED and DECREED**, that the Wife is awarded one-half (½) of the Husband's retirement with The National Asbestos Workers Pension Fund, which presently has a balance of Sixty Thousand ($60,000.00) Dollars, and the Court finds that the Wife is awarded one-half (½) of said fund through a Qualified Domestic Relations Order (QDRO).

It is further, **ORDERED, ADJUDGED and DECREED**, that the Wife is awarded a judgment against the Husband for the arrearage of *pendente lite* alimony in the amount of Two Thousand Three Hundred Five ($2,305.00) Dollars, for which execution may issue if necessary.

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It is further, **ORDERED, ADJUDGED and DECREED** that this judgment is non-dischargable in Bankruptcy, since it is support for the Wife.

It is further, **ORDERED, ADJUDGED and DECREED**, that the Husband shall pay alimony to the Wife by wage assignment through his employer and any successor employers at the rate of Three Hundred Fifteen ($315.00) Dollars per week (includes $15.00 clerk fee) until death, re-marriage or further Orders of this Court and is non-dischargable in Bankruptcy, since it is support for the Wife.

It is further, **ORDERED, ADJUDGED and DECREED**, that the Clerk of the Court shall issue a wage assignment Order to the Husband's employer , ACS Insulation, 4636 Lebanon Road - #334, Hermitage, Tennessee 37076, the Clerk shall disburse said funds to the Wife, Christina Denise Thomas, 1715 Southwind Drive, Nashville, Tennessee 37076.

It is further, **ORDERED, ADJUDGED and DECREED**, that the Husband shall continue to name the Wife as a beneficiary on his life insurance policy in no less than the amount of Twenty-five Thousand ($25,000.00) Dollars.

It is further, **ORDERED, ADJUDGED and DECREED**, that the Husband shall indemnify the Wife and pay any and all medical bills associated with the injuries received by the Wife, due to the assault by the Husband, that were not paid by insurance or that the Wife has had to pay out-of-pocket.

It is further, **ORDERED, ADJUDGED and DECREED**, that the Husband shall continue to carry the Wife on his health insurance under the COBRA provision and the Husband shall pay all premiums associated with said health insurance.

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It is finally, **ORDERED, ADJUDGED and DECREED**, that the Husband shall pay the Wife's attorney, Larry H. Hagar, for attorney fees in the amount of Two Thousand ($2,000.00) Dollars, plus the costs of this cause, for which execution may issue if necessary.

ENTERED, this the 19th day of December, 2008.

JUDGE MURIEL ROBINSON

APPROVED FOR ENTRY:

Larry H. Hagar #11275
Attorney for Wife
509 Lentz Drive
Madison, TN 37115
(615) 865-5533

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded by U. S. Mail, postage prepaid, to the Defendant, at his last known address of:

Rodney Allen Thomas
410 Gillespie Court
Antioch, TN 37013

on this the 19th day of December, 2008.

LARRY H. HAGAR

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CERTIFICATE OF SERVICE

DOCKET NO. 08D2363

Pursuant to Rule 58(3) of the Tennessee Rules of Civil Procedure, I hereby certify that I have mailed a copy of the foregoing Judgment to the parties/counsel listed below, on this 31st day of December, 2008.

RICHARD R. ROOKER, Circuit Court Clerk

BY: _____
Deputy Clerk

Larry H. Hagar, Esq.
509 Lentz Drive
Madison, TN 37115

Rodney Allen Thomas
410 Gillespie Court
Antioch, TN 37013

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 19 day of DECEMBER , 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 14 day of JANUARY in the year two thousand nine and in the 232nd year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL

