Karen Johnson Davidson County
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20220211-0016134

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 THIRD Circuit Court for Davidson County, Tennessee, on the 11 day of JANUARY, 2022, in Docket Number 21D1174 between GREEN, VALERIA LOUISE, Plaintiff, and GREEN, JAMES FRANKLIN, 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 28 day of JANUARY in the year two thousand twenty-two and in the 245th year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____ *Deputy Clerk*

[SEAL]

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

VALERIA LOUISE GREEN,	]	
	]	
Plaintiff/Wife,	]	
	]	
VS.	]	**NO: 21D-1174**
	]	
JAMES FRANKLIN GREEN,	]	
	]	
Defendant/Husband.	]	

FINAL JUDGMENT OF DIVORCE

This cause came on for trial on the 14th day of December 2021, before the Honorable Phillip Robinson, Judge of the Third Circuit Court for Davidson County, Tennessee, at Nashville, upon the Complaint for Absolute Divorce filed by the Plaintiff, Valeria Louise Green. Based on the sworn testimony of Ms. Green and her two witness, statements of counsel, and the entire record herein, the Court makes the following findings of fact and conclusions of law which are as follows.

1. The parties have been married since 01/25/2012. They separated on 04/01/2019. Ms. Green filed her Complaint for Divorce on 07/21/2021. She alleged that the Defendant/Husband, Mr. Green, was guilty of inappropriate marital conduct. She also alleged that the parties had irreconcilable differences in their marriage and were voluntarily separated for a continuous period of more than two years and had no minor children. She also alleged that there were no children were ever born of the marriage and none were expected. Mr. Green was personally served with this Complaint on 07/26/2021 by the Davidson County Sheriff. On 12/07/2021, an Order of default judgment was entered against Mr. Green because he failed to participate in this lawsuit by filing an Answer or defense.

2. The Defendant, Mr. Green, was duly notified of this proceeding by personal service of process and other subsequent notice, however, failed to appear at the hearing.

3. The proof presented by Ms. Green and her witnesses was that in 2019, Mr. Green left the marital residence purportedly to assist his ailing brother. He never came back. He avoided

his wife's phone calls and would not speak to her for weeks to explain his absence. When he finally returned to the marital residence he acted dazed and confused but eventually admitted to Ms. Green that he was seeing another woman. These acts of Mr. Green constitute Inappropriate Marital Conduct. Ms. Green is therefore awarded an absolute divorce from Mr. Green on the ground of Inappropriate Marital Conduct pursuant to Tenn. Code Ann. § 36-4-101(11). Ms. Green is also awarded a divorce pursuant to Tenn. Code Ann. § 36-4-101(15) because the parties had been separated for a continuous period of more than two years and had no minor children. Ms. Green is thereby restored her to all the rights and privileges of an unmarried person.

4. The parties have no children born of the marriage and none are expected.

5. On 03/23/2003, Ms. Green purchased a parcel of improved realty known as **1506 Mohawk Trail, Madison, TN 37115-5622**. At that time, she was known as "Ms. Collier". Her first husband, Mr. Collier, had died just months prior and she used the life insurance proceeds she received from her husband's death to purchase this realty. When Ms. Collier married Mr. Green in 2012, and became "Ms. Green", she allowed him to move into her realty. On 04/01/2019, Mr. Green left Ms. Green and moved out of the realty. Since that time, he never paid her any support or assisted with any of the household bills except that which was previously ordered by this Court. During the marriage, the facts show that Mr. Green has only made minimal contributions to this realty. Therefore, the Court finds that Mr. Green has no accumulated interest in the realty, nor has he contributed to the appreciation of the realty. Further, Ms. Green's name is the only name on the deed and the mortgage. Accordingly, any and all right, title and interest of Mr. Green in and to the parcel of improved realty known as **1506 Mohawk Trail, Madison, TN 37115-5622**, shall be divested out of Mr. Green and the same right, title and interest shall be vested in Ms. Green as her sole and separate property in fee simple absolute. This realty is more particularly described as follows:

> LAND in Davidson County, Tennessee, being Lot 79, as shown on the map entitled Plan of Nowakwa Hills Powwow Addition, Section 3, or record in Plat Book 974, Page 25, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete and accurate legal description.

BEING the same property conveyed to Valeria L. Collier by Warranty Deed from Terita L. Jones of record at instrument number 20030923-0140824, Register's Office for Davidson County, Tennessee.

