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FILED

IN THE EIGHTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE 2009 JAN 30 AM 9:44

SAHIRA REMZAN SADE,	)	
	)	
Plaintiff,	)	
	)	**No. 08D-2294**
v.	)	
	)	
DIYAR BAMERNI,	)	
	)	
Defendant,	)	

D.C.

Davidson County DEEDDIV
Recvd: 03/10/09 15:27 11 pg
Fees:57.00 Taxes:0.00

20090310-0021771

FINAL DECREE OF DIVORCE

This matter came before the Honorable Carol Soloman on January 20, 2009. The Court considered the Complaint for Divorce filed by the Plaintiff, Sahira Remzan Sade ("Wife"), the service by publication on the Defendant, Diyar Bamerni ("Husband"), Husband's default, the testimony of Wife and her witnesses, and the entire record herein, from which the Court finds that Husband is guilty of inappropriate marital conduct. The Court also finds that Husband did not pay any of the $18,000.00 in child support which was ordered by this Court in 2006, under Docket No. 06D-2457. The Court further finds that Husband stole $5,600.00 from Wife, but reserves entering a judgment until Husband can be personally served.

IT IS THEREFORE ORDERED that Wife is granted an absolute divorce from Husband and restored to the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED that Husband's interest in the property at 4900 Sherman Oaks Drive, Nashville, Tennessee 37211 is divested from Husband and reinvested in Wife, subject to all encumbrances and restrictions on said property. Said property is more properly described as follows:

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Land in Davidson County, Tennessee, being Lot No. 375 on the Plan of Hillbrook, Section 6, of record in Plat Book 4175, Page 7, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a complete and accurate description thereof.

Being the same property conveyed to Diyar Bamerni, a married man, and Sakvan Bamerni, a married man, by deed from Albert R. Lawson and wife, Ellen C. Lawson, by Warranty Deed, Instrument No. 20010302-0019564, on March 2, 2001.

This is improved property known as 4900 Sherman Oaks Drive, Nashville, Tennessee 37211.

IT IS FURTHER ORDERED that Wife is awarded all personal property in her possession.

IT IS FURTHER ORDERED that Wife is awarded all bank accounts and any other accounts in her name.

IT IS FURTHER ORDERED that the Parenting Plan submitted by Wife is accepted and made an order of this Court.

IT IS FURTHER ORDERED that current and retroactive child support is reserved until personal service can be had on Husband.

IT IS FURTHER ORDERED that the matters of the money Husband stole from Wife and the child support ordered under the Order of Protection, Docket No. 06D-2457, are reserved until personal service can be had on Husband.

IT IS FURTHER ORDERED that costs in this matter shall be taxed to Wife.

Entered this the 30th day of January, 2009.

Carol Soloman, Judge

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08D2294

STATE OF TENNESSEE	EIGHTH CIRCUIT	DAVIDSON COUNTY
PERMANENT PARENTING PLAN **Proposed**	2009 JAN 30 AM 8:44 Docket No. 08D-2294	FILED OCT 24 2008 RICHARD H. WOOKER, Clerk By Deputy
Plaintiff: Sahira Remzan Sade	Defendant: Diyar Bamerni	

The mother and father will behave with each other and each child so as to provide a loving, stable, consistent and nurturing relationship with the child even though they are divorced. They will not speak badly of each other or the members of the family of the other parent. They will encourage each child to continue to love the other parent and be comfortable in both families.

This plan is a new plan.

Child's name	Date of birth
Zana Ahmed	January 8, 1992
Awaz Mustafa	January 17, 1994
Vana Mustafa	October 13, 1998

A. RESIDENTIAL TIME WITH EACH PARENT

The Primary Residential Parent is Mother.

Under the schedule set forth below, each parent will spend the following number of days with the children:

Mother: 365 days Father: 0 days

B. DAY-TO-DAY SCHEDULE

The mother shall have responsibility for the care of the children at all times.

C. HOLIDAY SCHEDULE AND OTHER SCHOOL FREE DAYS

The father shall have no parenting time with the children until he petitions the Court.

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D. **FALL VACATION** (*If applicable*)

The father shall have no parenting time with the children until he petitions the Court

E. **WINTER (CHRISTMAS) VACATION**

The father shall have no parenting time with the children until he petitions the Court

F. **SPRING VACATION** (*If applicable*)

The father shall have no parenting time with the children until he petitions the Court

G. **SUMMER VACATION**

The father shall have no parenting time with the children until he petitions the Court

H. **TRANSPORTATION ARRANGEMENTS**

The father shall have no parenting time with the children until he petitions the Court

I. **SUPERVISION OF PARENTING TIME** *(If applicable)*

The father shall have no parenting time with the children until he petitions the Court

II. DECISION-MAKING

A. **DAY-TO-DAY DECISIONS**

The mother will make all decisions regarding the children.

