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 25 day of MARCH, 2008, in Docket Number 06D2280 between FLEMING, JOHNNY W III, Plaintiff, and FLEMING, JESSICA (HITCHCOCK), 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 24 day of FEBRUARY in the year two thousand seventeen and in the 240th year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____

Deputy Clerk

[SEAL]

BILL GARRETT, Davidson County
Trans:T20170016440 DEEDDIV
Recvd: 02/24/17 12:44 21 pgs
Fees:107.00 Taxes:0.00
20170224-0018689

FILED

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

2008 MAR 25 PM 3:30

RICHARD R. ROOKER, CLERK

D.C.

JOHNNY W. FLEMING III
Plaintiff

v.

NO. 06D-2280

JESSICA (HITCHCOCK) FLEMING
Defendant

FINAL ORDER

This matter came on to be heard on the 27th day of February, 2008, upon the Complaint for Absolute Divorce of Johnny W. Fleming III (hereinafter referred to as "Husband"), the Answer and Counter Complaint of Jessica Hitchcock Fleming (hereinafter referred to as "Wife"), and the Answer to the Counter Complaint of the Husband. After hearing testimony of the parties and witnesses, statements of counsel, and the record as a whole, the court finds as follows:

1. The Court finds that both parties were guilty of misconduct during the marriage, and the Wife is the party with the lesser degree of guilt. The Court finds the Wife is awarded the divorce pursuant to ~~the grounds of~~ Tenn. Code Ann. §36-4-129 upon the Husband's inappropriate marital conduct and adultery.

2. The Court finds that the Wife is the fit and proper person to have custody of the parties' two younger sons, to wit: Jackson Fleming, date of birth February 7, 2001, and Jordan Fleming, date of birth May 22, 2002.

3. The Court further finds that Mr. Fleming is not an appropriate custodian for the parties' eldest child, John Fleming IV, date of birth March 21, 1994, due to all of Mr. Fleming's misconduct during the pendency of this case. Notwithstanding the Father's

X

inappropriateness, the Mother admits she cannot control the eldest son; therefore, other than making the child a ward of the State, the Court has no alternative but to place the minor child in the custody of the Father.

4. The Court finds that Mr. Fleming is a non-credible witness. The Court could not come to a definitive conclusion regarding the Husband's income, as the Husband's testimony was evasive, garbled and contradictory. He made his paramour part of the business, and the Husband controls all receipts and expenditures. The Husband admits that he doesn't know about business and he does not pay his taxes. There is hope as he has a good profession as a plumber, and he testified he now has an accountant. The Court has no choice but to impute the Husband's income and set child support accordingly.

5. The Husband's monthly child support obligation is set at $618.00 per month, to be paid on the fifth of each month, beginning March 5, 2008, to be paid through the Central Child Support Receipting Unit.

6. The court further finds that the Husband's living situation has not been conducive to his having parenting time with the two younger children, if his paramour, Brenda Hiles, was in the home. Therefore, the Court finds that any time the younger children spend the night with the Husband, his paramour shall either remove herself from the home or shall sleep in a different room from the Husband.

7. The Court finds that it is in the best interest and welfare of the minor children that the Wife be awarded the home place, which is titled in the Husband's name. Therefore, the marital home is hereby awarded to the Wife absolutely and in fee simple subject to the first mortgage and line of credit. The Husband will pay the line of credit that he has run up in violation of this

Court's Injunction. He will pay the $350.00 line of credit note as part of his child support through Central Child Support Receipting Unit. The Wife will pay the first mortgage and second mortgage. The Husband is ordered not to make any further charges on the line of credit. The property description is as follows:

> BEING Lot No. 539 on the Plan of Section 8, Charlotte Park Subdivision as of record in Plat Book 2900, Page 45, Register's Office for Davidson County, Tennessee, to which said plan reference is hereby made for a more complete and accurate description thereof.
>
> Being the same property conveyed to Johnny W. Fleming III and wife, Jessica N. Fleming, by deed from John Fleming Jr and Wife, Joan Fleming, of record in Instr No. 20011009-0109829, Register's Office for said County.
>
> This conveyance is subject to any and all existing easements and restrictions of record.
>
> This is improved property known as 6404 Thunderbird Drive, Nashville, TN 37209.

8. The Husband is Ordered to bring current immediately the January and February first mortgage house note and line of credit note. Further, the Husband is Ordered to immediately pay $255.00 to the Wife for Nashville Electric Service, which he had failed to pay as part of his pendente lite support obligation.

