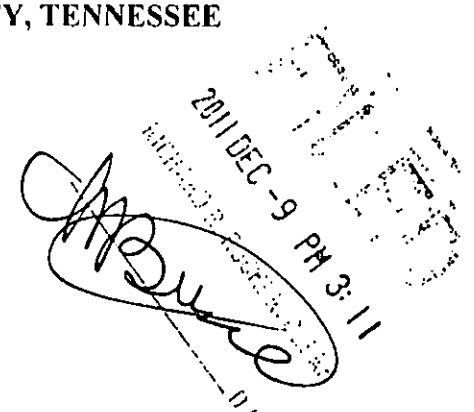
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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE



MARY LOUISE MORENO,	)	
	)	
Plaintiff/Wife,	)	
	)	
	)	
vs.	)	No. 09D-3604
	)	09D1132
MARTIN ESMERALDA MORENO,	)	
	)	NOTICE OF ENTRY REQUESTED
Defendant/Husband,	)	

FINAL DECREE OF DIVORCE

This matter came to be heard on the 12th day of July, 2011, before the Honorable Philip E. Smith, Judge of the Fourth Circuit Court for Nashville, Davidson County, Tennessee, upon the Default previously granted, statements of counsel, testimony of the Plaintiff and witness, and the record as a whole. From all of which, the Court finds that the Plaintiff/Wife should be awarded an absolute divorce on the grounds of inappropriate marital conduct as provided in Tenn. Code Ann. §36-4-101(11) and that each party shall be restored to the rights and privileges of an unmarried person.

The Court finds that a Complaint for Divorce was filed in this matter on December 23, 2009, an Answer and Counter Complaint for Divorce was filed on April 1, 2010, and an Answer to the Counter Complaint was filed on April 14, 2011. The Defendant/Husband initially participated in this divorce, but over time failed to participate in the proceedings, causing his attorney to withdraw. The Court further finds that the Defendant/Husband left the country with no intent to return, and that the Defendant/Husband left the marital residence with no just cause.

BILL GARRETT, Davidson County
Trans:T20130041396 DEEDDIV
Recvd: 05/17/13 13:32 26 pgs
Fees:132.00 Taxes:0.00
20130517-0050024

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The Court finds that the Defendant/Husband was sending large sums of money to Mexico, and the Court believes that the Defendant/Husband has another child in Mexico by a woman other then the Plaintiff/Wife.

Further, the Court finds that an Order of Protection was issued against the Defendant/Husband on April 26, 2010 and that said Order of Protection under case number 10D-1132 shall remain in place until July 12, 2012.

The Court finds that the Plaintiff/Wife shall be granted an Absolute Divorce on the grounds of inappropriate marital conduct because the Court finds that the Defendant/Husband left the U. S. with no intent to return, was sending large amounts of money to Mexico during the parties' marriage, the Defendant/Husband has a girlfriend and more than likely has a child in Mexico by said paramour, the Defendant/Husband has been neglecting his children here in Tennessee and has not spent time with the children nor been present for important milestones such as birthdays, holidays, graduations, etc., and that the Defendant/Husband has failed to support his family.

The Court further finds that all issues of the minor children including parenting time and child support are included in the Permanent Parenting Plan and that said Parenting Plan should hereby be adopted in its entirety as an Order of this Court.

The Court finds that, for purposes of calculating child support pursuant to the Tennessee Child Support Guidelines, the Wife's gross income is $1,256.66 per month and Husband's gross income is imputed at $3,132.40 per month. The Court further finds that there is no evidence of Husband's income to the contrary and Husband's income shall be imputed as $3,132.40 per month, although the Court suspects that the Husband's income is, in fact, higher. The Court finds that the Husband shall pay the amount of $663.00 per month for current child support, pursuant

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to the Tennessee Child Support Guidelines. The Court further finds that the Wife is granted a judgment for the amount of $9,200.00 for child support arrearages owing since May 2010 until the date of this hearing and that said arrearages shall be paid at the rate of $100.00 per month until paid-in-full. Additionally, the court finds that the parenting plan proposed by the Wife is appropriate and is in the best interests of the children and should be made an order of this court.