B. **MAJOR DECISIONS**

Major decisions regarding each child shall be made by the mother.

III. FINANCIAL SUPPORT

A. **CHILD SUPPORT**

No child support is ordered pending personal service on Father.

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B. FEDERAL INCOME TAX EXEMPTION

Mother shall claim the tax exemption for the children each year.

C. PROOF OF INCOME AND WORK-RELATED CHILD CARE EXPENSES

If Father can be found, each parent shall send proof of income to the other parent for the prior calendar year as follows:

___x__ IRS Forms W-2 and 1099 shall be sent to the other parent on or before February 15.

_____ A copy of his or her federal income tax return shall be sent to the other parent on or before April 15 or any later date when it is due because of an extension of time for filing.

_____ The completed form required by the Department of Human Services shall be sent to the Department on or before the date the federal income tax return is due by the parent paying child support. This requirement applies only if a parent is receiving benefits from the Department for a child.

The parent paying work-related child care expenses shall send proof of expenses to the other parent for the prior calendar year, and an estimate for the next calendar year, on or before February 15.

D. HEALTH AND DENTAL INSURANCE

Reasonable health insurance on the child or children will be maintained by the mother.

If Father can be found, proof of continuing coverage shall be furnished to the other parent annually or as coverage changes. The parent maintaining coverage shall authorize the other parent to consult with the insurance carrier regarding the coverage in effect.

Uncovered reasonable and necessary medical expenses, which may include but is not limited to, deductibles or co-payments, eyeglasses, contact lens, routine annual physicals, and counseling will be paid pro rata in accordance with their incomes. After insurance has paid its portion, the parent receiving the bill will send it to the other parent within ten days. The other parent will pay his or her share within 30 days of receipt of the bill.

If available through work at a reasonable cost, the mother shall maintain dental, orthodontic, and optical insurance on the minor child or children.

E. LIFE INSURANCE

Life insurance shall not be ordered at this time.

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IV. PRIMARY RESIDENTIAL PARENT (CUSTODIAN) FOR OTHER LEGAL PURPOSES.

The child or children are scheduled to reside the majority of the time with the mother. This parent is designated as the primary residential parent also known as the custodian, **SOLELY** for purposes of any other applicable state and federal laws. If the parents are listed in Section II as joint decision-makers, then, for purposes of obtaining health or other insurance, they shall be considered to be joint custodians. THIS DESIGNATION DOES NOT AFFECT EITHER PARENT'S RIGHTS OR RESPONSIBILITIES UNDER THIS PARENTING PLAN.

V. DISAGREEMENTS OR MODIFICATION OF PLAN

Should the parents disagree about this Parenting Plan or wish to modify it, they must make a good faith effort to resolve the issue by the process selected below before returning to Court. *Except for financial support issues including child support, health and dental insurance, uncovered medical and dental expenses, and life insurance*, disputes must be submitted to:

__x__ Mediation by a neutral party chosen by the parents or the Court.
_____ Arbitration by a neutral party selected by parents or the Court.
_____ The Court DUE TO ORDER OF PROTECTION OR RESTRICTIONS.

The costs of this process may be determined by the alternative dispute process or may be assessed by the Court based upon the incomes of the parents. It must be commenced by notifying the other parent and the Court by written request certified mail other: Please Type Other Information

In the dispute resolution process:

Preference shall be given to carrying out this Parenting Plan.
The parents shall use the process to resolve disputes relating to implementation of the Plan.
A written record shall be prepared of any agreement reached, and it shall be provided to each parent.
If the Court finds that a parent willfully failed to appear without good reason, the Court, upon motion, may award attorney fees and financial sanctions to the prevailing parent.