9. The Wife demonstrated a need for spousal support. The Husband was found to have the ability to pay. The Husband is therefore Ordered to pay alimony in futuro in the amount of $850.00 each and every month, on the fifth day of each month, beginning March 5, 2008, through the Child Support Receipting Unit, until further Orders of the Court or until the Wife's remarriage.

10. The Husband's total obligation to the Wife is therefore deemed to be $1818.00 each and every month for her benefit and the benefit of the minor children.

11. The Wife is awarded all the personal property that is currently in her possession, to include the vehicle she currently drives, and she will hold the Husband harmless for the debt on said vehicle.

12. The Husband is awarded the personal property in his possession.

13. The Husband is awarded the business currently known as "Fleming Plumbing, Inc.". He will be responsible for any debt thereon and will hold the Wife harmless.

14. The Court's Permanent Parenting Plan is attached herewith.

15. All costs are assessed to the Husband.

16. The Wife is granted attorney's fees to her solicitor of record, Brenda Miller Stiles, in the amount of 3500.00 mrg.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Wife is awarded the divorce pursuant to ~~the grounds of~~ Tenn. Code Ann. §36-4-129 upon the Husband's inappropriate marital conduct and adultery.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Wife is the fit and proper person to have primary residential custody of the parties' two younger sons, to wit: Jackson Fleming, date of birth February 7, 2001, and Jordan Fleming, date of birth May 22, 2002.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Husband is not an appropriate custodian for the eldest child, John Fleming IV, date of birth March 21, 1994, but he is the only alternative short of State's custody. The Court places the eldest minor child, John Fleming IV, date of birth March 21, 1994, in the Husband's primary residential care.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Husband's child support obligation is based upon imputed income.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Husband's monthly child support obligation is set at $618.00 per month, to be paid on the fifth of each month, beginning March 5, 2008, to be paid through the Central Child Support Receipting Unit.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any time the two younger children spend the night with the Husband, he will not expose them to any inappropriate circumstances, and his paramour will either not be present in the home or will sleep in a different room than the Husband.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Wife is awarded the former marital home, located at 6404 Thunderbird Drive, Nashville, Tennessee, 37209, and line of credit.
absolutely and in fee simple and subject to the first mortgage/ The Wife is Ordered to pay the first mortgage, currently in both parties' names. All right, title and interest of the Husband is hereby vested in the Wife and divested from the Husband. The Wife will be responsible for the payment on the first mortgage, and will hold the Husband harmless thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Husband is Ordered per month through the Receipting Unit for disbusement to the Wife
to pay the sum of $350.00/for the Equity Line of Credit note which he took against the marital home, in violation of the Court's Restraining Order. These funds shall be paid each and every month, on the fifth day of the month, beginning March 5, 2008 as part of the Husband's Child Support Obligation and shall be paid through the Child Support Receipting Unit. The Wife will be responsible for paying the note on the Equity Line of Credit. Said payment by Husband is necessary for Wife's support, nondischargeable in bankruptcy.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Husband is Ordered to bring current immediately the January and February first mortgage notes and line of credit notes on the home and immediately pay the Wife $255.00 for the Nashville Electric Service bill he failed to pay pursuant to the pendente lite support order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Husband is therefore Ordered to pay alimony in futuro in the amount of $850.00 each and every month on the fifth day of the month beginning March 5, 2008, through the Child Support Receipting Unit until further Orders of this Court or until the Wife's remarriage.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Husband's total support obligation to the Wife is therefore deemed to be $1818.00 each and every month for her benefit and the benefit of the minor children.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Wife is awarded all the personal property that is currently in her possession, to include the vehicle she currently drives, and she will hold the Husband harmless thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Husband is awarded the personal property in his possession.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Husband is awarded the business currently known as "Fleming Plumbing, Inc." and he will be responsible for any debt thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Wife is awarded a modifiable judgement of $2800.00 against the Husband for the child support arrearage on the pendente Lite Order, for which execution may issue if necessary.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court's Permanent Parenting Plan is attached herewith. and made the Order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the all costs are assessed to the Husband.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Husband shall pay the Wife's attorney's fees to her solicitor of record, Brenda Miller Stiles, in the amount of $5500.00 mr, for which execution may issue, if necessary.

IT IS SO ORDERED, ADJUDGED AND DECREED.

ENTERED THIS 25th DAY OF March, 2008.