The Court further finds that the parties were married for nineteen (19) years and that the Defendant/Husband was the primary wage earner throughout the marriage. The Court finds that rehabilitation of the Wife is not feasible at this point in time and that transitional alimony is not appropriate at this time. As such, the Defendant/Husband shall pay to the Wife $1,200.00 per month as alimony *in futuro* beginning on August 1, 2011 and continuing until the death or remarriage of the Wife. The Court finds that the Defendant/Husband has the ability to pay and that the Plaintiff/Wife has a need for alimony and that alimony *in futuro* will help her standard of living established during the marriage and therefore the award of alimony *in futuro* is appropriate under these circumstances and the factors to be considered pursuant to Tenn. Code Ann. §36-5-121(i).

The Court further finds that the Husband shall be solely responsible for the debts owing to CitiBank Financial in the approximate amount of $5,000.00 and that Husband shall indemnify and hold the Wife harmless thereon. The Husband shall further be responsible for the debt owing to Sprint PCS in the name of the Wife as the Husband illegally obtained the account with Sprint PCS by using the Wife's identity and Social Security Number. The Husband shall indemnify and hold the Wife harmless on the debt owing to Sprint PCS. The Husband shall be solely responsible for debts owing to the Internal Revenue Service, including but not limited to the IRS lien in the amount of $182,000.00 on the property located at 3783 Turley Drive, Nashville, TN

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37211 and shall indemnify and hold the Wife harmless thereon. The Court finds that the Wife shall be solely responsible for any other debts in her sole name.

The Court further finds that all debts which Husband is to be responsible for, including the debts owing to Citibank Financial, Sprint PCS, and the Internal Revenue Service shall be and is necessary for the support of the Wife and as the assumption of those debts is in the nature of support and shall be non-dischargeable in bankruptcy.

This
~~The parties understand that the~~ final decree of divorce does not necessarily affect the ability of a creditor to proceed against a party or a party's property, even though the party is not responsible under the terms of a Final Decree of Divorce or the decree for an account, debt associated with an account, or any debt. The parties further understand that it may be in their best interest to cancel, close, or freeze any jointly held accounts.

The court further finds that both parties shall be permanently restrained and enjoined from coming about the other for the purpose of harming, harassing, threatening, or intimidating the other.

The Court further finds that the Order of Protection under case number 10D-1132 shall remain in place until July 12, 2012..

The Court finds that the Wife is awarded three (3) vehicles, the 1976 Chevrolet El Camino, VIN 1D0B6T494092, and the 1976 El Camino, VIN 1D80B6D518225, titled in Husband's name, and the 2003 Chevrolet Tahoe, VIN 1DNEZ130B93R109719, titled in Wife's name. The Court further finds that the Wife is awarded all three (3) vehicles free of any interest of the Husband.

The Court further finds that the Wife is awarded all rights, title, and interest in all personal property now in her possession and all personal property left in the residence as of

Copy

March 2010 and remaining there today. Any interest of the Husband in the personal property in the possession of the Wife is hereby divested from the Husband and reinvested in the Wife so that she shall each own that property in her possession as her sole property, free and clear of any claim of the Husband.

The Court finds that the Husband is awarded the equipment and all business assets of the business known as Moreno Tires, located at 1316 Dickerson Pike, Nashville, TN 37207. The Husband shall indemnify and hold the Wife harmless on any liabilities or debts of Moreno Tires.

The Court further finds that the Husband has an interest in a construction business, and that the Husband shall indemnify and hold the Wife harmless on any liabilities, debts, or otherwise associated with that business, including but not limited to debts owed to the Internal Revenue Service because or relating to said construction business.

The Court further finds, based on undisputed proof, that the Husband failed to pay taxes personally and on his businesses and that an IRS lien was placed on the home located at 3783 Turley Drive, Nashville, TN 37211 for the amount of $182,000.00. The Wife shall held harmless on any debt owing to the IRS and the Husband shall reimburse Wife for any amounts taken by the Internal Revenue Service from any future refunds, levees, garnishments, or any amounts otherwise taken from Wife.