This is the same description as in previous deed of record.

6. Ms. Green is disabled and receives Social Security Benefits of $666.00 per month and $240.00 per month in food stamps. She does not have the ability to pay her utilities and other necessary bills connected to her realty. She does not have enough money to provide proper food and clothing for herself. Mr. Green, however, is gainfully employed. In an effort to discover Mr. Green's income and retirement information, if any, Ms. Green served a subpoena on Mr. Green's employer, The Health Center at Richland Place in Nashville. Pursuant to the information received from this subpoena, Mr. Green's income in 2020 was $35,324.60. It did not appear that he had any retirement accounts. Therefore, beginning December 15, 2021, Mr. Green shall pay Ms. Green spousal support in the amount of $900.00 per month, or $450.00 on the 1st and 15th of every month. **This amount shall be due and shall continue each and every thereafter.** This amount shall be paid by wage assignment and through the Davidson County Circuit Court Clerk's Office, 1 Public Square, Suite 302, Nashville, TN 37201, along with the Clerk's lawful five percent (5%) fee of $22.50 on the 1st and 15th of every month, **for a total of $472.50 on the 1st and 15th of every month.** A wage assignment Order shall issue to Mr. Green's employer, The Health Center at Richland Place, 500 Elmington Avenue, Nashville, TN 37205. Until this wage assignment takes effect, Mr. Green shall be responsible for making all payments directly to Ms. Green. After deducting its lawful five percent (5%) fee, the Clerk's Office shall disburse all payments to Ms. Green at 1506 Mohawk Trail, Madison, TN 37115-5622. Mr. Green's obligation herein shall terminate only upon the death of either party or the re-marriage of Ms. Green, whichever occurs first.

7. Ms. Green shall be awarded all right, title and interest in and to her vehicles, if any, bank accounts, furniture, and furnishings, if any, and other personal property in her possession and under her control, free and clear of any claims from Mr. Green. Ms. Green shall be responsible for any indebtedness associated with these items and shall indemnify and hold Mr. Green harmless thereon. Conversely, Mr. Green shall be awarded all right, title and interest in and to his vehicles, bank accounts, furniture, and furnishings, if any, and other personal property in his possession and

under his control, free and clear of any claims from Ms. Green. Mr. Green shall be responsible for any indebtedness associated with these items and shall indemnify and hold Ms. Green harmless thereon.

8. Ms. Green testified that the parties have no joint debts. As to the parties' separately incurred debts, Ms. Green shall be responsible for all debts she has incurred in her name only since the date of the separation of the parties, which was 04/01/2019, and shall indemnify and hold Mr. Green harmless thereon. Likewise, Mr. Green shall be responsible for all debts he has incurred in his name only since the date of separation of the parties and shall indemnify and hold Ms. Green harmless thereon.

9. Neither party has any retirement accounts, pension accounts, 401k accounts, or any other similar accounts subject to equitable distribution.

10. Laura Tek, Ms. Green's attorney, should be awarded a judgment of **$1,500.00** for her reasonable attorney's fees against the Defendant, Mr. Green. This award should be alimony in solido and nondischargeable in bankruptcy.

11. Ms. Green shall be restored to her maiden name, "**VALERIA LOUISE HAYES**".

12. The current mailing address of Ms. Green is 1506 Mohawk Trail, Madison, TN 37115-5622, and the current address of Mr. Green is 845 E. Happy Hollow Drive, Clarksville, TN 37040-4108.

13. All Court costs should be taxed to Mr. Green.

BASED ON THESE FINDINGS, IT IS:

ORDERED, ADJUDGED and **DECREED** that Ms. Green shall be awarded a divorce from Mr. Green pursuant to Tenn. Code Ann. § 36-4-101(11), and § 36-4-101(15), hereby restoring her to all the rights and privileges of an unmarried person. It is further

ORDERED, ADJUDGED and **DECREED** that all right, title and interest of Mr. Green in and to the parcel of improved realty known as **1506 Mohawk Trail, Madison, TN 37115-5622**, shall be divested out of Mr. Green and the same right, title and interest shall be vested in Ms. Green

as her sole and separate property in fee simple absolute. This realty is more particularly described as follows:

> LAND in Davidson County, Tennessee, being Lot 79, as shown on the map entitled Plan of Nowakwa Hills Powwow Addition, Section 3, or record in Plat Book 974, Page 25, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete and accurate legal description.
>
> BEING the same property conveyed to Valeria L. Collier by Warranty Deed from Terita L. Jones of record at instrument number 20030923-0140824, Register's Office for Davidson County, Tennessee.
>
> This is the same description as in previous deed of record.