MURIEL ROBINSON, Judge

APPROVED FOR ENTRY:

BRENDA MILLER STILES ~~#1042~~ 10842
Attorney for the Wife
105 Hazel Path Mansion
Hendersonville, TN 37075
615.264.0996

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been sent by US Mail, postage prepaid, to the Attorney for the Husband, Jennifer Shepard, 204 Fourth Avenue North, Suite 1450, Nashville, TN 37219 this 13th day of March, 2008.

Brenda Miller Stiles

BRENDA MILLER STILES

STATE OF TENNESSEE	CIRCUIT COURT	DAVIDSON COUNTY

FILED

2008 MAR 25 PM 3:30

RICHARD R. ROOKER, CLERK

PERMANENT PARENTING PLAN ORDER DOCKET NO. 06D-2280

X PROPOSED ☐ AGREED ORDERED BY THE COURT

PLAINTIFF *(Name: First, Middle, Last)*	DEFENDANT *(Name: First,*
JOHNNY WILLIAM FLEMING III FATHER	**JESSICA NICOLE FLEMING** MOTHER

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 x is a new plan
☐ modifies an existing Parenting Plan dated
☐ modifies an existing Order dated

Child's Name	Date of Birth
JOHN WILLIAM FLEMING IV	03-21-1994
JACKSON COLE FLEMING	02-07-2001
JORDON ANDREW FLEMING	5-22-02

I.RESIDENTIAL PARENTING SCHEDULE

A. RESIDENTIAL TIME WITH EACH PARENT

The Primary Residential Parent **OF JACKSON AND JORDAN** is **MOTHER**

Under the above schedule each parent will spend the following number of days with the children:

Mother 285 days Father 80days

The Primary Residential Parent **OF JOHNNY** is **FATHER**

Under the above schedule each parent will spend the following number of days with the children:

Mother 80 days Father 285 days

B. DAY-TO-DAY SCHEDULE

THE FATHER WILL HAVE PARENTING TIME WITH JACKSON AND JORDAN FROM FRIDAY AT 6:00 P.M. UNTIL SUNDAY AT 6:00 P.M. EVERY OTHER WEEKEND

THE MOTHER WILL HAVE PARENTING TIME WITH THE JOHN FROM FRIDAY AT 6:00 P.M. UNTIL SUNDAY AT 6:00 P.M. EVERY OTHER WEEKEND

THE PARENTS' WEEKENDS WILL BE SCHEDULED SUCH THAT THE SIBLINGS WILL SPEND EACH WEEKEND TOGETHER WITH ONE PARENT.

This parenting schedule begins ☐ _____, **or X** date of the Court's Order.

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	ODD	EVEN
Martin Luther King Day	N/A	N/A
Presidents' Day	NA/	N/A
Easter Day (unless otherwise coinciding with Spring Vacation)	EVEN	ODD
Passover Day (unless otherwise coinciding with Spring Vacation)	N/A	N/A
Mother's Day	EVERY	N/A
Memorial Day (if no school)	ODD	EVEN
Father's Day	N/A	EVERY
July 4th	EVEN	ODD
Labor Day	ODD	EVEN
Halloween	N/A	N/A
Thanksgiving Day & Friday	EVEN	ODD
Children's Birthdays	ODD	EVEN
Other School-Free Days	N/A	N/A
Mother's Birthday	N/A	N/A
Father's Birthday	N/A	N/A

A holiday shall begin at 6:00 p.m. on the night preceding the holiday and end at 6:00 p.m. the night of the holiday, unless otherwise noted here:

D. FALL VACATION (*If applicable*)

THE DAY TO DAY SCHEDULE APPLIES

E. WINTER (CHRISTMAS) VACATION :

IN EVEN YEARS FATHER SHALL HAVE THE MINOR CHILDREN FROM NOON ON DECEMBER 25 UNTIL NOON ON DECEMBER 31. IN ODD YEARS, THE FATHER SHALL HAVE THE MINOR CHILD FROM THE DAY SCHOOL DISMISSES AT 6:00 P.M. UNTIL DECEMBER 25 AT NOON . THE PARTIES WILL ALTERNATE ODD AND EVEN PARENTING TIMES.

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

THE DAY TO DAY SCHEDULE APPLIES.

G. **SUMMER VACATION**

BOTH PARTIES WILL HAVE TWO WEEKS OF VISITATION, WHICH MAY OR MAY NOT BE CONSECUTIVE beginning WHEN SCHOOL IS RELEASED FOR THE SUMMER.