The Court finds that the Wife is awarded all of the Husband's right, title and interest in the marital residence, located at 3783 Turley Drive, Nashville, TN 37211 and more specifically described as:

> A certain tract or parcel of land in Davidson County, State of Tennessee described as follows, to-wit: Being Lot No. 62 on the Plan of Hillbrook, Section 3, as of record in Plat Book 3300, page 84, Register's Office for Davidson County, Tennessee. Said lot fronts 75 feet on the west side of Turley Drive and runs back 277 feet on the north line and 301 feet on the south line to a dead line

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in the read on which it measurers 89.9 feet. Being the same property conveyed to Robert B. Johnson and wife, Martha D. Johnson by deed from Estate of Ruth H. Haynie by Donna Haynie Dornan, Executrix, of record in Book 9565, page 702, Register's Office for Davidson County, Tennessee. This improved property known as 3783 Turley Drive, Nashville, TN 37211.

The Court finds that the residence is deeded in the name of Martin Moreno, and a third party, Iguez Romerorodr and that the Wife shall be awarded all of the Husband's right, title and interest in the property and that said conveyance shall not affect the interest, if any, of the third party in the real property.

The Court further finds that the Wife is awarded a judgment against the Husband in the amount of $5,000.00 for her reasonable and necessary attorneys' fees, a judgment in the amount of $2,025.00 for mortgage payments the Husband was ordered to pay which were not made on the home. The Court finds that the total amount of said judgment is $7,025.00.

The Court further finds that all Court costs and fees shall be taxed to the Husband.

It is, therefore, **ORDERED, ADJUDGED, and DECREED** that the Plaintiff/Wife shall be and is hereby awarded an absolute divorce on the grounds of inappropriate marital conduct against the Defendant/Husband as provided in Tenn. Code Ann. §36-4-101(11) and that each party shall be restored to the rights and privileges of an unmarried person.

It is, further, **ORDERED, ADJUDGED, and DECREED** that the Permanent Parenting Plan is hereby adopted in its entirety as an Order of this Court, and more particularly set out as follows, to wit:

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STATE OF TENNESSEE	4TH CIRCUIT COURT	DAVIDSON COUNTY

2011 AUG 23 P 12:49

PERMANENT PARENTING PLAN ORDER

☐ PROPOSED ☐ AGREED ☒ ORDERED BY THE COURT

FILE No. 09D-3604 *(Must be completed)*

PETITION No.

2011 DEC -5 PM 3:12

PLAINTIFF *(Name: First, Middle, Last)*	DEFENDANT *(Name: First, Middle, Last)*
Mary Louise Moreno	Martin Esmeralda Moreno
☒ Mother ☐ Father	☐ Mother ☒ Father

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.
- ☐ modifies an existing Parenting Plan dated _____
- ☐ modifies an existing Order dated _____

Child's Name	Date of Birth
Leonor M. Moreno	8-28-1995

I. RESIDENTIAL PARENTING SCHEDULE

A. RESIDENTIAL TIME WITH EACH PARENT

The Primary Residential Parent is

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 ☐ father shall have responsibility for the care of the child or children except at the following times when the other parent shall have responsibility:

From N/A to N/A

Day and Time Day and Time

☐ every week ☐ every other week ☐ other:

This parenting schedule begins ☐ _____ or ☒ date of the Court's Order.

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C. **HOLIDAY SCHEDULE AND OTHER SCHOOL FREE DAYS**

Indicate if child or children will be with parent in ODD or EVEN numbered years or EVERY year:

	MOTHER	FATHER
New Year's Day	Every	
Martin Luther King Day	Every	
Presidents' Day	Every	
Easter Day (unless otherwise Coinciding with Spring Vacation)	Every	
Passover Day (unless otherwise coinciding with Spring Vacation)	Every	
Mother's Day	Every	
Memorial Day (if no school)	Every	
Father's Day	Every	
July 4th	Every	
Labor Day	Every	
Halloween	Every	
Thanksgiving Day & Friday	Every	
Other School Free Days	Every	
Children's Birthdays	Every	
Mother's Birthday	Every	
Father's Birthday:	Every	

A holiday shall begin at 6:00 PM on the night preceding the holiday and end at 6:00 PM the night of the holiday, unless otherwise noted here. On the 4th of July, the holiday shall start at 9:00 A.M. on the 4th of July and end at 9:00 A.M. on July 5th.

