Karen Y Johnson Davidson County
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20190111-0003166

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 17 day of MAY, 2010, in Docket Number 06D1767 between DELGADO, NEREYDA QUEZADA, Plaintiff, and JIMENEZ, SANTOS ADRIAN, 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 11 day of JANUARY in the year two thousand nineteen and in the 242nd year of American Independence.

RICHARD R. ROOKER, Clerk,

By: S Hartman

Deputy Clerk

RICHARD R. ROOKER CIRCUIT COURT CLERK

SEAL

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FILED

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

2010 MAY 14 PM 3:47

RICHARD R. ROOKER, CLERK

D.C.

NEREYDA QUEZADA DELGADO	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**NO. 06D-1767**
	)	**Notice of Entry Requested**
	)	
SANTOS ADRIAN JIMENEZ	)	
	)	
Defendant.	)	

FINAL DECREE OF DIVORCE

This cause came to be heard on the 20th day of April, 2010, before the Honorable Philip E. Smith, Judge. Upon the original Complaint for Absolute Divorce, personal service of process on the defendant on June 30, 2006, the sworn testimony of the Wife and witnesses in open Court, statement of counsel, and the entire record herein, the Court finds as follows:

FINDINGS OF FACT

1. The petitioner (Wife) in this case is Nereyda Quezada Delgado. She resides at 7445 Maggie Drive, Antioch, TN. Her birth date is June 10, 1973.
2. The defendant (Husband) is Santos Adrian Jimenez. His whereabouts are unknown and he was not present in court for this hearing. His birth date is August 8, 1979.
3. The parties to this cause of action were married on February 11, 2000. They separated on August 10, 2004.
4. One minor child, Christopher Jimenez, was born to the marriage on June 3, 2000.
5. The Wife's original complaint for divorce was properly filed on June 6, 2006.
6. Service of process was properly issued on the Husband on June 30, 2006 from which time the Husband has failed to answer or defend against the Wife's complaint.

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7. An initial default order against the Husband was entered on December 5, 2006. A final hearing was not subsequently held at that time.
8. A second default against the Husband order was entered on April 5, 2010 antecedent to this final hearing.
9. The Court finds, based on the pleadings and testimony of the Wife and her witnesses in open Court, that the Husband has perpetrated multiple instances of domestic violence, domestic assault, attempted rape, and threats of physical harm and death against the Wife.
10. The Court finds that the Husband has failed to provide for the family and has, in fact, abandoned the Wife and their children.
11. The Court finds that the Husband has failed to remit any child support payments since the date of separation of the Husband from his Wife.
12. The Court finds that the total child support arrearage for the period of August 10, 2004 thru April 20, 2010 to be $46, 167.14 (forty-six thousand, one hundred sixty-seven dollars and fourteen cents.)
13. The Court finds that the parties to this cause of action own their personal residence located at 7445 Maggie Drive, Antioch, Tennessee as joint tenants with Mr. Hugo Estevez.

    Mr. Estevez was a co-signor on the mortgage when the property was purchased in January of 2004. He did not contribute to the down payment of $200, nor has he contributed to any of the monthly payments since the purchase. Mr. Estevez has never lived at the residence.

    The Wife's testimony is that the Husband agreed to compensate Mr. Estevez $200 for serving as co-signor and then quit claiming his ownership interest in the property back to the Husband.

    The Wife has been in contact with Mr. Estevez trying to arrange for execution of the quit-claim deed. Her testimony is that Mr. Estevez now lives in Honduras and has conditioned the execution of the quit claim deed with additional compensation demands that she cannot afford.

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CONCLUSIONS OF LAW AND JUDGMENT

15. **IT IS THEREFORE ORDERED AND ADJUDGED** that an absolute divorce is hereby granted to the Wife on grounds of cruel and inhuman treatment, indignities as to render her condition intolerable, and abandonment.