Is written notice required? X Yes ☐ No. If so, THE PARTIES WILL GIVE EACH OTHER NOTICE OF WHEN HE OR SHE ANTICIPATES EXERCISING HIS OR HER SUMMER VACATION NO LATER THAN MAY 1 OF EACH YEAR.

H. **TRANSPORTATION ARRANGEMENTS**

The place of meeting for the exchange of the child or children shall be: THE FATHER WILL PROVIDE ALL TRANSPORTATION AND WILL PICK UP AND RETURN THE MINOR CHILDREN TO THE MOTHER'S RESIDENCE.

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

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

Check if applicable:

Supervised parenting time shall apply during the day-to-day schedule as follows:

☐ Place: ___.

☐ Person or organization supervising: ___.
☐ Responsibility for cost, if any: ☐ mother ☐ father ☐ both equally.

J. **OTHER**

The following special provisions apply: THE FATHER'S GIRLFRIEND CURRENTLY RESIDES IN HIS HOME. ANY TIME JACKSON AND JORDAN ARE PERSENT FOR OVERNIGHT RESIDENTIAL TIME, THE GIRLFRIEND, WILL NOT BE PRESENT IN THE HOME OR WILL SLEEP IN A SEPARATE ROOM FROM THE FATHER. THE FATHER WILL NOT EXPOSE THE MINOR CHILDREN TO ANY INAPPROPRIATE BEHAVIOR.

II. DECISION-MAKING

A. DAY-TO-DAY DECISIONS

Each parent 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 John shall be made as follows:

Educational decisions	☐ **mother**	☐ **father**	**x joint**
Non-emergency health care	☐ **mother**	☐ **father**	**x joint**
Religious upbringing	☐ **mother**	☐ **father**	**x joint**
Extracurricular activities	☐ **mother**	☐ **father**	**x joint**

Major decisions regarding Jordon and Jackson shall be made as follows:

Educational decisions	**x mother**	☐ **father**	☐ **joint**
Non-emergency health care	**x mother**	☐ **father**	☐ **joint**
Religious upbringing	**x mother**	☐ **father**	☐ **joint**
Extracurricular activities	**x mother**	☐ **father**	☐ **joint**

III. FINANCIAL SUPPORT

A. CHILD SUPPORT

Father's gross monthly income is $ 3030.75
Mother's gross monthly income is $ 699.25

1. The final child support order is as follows:
   The ☐ **mother x father shall pay to the other parent as regular child support the sum of $618.00 weekly** X **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. **OTHER PAYMENTS 1: THE FATHER WILL PAY THROUGH CENTRAL CHILD SUPPORT RECEIPTING UNIT THE SUM OF $350.00 EACH AND EVERY MONTH, ON THE 5TH DAY OF THE MONTH, AS HIS SUPPORT OBLIGATION FOR THE SECOND MORTGAGE.**

3. **OTHER PAYMENTS 2: THE FATHER WILL PAY THROUGH CENTRAL CHILD SUPPORT RECEIPTING UNIT THE SUM OF $850.00 EACH AND EVERY MONTH, ON THE 5TH DAY OF THE MONTH, AS HIS SUPPORT OBLIGATION AS ALIMONY IN FURTURO, UNTIL THE WIFE'S REMARRIAGE, PENDING FURTHER ORDERS OF THIS COURT.**

4. **Retroactive Support: A judgment is hereby awarded in the amount of $ 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 ___ which shall be paid (including pre/post judgment interest) at the rate of $___ per ☐ week ☐ month ☐ twice per month ☐ every two weeks until the judgment is paid in full.**

5. Payments shall begin on **MARCH 5, 2008, AND WILL CONTINUE ON THE FIFTH DAY OF EVERY MONTH THEREAFTER. THE FATHER'S TOTAL SUPPORT OBLIGATION FOR THE BENEFIT OF THE MINOR CHILDREN AND WIFE IS TO BE PAID EACH AND EVERY MONTH IS $1818.00**

This support shall be paid:

directly to the other parent.

X to the Central Child Support Receipting Unit, P.O. Box 305200, Nashville, Tennessee, 37229, and sent to the other parent at **6404 THUNDERBIRD DRIVE, NASHVILLE, TN 37209**
A Wage Assignment Order is attached to this Parenting Plan.

☐ by direct deposit to the other parent at ___ Bank for deposit in account no. ___.

☐ 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 X mother ☐ father is the parent receiving child support.

The Mother shall claim the following children: **JACKSON FLEMING, JORDAN FLEMING**

* NOTE: The child support schedule assumptions in the guidelines (140-2-4-.03 (6)(b)) assume that the parent receiving the child support will get the tax exemptions for the child.