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

The day to day schedule shall apply.

E. **WINTER (CHRISTMAS) VACATION**

The day to day schedule shall apply

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

The day to day schedule shall apply.

G. **SUMMER VACATION**

The day to day schedule shall apply.

H. **TRANSPORTATION ARRANGEMENT**

The place of meeting for the exchange of the child or children shall be: The parent exercising parenting time with the minor children shall be responsible for transporting the children.

Payment of long distance transportation costs *(if applicable):* ☐ mother ☐ father ☐ both equally.
Other arrangements: _____.
If a parent does not possess a valid driver's license, he or she must make reasonable

Copy

transportation arrangements to protect the child or children while in the care of that parent.

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

J. OTHER

II. DECISION-MAKING

A. DAY-TO-DAY DECISIONS

Mother shall make decisions regarding the day-to-day care of a child while the child is residing with that parent, including any emergency decisions affecting the health or safety of a child.

B. MAJOR DECISIONS

Major decisions regarding each child shall be made as follows:

Educational decisions	☒ mother	☐ father	☐ joint
Non-emergency health care	☒ mother	☐ father	☐ joint
Religious upbringing	☒ mother	☐ father	☐ joint
Extracurricular activities	☒ mother	☐ father	☐ joint
_____	☐ mother	☐ father	☐ joint

If there is a disagreement with any joint decision making issues, after reasonable discussion, either party may make the decision without the consent of the other parent, but the decision making parent is financially responsible for their decision and the non-deciding parent shall not be liable for any of the costs incurred due to that decision. However, that decision shall not interfere with the parenting time of the other.

III. FINANCIAL SUPPORT

A. CHILD SUPPORT

Father's gross monthly income is $3,132.40
Mother's gross monthly income is $1,256.66

1. The final child support order is as follows:
   a. The ☐ mother ☒ father shall pay to the other parent as regular child support the sum of $663.00 ☐ weekly ☒ monthly ☐ twice per month ☐ every two weeks. **The Child Support Worksheet shall be attached to this Order as an Exhibit.***

   If this is a deviation from the Child Support Guidelines, explain why:

   _____

2. Retroactive Support: A judgment is hereby awarded in the amount of $ 9,200.00 to ☒ mother ☐ father against the child support payor representing retroactive support required under Section 1240-2-4.06 of the D.H.S. Income Shares Child Support Guidelines dating from May 1, 2010 which shall be paid (including pre/post judgment interest) at the rate of $ 100.00 per ☐ week ☒ month ☐ twice per month ☐ every two weeks until the judgment is paid in full.

3. Child support payments shall begin on May 1, 2010.

This support (i.e. child and spousal) shall be paid:

☐ directly to the other parent.

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☒ to the Central Child Support Receipting Unit, P. O. Box 305200, Nashville, Tennessee 37229, and sent from there to the other parent at
☐ by direct deposit to the other parent at
☐ other:_____.

The parents acknowledge that court approval must be obtained before child support can be reduced or modified.

*Child Support Worksheet can be found on DHS website at http://www.state.tn.us/humanserv/is/incomeshares.htm or at your local child support offices.

B. FEDERAL INCOME TAX EXEMPTION*

The ☒ mother ☐ father is the parent receiving child support.

The Mother shall claim the child every year.

The ☐ mother ☒ father will furnish IRS Form 8332 to the parent entitled to the exemption by February 15 of the year the tax return is due.

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

Father shall send proof of income to the other parent for the prior calendar year as follows:

- 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
☐ maintained by the father ☒ maintained by both

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 by ☐ mother ☐ father ☒ both parties equally. 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.

* NOTE: The child support schedule assumptions in the guidelines (1240-2-4-.03 (6)(b)) assume that the parent receiving the child support will get the tax exemptions for the child.

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If available through work, the ☐ mother ☐ father ☒ both parties shall maintain dental, orthodontic, and optical insurance on the minor child or children. The other parent shall pay a pro rata share of the medical insurance for the child only.

E. LIFE INSURANCE

If agreed upon by the parties, ☒ Father shall insure his/her own life in the minimum amount of $ 10,000.00 by whole life or term insurance. Until the child support obligation has been completed, each policy shall name the child/children as sole irrevocable primary beneficiary, ☐ the other parent as trustee for the benefit of the child(ren), to serve without bond or accounting.