16. **IT IS THEREFORE ORDERED AND ADJUDGED** that the Wife is restored to all rights and privileges inherent with being an unmarried person.

17. **IT IS THEREFORE ORDERED AND ADJUDGED** that the Wife is awarded full rights to all the personal property currently in her possession with such property being exempted from any future claims by the Husband.

18. **IT IS THEREFORE ORDERED AND ADJUDGED** that the Wife is awarded all interest in the Husband's share of the real estate located at 7445 Maggie Drive, Antioch, TN, thereby fully divesting the Husband of any future ownership claims.

    The property situated at 7445 Maggie Drive is particularly described as:

    > Land in Davidson County, Tennessee, being Lot No. 134 on the Final Plat of Old Hickory Hills, Phase Two, Section One, of record in Instrument NO. 200306230086188, Registrar's Office for said County, Tennessee, to which reference is hereby made for a more complete description.
    >
    > Being part of the same property conveyed to Greenvale Construction, LLC, a Tennessee limited liability company by deed of record in instrument NO. 20030721-0101989, Registrar's Office for Davidson County, Tennessee.

19. **IT IS THEREFORE ORDERED AND ADJUDGED** that with regard to Mr. Hugo Estevez's interest in the aforesaid real property, the Court reserves final judgment pending personal service on Mr. Estevez and a subsequent hearing on the matter.

20. **IT IS THEREFORE ORDERED AND ADJUDGED** that the Wife is designated as the Primary Residential Parent for Christopher Jimenez and will have parental responsibility for said child 365 (three-hundred and sixty-five) days each year.

21. **IT IS THEREFORE ORDERED AND ADJUDGED** that the Husband will receive no parenting time until he petitions and appears before this Court.

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22. **IT IS THEREFORE ORDERED AND ADJUDGED** that for child support calculation purposes, income will be imputed to the Husband at $3031 (three-thousand and thirty-one dollars) per month since he did not appear to present any evidence establishing his level of personal income.

23. **IT IS THEREFORE ORDERED AND ADJUDGED** that for child support calculation purposes, the Wife's income of $1,950 (one-thousand nine-hundred and fifty dollars) will be used.

24. **IT IS THEREFORE ORDERED AND ADJUDGED** that a new, updated parenting plan and child support worksheet be submitted as part of this order.

25. **IT IS THEREFORE ORDERED AND ADJUDGED** that a personal judgment be issued for $46, 167.14 (forty-six thousand, one hundred sixty-seven dollars and fourteen cents) against the Husband in favor of the Wife for child support arrearages accrued since the marital separation in 2004.

26. **IT IS THEREFORE ORDERED AND ADJUDGED** that a permanent injunction be issued prohibiting the Husband from molesting, harassing, assaulting, threatening, harming, or coming around the Wife or child, Christopher Jimenez, in any manner whatsoever.

27. **IT IS THEREFORE ORDERED AND ADJUDGED** that the costs of this cause be and are hereby taxed to the Husband, for which execution shall issue if necessary.

NOTICE WITH REGARD TO CREDITORS

Each party to this cause of action hereby acknowledges that he or she has been advised that a divorce decree does not necessarily affect the ability of a creditor to proceed against him or her or his or her property, even though he or she is not responsible under the terms of the decree for an account, any debt associated with an account, or any debt and that it may be in his or her best interest to cancel, close, or freeze any jointly held accounts.

ENTERED this 14th day of May, 2010.

Philip E. Smith, Judge

Copy

Prepared by:

Gregg S. Treadway
Certified pursuant to Tennessee Supreme Court Rule 7

Jean N. Crowe, No. 11457
Legal Aid Society
300 Deaderick Street
Nashville, TN 37201
(615) 244-6610
Attorney for the Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Final Decree of Divorce was mailed to Santos Adrian Jimenez, Defendant, at his last known address, 4706 Tennessee Avenue, Apartment 4, Nashville, Tennessee 37209, on the 29th day of April, 2010.