The Father shall claim the following children: **JOHN FLEMING IV**

The ☐ mother ☐ father may claim the exemptions for the child or children so long as child support payments are current by the claiming parent on January 15 of the year when the return is due. The exemptions may be claimed in: ☐ alternate years starting ___ ☐ each year ☐ other: ___.

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

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

Each parent 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
X 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 **X**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, the ☐ mother ☐ father shall maintain dental, orthodontic, and optical insurance on the minor child or children.

E. LIFE INSURANCE *(Required for parent paying child support)*

THE FATHER SHALL MAINTAIN INSURANCE ON HIS LIFE, EITHER WHOLE LIFE OR TERM, IN THE AMOUNT OF $200,000.00, WITH THE MOTHER AS BENEFICIARY FOR THE BENEFIT OF THE MINOR CHILDREN.

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

Jackson and Jordon are scheduled to reside the majority of the time with the X mother. John is scheduled to reside the majority of the time with the 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:

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.

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;

(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) 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.

VIII. PARENT EDUCATION CLASS

This requirement has been fulfilled by both parents ☐ mother ☐ father x 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.)*

Phone and BPR Number

Note: The judge 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.

APPROVED FOR ENTRY:

BRENDA MILLER STILES #10842
Attorney for the Mother
105 Hazel Path Mansion
Hendersonville, TN 37075
615.264.0996

It is so ORDERED this the 25th day of March, 2008.

Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been sent by US Mail, postage prepaid, to the Attorney for Husband Jennifer Sheppard, 201 Fourth Av North, Suite 1450, Nashville, TN 37219, this 13th day of March, 2008.

BRENDA MILLER STILES

Child Support Worksheet

FILED
2008 MAR 25 PM 3:30
RICHARD R. ROOT, CLERK
D.C.

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:	Jessica Fleming			X
Name of Father:	Johnny Fleming			X
Name of non-parent Caretaker:				
TCSES case #:				
Docket #:				
Court name:				

Name(s) of Child(ren)	Date of Birth	Days with Mother	Days with Father	Days with Caretaker
John Fleming IV	3/21/1994	80	285	
Jackson Fleming	12/7/2001	285	80	
Jordan Fleming	5/22/2002	285	80	

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	$ 699.25	$ 3,030.75	
1a	Social Security benefit for child			
1b	Self-employment tax paid			
1c	Subtotal	699.25	3,030.75	
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)	$ 699.25	$ 3,030.75	
2a	Combined Adjusted Gross Income	$3,730.00		
3	Percentage Share of Income (PI)	19%	81%	

Part III. Parents' Share of BCSO

4	BCSO allotted to primary parent's household	$ 982.00	$ 709.00	$ 0.00
4a	Share of BCSO owed to primary parent	$ 134.71	$ 795.42	
5	Each parent's average parenting time	N/A	N/A	
5a	Equal parenting time	N/A	N/A	
6	Parenting time adjustment	$ N/A	$ N/A	
7	Adjusted BCSO	$ 134.71	$ 795.42	

Child Support Worksheet

Part IV. Additional Expenses

		Mother \ Column A	Father \ Column B	Nonparent Caretaker \ Column C
8a	Children's portion of health insurance premium	$	$ 225.00	$
8b	Recurring uninsured medical expenses	$	$	$
8c	Work-related childcare - Payroll Deducted	$	$	$
8d	Work-related childcare - Non-Payroll Deducted	$	$	$
9	Total additional expenses	$ 0.00	$ 225.00	$ 0.00
10	Share of additional expenses owed	$ 42.75	$ 0.00	
11	Adjusted Support Obligation (ASO)	$ 177.46	$ 795.42	

** Reminder - Line 8d expenses are to be paid by the child's PRP or either parent in a 50-50 situation.

Part V. Presumptive Child Support Order

		OBLIGATION	
12	Presumptive Child Support Order (PCSO) *	$ 0.00	$ 618.00

* Enter the difference between the greater and smaller numbers from Line 11.

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 obligor parent	$	$
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):	$	$
15	Final Child Support Order (FCSO)	$ 0.00	$ 618.00
16	FCSO adjusted for SS benefit, Line 1a, Obligor's column	$ 0.00	$ 618.00

Comments, Calculations, or Rebuttals to Schedule

Preparer's Use Only

Name: Kevin Date: 2/27/2008
Title: Court Officer II