It is further

ORDERED, ADJUDGED and **DECREED** that beginning December 15, 2021, Mr. Green shall pay Ms. Green spousal support in the amount of $900.00 per month, or $450.00 on the 1st and 15th of every month. This amount shall be due and shall continue each and every thereafter. This amount shall be paid by wage assignment and through the Davidson County Circuit Court Clerk's Office, 1 Public Square, Suite 302, Nashville, TN 37201, along with the Clerk's lawful five percent (5%) fee of $22.50 on the 1st and 15th of every month, for a total of $472.50 on the 1st and 15th of every month. A wage assignment Order shall issue to Mr. Green's employer, The Health Center at Richland Place, 500 Elmington Avenue, Nashville, TN 37205. Until this wage assignment takes effect, Mr. Green shall be responsible for making all payments directly to Ms. Green. After deducting its lawful five percent (5%) fee, the Clerk's Office shall disburse all payments to Ms. Green at 1506 Mohawk Trail, Madison, TN 37115-5622. Mr. Green's obligation herein shall terminate only upon the death of either party or the re-marriage of Ms. Green, whichever occurs first. It is further

ORDERED, ADJUDGED and **DECREED** that Ms. Green shall be awarded all right, title

and interest in and to her vehicles, if any, bank accounts, furniture, and furnishings, if any, and other personal property in her possession and under her control, free and clear of any claims from Mr. Green. Ms. Green shall be responsible for any indebtedness associated with these items and shall indemnify and hold Mr. Green harmless thereon. Conversely, Mr. Green shall be awarded all right, title and interest in and to his vehicles, bank accounts, furniture, and furnishings, if any, and other personal property in his possession and under his control, free and clear of any claims from Ms. Green. Mr. Green shall be responsible for any indebtedness associated with these items and shall indemnify and hold Ms. Green harmless thereon. It is further

ORDERED, ADJUDGED and **DECREED** that Ms. Green shall be responsible for all debts she has incurred in her name only since the date of the separation of the parties, which was 04/01/2019, and shall indemnify and hold Mr. Green harmless thereon. Likewise, Mr. Green shall be responsible for all debts he has incurred in his name only since the date of separation of the parties and shall indemnify and hold Ms. Green harmless thereon. It is further

ORDERED, ADJUDGED and **DECREED** that Laura Tek, Ms. Green' attorney, shall be awarded a judgment of **$1,500.00** for her reasonable attorney's fees against the Defendant, Mr. Green. This award of attorney's fees shall be a judgment against Mr. Green, in favor of Ms. Tek for which execution shall issue, if necessary. This award shall be considered alimony *in solido* and nondischargeable in bankruptcy. It is further

ORDERED, ADJUDGED and **DECREED** that both parties shall take notice of the provisions contained in Tenn. Code Ann. § 36-4-134, which states that this 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 the Decree for an account, any debt associated with an account or any debt. Accordingly, it may be in a party's best interest to cancel, close or freeze any jointly held accounts. It is further

ORDERED, ADJUDGED and **DECREED** that Ms. Green shall be restored to her maiden name, "**VALERIA LOUISE HAYES**". It is further

ORDERED, ADJUDGED and **DECREED** that all Court costs in this cause shall be taxed to the Defendant, Mr. Green, for which execution may issue, if necessary.

ENTERED this 11th day of January, 2022.

HON. PHILLIP ROBINSON, JUDGE

APPROVED FOR ENTRY:

LAURA TEK, # 016523
P.O. Box 280987
Nashville, TN 37228-0987
615/851-2100
attorneylauratek@gmail.com
Counsel for Plaintiff/Wife

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 to his home and place of employment
( ) hand delivery
( ) facsimile transmission and hard copy by U. S. Mail
( ) electronic mail
( ) court e-filing system

James Franklin Green
845 E. Happy Hollow Drive
Clarksville, TN 37040-4108

And

James Franklin Green
The Health Center at Richland Place
500 Elmington Avenue,
Nashville, TN 37205

This the 6th day of January 2022.

LAURA TEK