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 ☐ father. 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:

☒ 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: _____

In the dispute resolution process:

A. Preference shall be given to carrying out this Parenting Plan.
B. The parents shall use the process to resolve disputes relating to implementation of the Plan.
C. A written record shall be prepared of any agreement reached, and it shall be provided to each parent.
D. 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 censor;

Copy

(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 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.

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VIII. PARENT EDUCATION CLASS

This requirement has been fulfilled by ☐ both parents ☐ mother ☐ father ☒ neither. Failure to attend the parent education class within 60 days of this order is punishable by Contempt.

Under penalty of perjury, we 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.)*

_____ _____
Mother Date and Place Signed

Sworn to and subscribed before me this _____ day of _____, 2011.

My commission expires:_____ _____
Notary Public

_____ _____
Father Date and Place Signed

Sworn to and subscribed before me this _____ day of _____, 2011.

My commission expires:_____ _____
Notary Public

APPROVED FOR ENTRY:

_____ _____
James L. Widrig

501 Union Street Suite 503 _____
Address *Address*

Nashville, Tennessee, 37219 _____
Address *Address*

(615) 417-7800 #025111 _____
Phone and BPR Number *Phone and BPR Number*

Note: The judge or chancellor may sign below or, instead, sign a Final Decree or a separate Order incorporating this plan.

COURT COSTS (If applicable)

Court costs, if any, are taxed as follows: To the Father

It is so ORDERED this the 9th day of December, 2011.

_____
Philip E. Smith, Judge

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FILED 6TH D 3604

State of Tennessee - Child Support Worksheet

2011 AUG 23 PM 12:49

Part I. Identification

Indicate the status of each parent or caretaker by placing an "X" in the appropriate column

		PRP	ARP	SPLIT
Name of Mother:	Mary Moreno	X		
Name of Father:	Martin Moreno		X	
Name of non-parent Caretaker:				
TCSES case #:				
Docket #:				
Court name:				

RICHARD R. WIDRIG, P.C.

2011 DEC -9 PM 3:12

Name(s) of Child(ren)	Date of Birth	Days with Mother	Days with Father	Days with Caretaker
Leonor Moreno	8/28/1995	365	0	

Part II. Adjusted Gross Income

Use Credit Worksheet to calculate line items 1d - 1e

			Mother / Column A	Father / Column B	Nonparent Caretaker \ Column C
1	Monthly Gross Income		$ 1256.66	$ 3132.40	
1a		Federal Benefit for child	+ 0.00	+ 0.00	
1b		Self-employment tax paid	- 0.00	- 0.00	
1c		Subtotal	$ 1256.66	$ 3132.40	
1d		Credit for in-home children	- 0.00	- 0.00	
1e		Credit for not-in-home children	- 0.00	- 0.00	
2	Adjusted Gross Income (AGI)		$ 1256.66	$ 3132.40	
2a	Combined Adjusted Gross Income	$ 4389.06			
3	Percentage Share of Income (PI)		29 %	71 %	

Part III. Parents' Share of BCSO

4	BCSO allotted to primary parent's household	$ 785.00	$ 0.00	$ 0.00
4a	Share of BCSO owed to primary parent	$ 0.00	$ 557.35	
5	Each parent's average parenting time	N/A	0	
6	Parenting time adjustment	$ N/A	$ 105.36	
7	Adjusted BCSO	$ 0.00	$ 662.71	

HS-2968

Part IV. Additional Expenses		Mother / Column A	Father / Column B	Nonparent Caretaker / Column C
8a	Children's portion of health insurance premium	$ 0.00	$ 0.00	$ 0.00
8b	Recurring uninsured medical expenses	$ 0.00	$ 0.00	$ 0.00
8c	Work-related childcare	$ 0.00	$ 0.00	$ 0.00
9	Total additional expenses	$ 0.00	$ 0.00	$ 0.00
10	Share of additional expenses owed	$ 0.00	$ 0.00	
11	Adjusted Support Obligation (ASO)	$ 0.00	$ 662.71	

Part V. Presumptive Child Support Order

		OBLIGATION	
12	Presumptive Child Support Order (PCSO)	$ 0.00	$ 663.00

* Enter the difference between the greater and smaller numbers from Line 11 except in non-parent caretaker situations.