Gregg S. Treadway

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STATE OF TENNESSEE	FOURTH CIRCUIT COURT	DAVIDSON COUNTY
PERMANENT PARENTING PLAN ORDER ☐ PROPOSED ☐ AGREED ☒ ORDERED BY THE COURT		FILE No. 06D1767 (Must be completed) DIVISION
PLAINTIFF Nereyda Quezada Delgado ☒ Mother ☐ Father		DEFENDANT Santos Adrian Jimenez ☐ Mother ☒ Father

FILED 2010 APR 30 PM 4:06 RICHARD R. ROOKER, CLERK D.C.

FILED 2010 MAY 14 PM 3:47 RICHARD R. ROOKER, CLERK D.C.

The mother and father will behave with each other and the 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 the child to continue to love the other parent and be comfortable in both families.

This is a new plan.

Child's Name	Date of Birth
Christopher Jimenez	06/03/2000

I. RESIDENTIAL PARENTING SCHEDULE

A. RESIDENTIAL TIME WITH EACH PARENT

The Primary Residential Parent is the Mother, Nereyda Quezada Delgado.

Under the schedule set forth below, each parent will spend the following number of days with the children: Mother 365 Father 0

B. DAY-TO-DAY SCHEDULE

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

C. OTHER

The following special provisions apply:

Before Father makes any contact whatsoever with the child, he must file a petition with the Court having jurisdiction over the children requesting that he be awarded parenting time.

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II. DECISION-MAKING

A. DAY-TO-DAY DECISIONS

Mother shall make decisions regarding the day-to-day care of the children, 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

III. FINANCIAL SUPPORT

A. CHILD SUPPORT shall be paid to the mother in the amount of $647 per month. The child support worksheet is attached to this parenting plan.

Furthermore, the Court has issued a judgment against the Husband and in favor of the Wife for $46,167.14, that is associated with delinquent child support payments dating back to the marital separation in August of 2004.

B. FEDERAL INCOME TAX EXEMPTION*

The mother is the parent receiving child support. The Mother shall claim the following child: Christopher Jimenez

D. HEALTH AND DENTAL INSURANCE

Mother currently provides medical insurance through TennCare.

Reasonable health insurance on the child will be provided by either parent that becomes eligible for an employer sponsored health care plan. The amount of child support will be adjusted to reflect the cost of the group insurance.

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 the mother, until father has been personally served and child support is set by Court order in accordance with the child support guidelines. After insurance has paid its portion, the parent receiving the bill will send it to

* 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.

Copy

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, either parent shall maintain dental, orthodontic, and optical insurance on the minor child or children. Child support payments will be adjusted to reflect the cost of this insurance coverage.

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

The child is 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. .

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 the Court due to order of protection or other 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 summons.

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(a)(3) of Tennessee law, the Court hereby finds that it is not in the best interests of the children to award father the Rights of Non-custodial parents set forth in TCA § 36-6-101(a)(3)(A)-(a)(3)(F).

Gregg S. Treadway, by Jean Crowe

Gregg S. Treadway
Certified pursuant to Tennessee Supreme Court Rule 7

Jean N. Crowe

Jean N. Crowe
Attorney for Mother
Legal Aid Society
300 Deaderick St.
Nashville, TN 37201
615-385-9857; BPR 11457

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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 to the father.

It is so ORDERED this the 14th day of May, 2010.

Philip E. Smith, Judge

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2010 APR 30 PM 4:06
RICHARD R. ROOKER, CLERK
D.C.

State of Tennessee - Child Support 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:	Nereyda Quezada Delgado	X		
Name of Father:	Santos Adrian Jimenez		X	
Name of non-parent Caretaker:				

TCSES case #:

Docket #: 06D-1767

Court name: Fourth Circuit

Name(s) of Child(ren)	Date of Birth	Days with Mother	Days with Father	Days with Caretaker
Christopher Jimenez	06/03/2000	365	0	

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2010 MAY 14 PM 3:47
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D.C.