VI. RIGHTS OF PARENTS

Under T.C.A. § 36-6-101 of Tennessee law, both parents are entitled to the following rights:

(1) The right to unimpeded telephone conversations with the child at least twice a week at reasonable times and for reasonable durations;
(2) The right to send mail to the child which the other parent shall not open or

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censor;

(3) The right to receive notice and relevant information as soon as practicable but within twenty-four (24) hours of any event of hospitalization, major illness or death of the child;

(4) The right to receive directly from the child's school any school records customarily made available to parents. (The school may require a written request which includes a current mailing address and upon payment of reasonable costs of duplicating.) These include copies of the child's report cards, attendance records, names of teachers, class schedules, and standardized test scores;

(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 treatment or health care. (The keeper of the records may require a written request which contains a current mailing address and the payment of reasonable costs of duplication.) 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) The right to be free of unwarranted derogatory remarks made about the parent or his or her family by the other parent to the child or in the presence of the child;

(7) The right to be given at least forty-eight (48) hours notice, whenever possible, of all extra-curricular activities, and the opportunity to participate or observe them. These include the following: school activities, athletic activities, church activities and other activities where parental participation or observation would be appropriate;

(8) The right 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) The right to access and participation in education on the same basis that is provided to all parents. This includes the right of access to the child for lunch and other activities. However, participation or access must be reasonable and not interfere with day-to-day operations or with the child's educational performance.

VII. NOTICE REGARDING PARENTAL RELOCATION

The Tennessee statute (T.C.A. § 36-6-108) which governs the notice to be given in connection with the relocation of a parent reads in pertinent part as follows:

If a parent who is spending intervals of time with a child desires to relocate outside the state or more than one hundred (100) miles from the other parent within the state, the relocating parent shall send a notice to the other parent at the other parent's last known address by registered or certified mail. Unless excused by the court for exigent circumstances, the notice shall be mailed not later than

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sixty (60) days prior to the move. The notice shall contain the following:
(1) Statement of intent to move;
(2) Location of proposed new residence;
(3) Reasons for proposed relocation; and
(4) Statement that the other parent may file a petition in opposition to the move within thirty (30) days of receipt of the notice.

VIII. PARENT EDUCATION CLASS

This requirement has been fulfilled by mother.
Failure to attend the parent education class within 60 days of this order is punishable by contempt.

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Under penalty of perjury, I declare that this plan has been proposed in good faith and is in the best interest of each minor child and that the statements herein and on the attached child support worksheets are true and correct. ***(A notary public is required if this is a proposed plan by one parent rather than one agreed by both parents.)***

Sabrina Sade
Mother

Sworn to and subscribed before me this 20th day of November, 2008.

My commission expires: _____

Mary B Langford
Notary Public

MARY B. LANGFORD
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 22, 2010

APPROVED FOR ENTRY:

Mary B Langford
Mary B. Langford, No. 20169
Corley Henard Lyle Levy & Langford, PLC
424 Church Street, Suite 2925
Nashville, Tennessee 37219-2384
Telephone (615) 627-4677

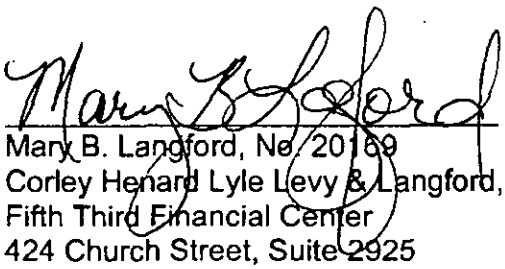
Attorney for the Mother

It is so ORDERED this the 30th day of Jan. 2009.

Carol Soloman
Judge

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Approved for entry:



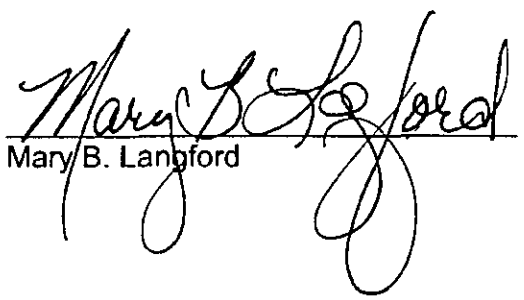
Mary B. Langford, No. 20169
Corley Henard Lyle Levy & Langford, PLC
Fifth Third Financial Center
424 Church Street, Suite 2925
Nashville, Tennessee 37219-2384
(615) 627-4677
Attorney for the Wife

CERTIFICATE OF SERVICE

I certify that I have mailed an exact copy of the foregoing to the Defendant at his last known residence, as follows:

Diyar Bamerni
4900 B Sherman Oaks Drive
Nashville, TN 37211

this the 23rd day of January, 2009.



Mary B. Langford

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 EIGHTH Circuit Court for Davidson County, Tennessee, on the 30 day of JANUARY , 2009 , in the Case Number 08D2294 between SADE, SAHIRA REMZAN Plaintiff, and BAMERNI, DIYAR 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 10 day of MARCH in the year two thousand nine and in the 232nd year of American Independence.

RICHARD R. ROOKER, Clerk,

By R Thomas
Deputy Clerk

SEAL

RICHARD R. ROOKER
CIRCUIT COURT CLERK