Low Income? N (N=15% Y=7.5%)

Current Order Flat %? N (N/Y)

Modification of Current Child Support Order

13a	Current child support order amount for the payor parent	$ 0.00	$ 0.00
13b	Amount required for significant variance to exist	$ 0.00	$ 0.00
13c	Actual variance between current and presumptive child support orders	$ 0.00	$ 0.00

Part VI. Deviations and FCSO

Deviations must be substantiated by written findings in the Child Support Order

14	Deviations (Specify):	$ 0.00	$ 0.00
15	Final Child Support Order (FCSO)	$ 0.00	$ 663.00
16	FCSO adjusted for Federal benefit, Line 1a, Obligor's column	$ 0.00	$ 663.00

State of Tennessee - Credit Worksheet

Part I. Identification

Indicate the status of each parent or caretaker by placing an "X" in the appropriate column			PRP	ARP	SPLIT
	Name of Mother:	Mary Moreno	X		
	Name of Father:	Martin Moreno		X	
	Name of non-parent Caretaker:				
	TCSES case #:				
	Docket #:				
	Court name:				

Part II. Additional Children

✓ If a parent is claiming more than five children on line 3 or line 7, use the Additional Credit sheet to list information for each child.

		Mother	Father
Parent Income Information			
1	Applicable gross income for credit worksheet	$ 1256.66	$ 3132.40

In-Home Children

2 Below, list qualified children living in the parent's home (if none, skip to line 7):

Name(s) of Child(ren) for Mother	Date of Birth	Name(s) of Child(ren) for Father	Date of Birth

3	Number of qualified children living in the parent's home	# 0	# 0
4	Theoretical child support order (this parent's income on CS Schedule for number of children from line 3)	$ 0.00	$ 0.00
5	75% of theoretical child support order from line 4	$ 0.00	$ 0.00

Not-In-Home-Children

6 Below, list qualified children not living in the parent's home:

Name(s) of Child(ren) for Mother	Date of Birth	Name(s) of Child(ren) for Father	Date of Birth

7	Number of qualified children not living in the parent's home	# 0	# 0
8	Average documented monetary support over last 12 months	$ 0.00	$ 0.00
9	Theoretical child support order (this parent's income on CS Schedule for number of children from line 7)	$ 0.00	$ 0.00
10a	75% of theoretical child support order from line 9	$ 0.00	$ 0.00
10b	Allowable credit for not-in-home children	$ 0.00	$ 0.00

HS-2968

Other Children (Continued from Credit Worksheet)

In-Home Children — Below, list additional qualified children living in the parent's home:

Name(s) of Child(ren) for Mother	Date of Birth	Name(s) of Child(ren) for Father	Date of Birth

Not-In-Home Children — Below, list additional qualified children not living in the parent's home:

Name(s) of Child(ren) for Mother	Date of Birth	Name(s) of Child(ren) for Father	Date of Birth

ISSS - Income Shares Summary Screen

DECSSXXX _ Inquire Add Update 00:00:00

XXXXXXX CSES - INCOME SHARES SUMMARY SCREEN (ISSS) 00-00-0000

CASE ID TYPE X / X STATUS A CLASS XXX / ?/?

NCP XXXXXXXXXXXXXX ID 000000000 RTD XX OFFICE 000

CP XXXXXXXXXXXXXX ID 000000000 RTD XX USERID XXXXXXX

DOCKET # OF CHILDREN FOR THIS ORDER 1 NOTEPAD N

PARENTING TYPE ST - STANDARD PARENTING WORKSHEET DATE 08/10/2011

MORE +

PI MOTHER 29% PI FATHER 71%

		MOTHER	FATHER	NP CTAKER
EACH PARENT'S AVERAGE PARENTING TIME		0	0	
GROSS INCOME SUBTOTAL	LOW INCOME N (Y/N)	1256.66	3132.40	
CREDIT FOR CHILDREN		0.00	0.00	
CHILDREN'S PORTION INS		0.00	0.00	0.00
RECURRING MEDICAL		0.00	0.00	0.00
CHILDCARE (P / N / B)		0.00	0.00	0.00
PCSO		0.00	663.00	

DEVIATION 0.00 SSA BENEFIT 0.00

FCSO 663.00 OBLIGEE CHANGE _ (Y / N) SV Y (Y/N)

AA539 - I : Successful INQUIRE.