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	$ 1950.00	$ 3031.00	
1a	Federal Benefit for child	+ 0.00	+ 0.00	
1b	Self-employment tax paid	- 149.18	- 0.00	
1c	Subtotal	$ 1800.82	$ 3031.00	
1d	Credit for in-home children	- 416.25	- 0.00	
1e	Credit for not-in-home children	- 0.00	- 0.00	
2	Adjusted Gross Income (AGI)	$ 1384.57	$ 3031.00	
2a	Combined Adjusted Gross Income	$ 4415.57		
3	Percentage Share of Income (PI)	31 %	69 %	

Part III. Parents' Share of BCSO

4	BCSO allotted to primary parent's household	$ 788.00	$ 0.00	$ 0.00
4a	Share of BCSO owed to primary parent	$ 0.00	$ 543.72	
5	Each parent's average parenting time	N/A	0	
6	Parenting time adjustment	$ N/A	$ 102.79	
7	Adjusted BCSO	$ 0.00	$ 646.51	

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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	$ 646.51	

Part V. Presumptive Child Support Order

		OBLIGATION	
	12 Presumptive Child Support Order (PCSO)	$ 0.00	$ 647.00

* 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	$ 647.00
16	FCSO adjusted for Federal benefit, Line 1a, Obligor's column	$ 0.00	$ 647.00

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State of Tennessee - Credit Worksheet

Part I. Identification

			PRP	ARP	SPLIT
Indicate the status	Name of Mother:	Nereyda Quezada Delgado	X		
of each parent or	Name of Father:	Santos Adrian Jimenez		X	
caretaker by placing	Name of non-parent Caretaker:				
an "X" in the	TCSES case #:				
appropriate column	Docket #:	06D-1767			
	Court name:	Fourth Circuit			

Part II. Additional Children

		Mother	Father
✓	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.		
Parent Income Information			
1	Applicable gross income for credit worksheet	$ 1800.82	$ 3031.00

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
Kelley Reyes-Delgado	04/02/1992		
Sebastian Reyes-Delgado	11/10/1993		

3	Number of qualified children living in the parent's home	# 2	# 0
4	Theoretical child support order (this parent's income on CS Schedule for number of children from line 3)	$ 555.00	$ 0.00
5	75% of theoretical child support order from line 4	$ 416.25	$ 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

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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

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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 XXXXXXXXXXXXXXX ID 000000000 RTD XX OFFICE 000

CP XXXXXXXXXXXXXXX ID 000000000 RTD XX USERID XXXXXXX

DOCKET 06D-1767 + # OF CHILDREN FOR THIS ORDER 1 NOTEPAD N

PARENTING TYPE ST - STANDARD PARENTING WORKSHEET DATE 04/22/2010

MORE +

		MOTHER	FATHER	NP CTAKER
PI MOTHER 31% PI FATHER 69%				
EACH PARENT'S AVERAGE PARENTING TIME		0	0	
GROSS INCOME SUBTOTAL	LOW INCOME N (Y/N)	1800.82	3031.00	
CREDIT FOR CHILDREN		416.25	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	647.00	

DEVIATION 0.00 SSA BENEFIT 0.00

FCSO 647.00 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

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O	Christopher Jimenez	06/03/2000		
C	Kelley Reyes-Delgado	04/02/1992	Y	PRP
C	Sebastian Reyes-Delgado	11/10/1993	Y	PRP

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CERTIFICATE OF SERVICE

DOCKET NO. 06D1767

I hereby certify I have mailed a copy of the foregoing to the parties/counsel listed below, on this 19TH day of MAY, 2010.

RICHARD R. ROOKER, Circuit Court Clerk

BY: _____
Deputy Clerk

GREG S. TREDWAY
% LEGAL AID SOCIETY
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NASHVILLE, TN 37201

JEAN N., CROWE, ATTORNEY
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