COMMAND ===> _____

1 = HELP 3 = EXIT 4 = PROMPT 5 = CLER 6 = NOTE 7 = BKWD 8 = FRWD 11 = ORDR 12 = ISCS 13 = ANRF

ISCS - Income Shares Children Screen

O/C	Name	DOB	IN Home	PRP/ARP
O	Leonor Moreno	08/28/1995		

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It is, further, **ORDERED, ADJUDGED, and DECREED** that the Order of Protection under case number 10D-1132 issued against the Defendant/Husband on April 26, 2010 shall remain in place until July 12, 2012.

It is, further, **ORDERED, ADJUDGED, and DECREED** that the Husband shall pay the amount of $663.00 per month for current child support, pursuant to the Tennessee Child Support Guidelines. Child Support shall be paid to the Central Child Support Receipting Unit, P.O. Box 305200, Nashville, TN 37229.

It is, further, **ORDERED, ADJUDGED, and DECREED** that the Wife shall be and is hereby granted a judgment for the amount of $9,200.00 for child support arrearages owing since May 2010 until July, 12, 2011 and that said arrearages shall be paid at the rate of $100.00 per month until paid in full.

It is, further, **ORDERED, ADJUDGED, and DECREED** that the Defendant/Husband shall pay to the Wife $1,200.00 per month as alimony *in futuro* beginning on August 1, 2011 and continuing until the death or remarriage of the Wife.

It is, further, **ORDERED, ADJUDGED, and DECREED** that the Husband shall be solely responsible for the debts owing to CitiBank Financial, in the approximate amount of $5,000.00 and that Husband shall indemnify and hold the Wife harmless thereon. Further, that the assumption and holding harmless of said debt by the Husband shall be in the nature of support and shall not be dischargeable in bankruptcy

It is, further, **ORDERED, ADJUDGED, and DECREED** that the Husband shall be solely responsible for the debt owing to Sprint PCS and that the Husband shall indemnify and

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hold the Wife harmless thereon. Further, that the assumption and holding harmless of said debt by the Husband shall be in the nature of support and shall not be dischargeable in bankruptcy.

It is, further, **ORDERED, ADJUDGED, and DECREED** that both parties shall be and hereby are permanently restrained and enjoined from coming about the other for the purpose of harming, harassing, threatening, or intimidating the other.

It is, further, **ORDERED, ADJUDGED, and DECREED** that the Wife is awarded three vehicles, the 1976 Chevrolet El Camino and the 1976 Chevrolet El Camino titled in Husband's name and the 2003 Chevrolet Tahoe titled in Wife's name. The Court further finds that the Wife is awarded all three vehicles free of any interest of the Husband.

It is, further, **ORDERED, ADJUDGED, and DECREED** that the Wife is awarded all rights, title, and interest in all personal property now in her possession and all personal property left in the residence as of March 2010 and remaining there today. Any interest of the Husband in the personal property is hereby divested from the Husband and reinvested in the Wife so that she shall each own that property as her sole property, free and clear of any claim of the Husband.

It is, further, **ORDERED, ADJUDGED, and DECREED** that that the Husband is awarded the equipment and all business assets of the business known as Moreno Tires, located at 1316 Dickerson Pike, Nashville, TN 37207. The Husband shall indemnify and hold the Wife harmless on any liabilities or debts of Moreno Tires. Further, that the assumption of said debt by the Husband shall be in the nature of support and shall not be dischargeable in bankruptcy

It is, further, **ORDERED, ADJUDGED, and DECREED** that the Husband has an interest in a construction business, and that the Husband shall indemnify and hold the Wife harmless on any debts or liabilities associated with that business, including but not limited to debts owed to the Internal Revenue Service. Further, that the assumption and holding harmless of

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said debt by the Husband shall be in the nature of support and shall not be dischargeable in bankruptcy

It is, further, **ORDERED, ADJUDGED, and DECREED** that The Wife shall be held harmless on any debt owing to the IRS, including but not limited to the IRS lien in the amount of $182,000.00 on the residence located at 3783 Turley Drive, Nashville, TN 37211, and the Husband shall reimburse Wife for any amounts taken by the Internal Revenue Service from any future refunds, levees, garnishments, or any amounts otherwise taken from Wife. Further, that the assumption and holding harmless of said debt by the Husband shall be in the nature of support and shall not be dischargeable in bankruptcy

It is, further, **ORDERED, ADJUDGED, and DECREED** that the Wife is awarded all of the Husband's title and interest in the marital residence, located at 3783 Turley Drive, Nashville, TN 37211. The Court finds that the residence is deeded in the name of Martin Moreno, and a third party, Iguez Romerorodr and that the Wife shall be awarded all of the Husband's title and interest in the property and that said conveyance shall not affect the interest of the third party in the property.

> A certain tract or parcel of land in Davidson County, State of Tennessee described as follows, to-wit: Being Lot No. 62 on the Plan of Hillbrook, Section 3, as of record in Plat Book 3300, page 84, Register's Office for Davidson County, Tennessee. Said lot fronts 75 feet on the west side of Turley Drive and runs back 277 feet on the north line and 301 feet on the south line to a dead line in the read on which it measurers 89.9 feet. Being the same property conveyed to Robert B. Johnson and wife, Martha D. Johnson by deed from Estate of Ruth H. Haynie by Donna Haynie Dornan, Executrix, of record in Book 9565, page 702, Register's Office for Davidson County, Tennessee. This improved property known as 3783 Turley Drive, Nashville, TN 37211.

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It is, further, **ORDERED, ADJUDGED, and DECREED** that that the Wife is awarded for reimbursement of her attorney fees a judgment against the Husband in the amount of $5,000.00 for her reasonable and necessary attorneys' fees.

It is, further, **ORDERED, ADJUDGED, and DECREED** that the Wife is awarded a judgment against the Husband in the amount of $2,025.00 for mortgage payments not made on the home.

It is, further, **ORDERED, ADJUDGED, and DECREED** that any costs of this cause should be and hereby are taxed to the Husband.

It is so **ORDERED**.

ENTERED THIS THE 9th DAY OF December, 2011.

JUDGE PHILIP SMITH

APPROVED FOR ENTRY:

JAMES L. WIDRIG, BPR #025111
Attorney for Wife

WIDRIG LAW, PLLC
501 Union Street, Suite 503
Nashville, Tennessee 37219
(615) 417-7800

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing document has been served on the following by (X) U.S. mail, postage prepaid; ( ) hand delivery; ( ) facsimile transmission to _____, hard copy by U.S. Mail:

Martin Esmeralda Moreno
Last Known Address
3783 Turley Drive
Nashville, TN 37211

Martin Esmeralda Moreno
Moreno Tires
Last Known Address
1316 Dickerson Pike
Nashville Tennessee 37207

Mary Moreno
3783 Turley Drive
Nashville, TN 37211

This the 29 day of November, 2011.

James L. Widrig

Copy

CERTIFICATE OF SERVICE

DOCKET NO. 09D3604

I hereby certify I have mailed a copy of the foregoing to the parties/counsel listed below, on this 15TH day of DECEMBER, 2011.

RICHARD R. ROOKER, Circuit Court Clerk

BY: _____

Deputy Clerk

JAMES L. WIDRIG, ATTORNEY
WIDRIG LAW
501 UNION ST., SUITE 503
NASHVILLE, TN 37219

MARY MORENO
3783 TURLEY DR.
NASHVILLE, TN 37211

MARTIN ESMERALDA MORENO
3783 TURLEY DR.
NASHVILLE, TN 37211

MARTIN ESMERALDA MORENO
MORENO TIRES
1316 DICKERSON PIKE
NASHVILLE, TN 37207

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 09 day of DECEMBER , 2011 , in the Case Number 09D3604 between MORENO, MARY LOUISE Plaintiff, and MORENO, MARTIN ESMERALDA 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 MAY in the year two thousand thirteen and in the 236th year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk