Karen Johnson Davidson County
Batch# 855594 DEEDDIV
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Fees: $82.00 Taxes: $0.00
20220513-0055566

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 04 day of MAY, 2022, in Docket Number 22D25 between LUISON, VIVIANA, Plaintiff, and PORTER, STEVEN LEE, 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 13 day of MAY in the year two thousand twenty-two and in the 245th year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____ *Deputy Clerk*

[SEAL]

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

VIVIANA LUISON,	)	
Plaintiff/Wife,	)	**DOCKET NO.: 22D25**
	)	
vs.	)	
	)	
STEVEN LEE PORTER,	)	
Defendant/Husband.	)	

FINAL DECREE OF ABSOLUTE DIVORCE

This cause came before the Fourth Circuit Court of Davidson County, Tennessee, the Honorable Judge Philip Smith presiding, on April 27, 2022 upon Wife's *Complaint for Absolute Divorce* and *Default Judgment* entered against Husband. Before the Court were Wife, Wife's two corroborating witnesses, and Wife's Counsel. Based on Wife's testimony, that of Wife's witnesses, statements of counsel, and the entire record, the Court found as follows:

1. That Wife filed for Absolute Divorce on January 09, 2022 and Husband was personally served with process on January 26, 2022;
2. That Husband failed to file an Answer within the time allowed by law and a Default Judgment was entered against him on April 08, 2022;
3. That there was undisputed proof that Husband called Wife vile and ugly names, that Wife was not allowed to discuss certain things in his presence and potentially in that of others, that Husband abused alcohol during the marriage, and that he had anger issues he failed to address;
4. That Wife's proof goes beyond the proof required for divorce under *Tennessee Code Annotated* § 36-4-101(a)(11) of Husband's Inappropriate Marital Conduct against Wife and Wife should be awarded a divorce on those grounds;
5. That the Court evaluated and considered all *Tennessee Code Annotated* § 36-4-121

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factors and made findings supporting the allocation of marital property as stated herein;

6. That the total value of the marital estate is $306,510.46;

7. The parties jointly own the encumbered improved real property known as 1509 Eller Drive Nashville, TN 37221, hereinafter "the Real Property", being more specifically described as:

> **This Indenture, made on the 28 day of April, 20 15, by and between the SECRETARY OF VETERANS AFFAIRS, AN OFFICER OF THE UNITED STATES OF AMERICA, whose address is Department of Veterans Affairs, 810 Vermont Ave. N.W., Washington D.C. 20420, hereinafter referred to as GRANTOR, and Steven Porter and Viviana Luison, a married couple, hereinafter referred to as GRANTEE.**
>
> **GRANTOR, for and in consideration of Ten Dollars ($10.00) and other good and valuable consideration in hand paid, bargains, sells, and conveys to GRANTEE the following described real estate, situated in the County of Davidson, State of Tennessee:**
>
> **Being Lot Number 76 on the Plan of Southampton, Phase IV, as of record in Plat Book 6250, Page 565, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete description.**
>
> **BEING the same property conveyed to The Secretary of Veterans Affairs by Trustee's Deed from Wilson & Associates, PLLC, Successor Trustee, dated September 9, 2014, and recorded September 10, 2014, in Instrument No. 20140910-0082675, Register's Office of Davidson County, Tennessee.**
>
> **TO HAVE AND TO HOLD said property, together with the appurtenances, hereditaments, estate, title and interest thereto belonging, to GRANTEE.**
>
> **This is improved property known as 1509 Eller Dr., Nashville, TN, 37221.**

8. That the Real Property is encumbered with Wells Fargo Bank, in Wife's name only, account ending in 4201, with an indebtedness of $270,243.00 as of April 26, 2022;

9. That the Davidson County Tax Assessor in 2021 appraised the Real Property for $352,700.00;

10. That given the indebtedness and appraisal values, the Real Property has equity of $82,466.00;

11. That Wife should be awarded all right, title and interest in the Real Property free and

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clear of any claim by Husband and all such interest shall vest in Wife and Husband shall be divested of any and all interest he may have obtained therein during the marriage;

12. That Wife shall be responsible for any and all taxes, indebtedness, repairs, and insurance on the Real Property hereafter;
13. That the following accounts servicing the Real Property are in Husband's name: Alarm System; composting; AT&T; trash; Piedmont Gas; Harpeth Valley Utilities for water and sewage; and Nashville Electric Service;
14. That Husband should transfer the aforementioned accounts servicing the Real Property to Wife's name only within thirty-days of the entry of the Final Decree of Divorce in this matter and said transfer should be accomplished, whenever possible, so that Wife is not required to provide a deposit and or pay transfer fee;
15. That Wife shall be granted exclusive possession of the Real Property on June 1, 2022;
16. That Wife should be awarded all right, title, interest in her personal property, the furniture and furnishings in her possession, including those at the Real Property, free and clear of any right, title or interest by Husband and all such interest shall vest in Wife and Husband shall be divested of any claim thereto except those items listed in **Exhibit 1**;
17. That Husband shall remove all items listed on **Exhibit 1**, attached hereto, from the Real Property no less than forty-eight hours prior to midnight on May 31, 2022;
18. That should Husband fail to remove the **Exhibit 1** items by midnight on May 31, 2022, Wife shall be awarded those **Exhibit 1** items still remaining in the Real Property as her sole and separate property and shall be free to dispose of said property as she deems appropriate;
19. That Wife owns an unencumbered 2013 Scion XD, VIN JTKKUPB4XD1037734, titled

in name only, which has a Kelly Blue Bock value of $5,154.00 as of April 26, 2022;

20. Wife should be awarded the 2013 Scion XD and Husband should be divested of any interest he may have gained in same during the marriage and all such interest shall vest in Wife. Wife shall be responsible for all taxes, insurance and repairs for said vehicle and hold Husband harmless thereon;
21. That Husband owns, titled in his name only, a 2021 Nissan Versa, VIN: 3N1CN8BV3ML809056, encumbered in Husband's name only with Wells Fargo, account ending in 0001, in the amount of $8,518.00 as of April 26, 2022, and has a Kelly Blue Book value of $18,086.00 as of April 26, 2022, with a resulting equity of $9,568.00;
22. Husband shall be awarded the 2021 Nissan Versa and Wife should be divested of any interest she may have gained in same during the marriage and all such interest shall vest in Husband. Husband shall be responsible for all the encumbrance, taxes, insurance and repairs for the Nissan Versa, and shall hold Wife harmless thereon. Husband shall obtain his own insurance policy on this vehicle within thirty-days of the date of this hearing;
23. That Wife shall be responsible for individual debts in her name only, including the Discover credit card in her name only, account ending in 8283, which has $485.79 of debt on it as of April 26, 2022 and shall hold Husband harmless thereon;
24. That Husband shall be responsible for individual debts in his name only, including credit cards, and shall hold Wife harmless thereon;
25. That the parties have only one joint debt, that being a Chase Amazon Visa credit card, account ending in 9027, which has $1,001.02 of debt on it as of April 26, 2022. This card shall be awarded to Husband and he shall be responsible for payment of this account and Wife shall divested of any interest in this account. Wife shall remove her name from

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this account as soon as practicable after the date of Final Hearing in this matter;

26. The parties own a joint checking account with First Horizon Bank, account in ending in 5826, with a balance of $1,862.44 as of April 26, 2022. This account shall be awarded to Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband shall be divested of any interest he may have gained during the marriage in this account;

27. That the parties jointly own a First Horizon Bank savings account, account ending in 6411, which has $42,781.00 in it as of April 26, 2022. Husband shall be awarded $10,000.00 from this account free and clear from any claim by Wife and all such interest in this specific amount shall vest in Husband. Other than $10,000.00 awarded to Husband, Wife shall be awarded this account, including the $32,781.00 remaining therein, and free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband shall be divested of any interest he may have gained during the marriage in this account;

28. The parties own a joint checking account with First Horizon Bank, account ending in 6350, which has $4.44 in it as of April 26, 2022. This account shall be awarded to Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband shall be divested of any interest he may have gained during the marriage in this account;

29. That the parties have a joint checking account with First Horizon Bank, account ending in 6625, which has $8,249.45 in it as of April 26, 2022. This account shall be awarded to Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband shall be divested of any interest he may have gained

during the marriage in this account;

30. That the parties jointly own a Health Savings Account containing $370.00 as of April 26, 2022. This account shall be awarded to Husband free and clear of any right, claim, title or interest by Wife and all such interest shall vest in Husband;

31. That Husband owns an IRA account in his name only with Wells Fargo, account ending in 6826, which contains $168,471.22 as of April 26, 2022, and approximately $134,776.97 of the value of this account was accrued during the marriage. Husband shall be awarded this account free and clear of any right, claim, title or interest by Wife and all such interest shall vest in Husband;

32. That the parties own a joint investing account with Acorn, account ending in 5432, which has a balance of $9,045.64 as of April 26, 2022. This account shall be awarded to Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband shall be divested of any interest he may have gained during the marriage in this account;

33. That Wife had contributed to the 529 account for her step-son, Husband's son, during the marriage and thus had accrued less retirement than Husband during the marriage;

34. That Wife owns a SEP account in her name only with Raymond James which contains $7,212.36 as of April 26, 2022. This account shall be awarded to Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband shall be divested of any interest he may have gained during the marriage in this account;

35. That Wife owns a Wells Fargo ROTH IRA account in her name only, account ending in 6124, which contains $14,063.00 as of April 26, 2022. This account shall be awarded to

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Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband shall be divested of any interest he may have gained during the marriage in this account;

36. Wife owns an investing account with Ellvest, in her name only, account ending in 7003, which contains $263.00 as of April 26, 2022. This account shall be awarded to Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband shall be divested of any interest he may have gained during the marriage in this account;

37. Each party has a Venmo account and each shall be awarded their own respective Venmo accounts free and clear of any right, claim, title or interest by their spouse and all such interest shall vest in the party owing their respective account. Each party shall be responsible for any indebtedness on their own account and shall hold the other party harmless thereon;

38. That Wife owns the Verizon account, in her name only, that provides cellular service for Wife's phone number ending in 8807 and Husband's number ending in 1128;

39. That Wife shall be awarded the Verizon account and her cellular number ending in 8807 and shall be allowed to close this account within twenty-days of the date of the Final Hearing in this matter;

40. That Husband shall be awarded his cellular number ending in 1128 and shall port said number to a cellular service provider of his choosing within ten-days of the date of the entry of the Final Decree in this matter. Husband shall also be responsible for any equipment or accessory purchases after the date of the Final Hearing, as well as inordinary and unnecessary data charges between the date of the Final Hearing and the

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date the number is transferred;

41. That all court costs shall be taxed to Husband for which execution may issue;

42. That Wife shall be awarded a judgment for attorney fees in the amount of $ 4752.15, for which execution may issue, against Husband; and

43. **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 Marital Dissolution Agreement herein attached for an account, any debt associated with an account or any debt. Therefore, it may be in the Parties' best interest to cancel, close or freeze any jointly held accounts;**

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that Wife is awarded an Absolute Divorce from Husband on grounds of Inappropriate Marital Conduct;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Wife shall be restored to all rights and privileges of unmarried person;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Wife shall be awarded all right, title and interest in the Real Property known as 1509 Eller Drive, Nashville, Tennessee 37221, being more specifically described below, free clear of any claim by Husband and all such interest shall vest in Wife and Husband shall be divested of any and all interest he may have obtained therein during the marriage. Wife shall be responsible for any and all taxes, repairs, indebtedness and insurance on the Real Property moving forward;

This Indenture, made on the 28 day of April, 20 15, by and between the SECRETARY OF VETERANS AFFAIRS, AN OFFICER OF THE UNITED STATES OF AMERICA, whose address is Department of Veterans Affairs, 810 Vermont Ave. N.W., Washington D.C. 20420, hereinafter referred to as GRANTOR, and Steven Porter and Viviana Luison, a married couple, hereinafter referred to as GRANTEE.

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GRANTOR, for and in consideration of Ten Dollars ($10.00) and other good and valuable consideration in hand paid, bargains, sells, and conveys to **GRANTEE** the following described real estate, situated in the County of Davidson, State of Tennessee:

Being Lot Number 76 on the Plan of Southampton, Phase IV, as of record in Plat Book 6250, Page 565, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete description.

BEING the same property conveyed to The Secretary of Veterans Affairs by Trustee's Deed from Wilson & Associates, PLLC, Successor Trustee, dated September 9, 2014, and recorded September 10, 2014, in Instrument No. 20140910-0082675, Register's Office of Davidson County, Tennessee.

TO HAVE AND TO HOLD said property, together with the appurtenances, hereditaments, estate, title and interest thereto belonging, to **GRANTEE**.

This is improved property known as 1509 Eller Dr., Nashville, TN, 37221.

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Husband shall transfer the following accounts for the Real Property from his name to Wife's name only within thirty-days of the entry of the Final Decree of Divorce: alarm system; composting; AT&T; trash, Piedmont Gas, Harpeth Valley Utilities for water and sewage; and Nashville Electric Service. Said transfers shall be accomplished, whenever possible, so that Wife is not required to provide a deposit and or transfer fee;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Wife shall have exclusive possession of the Real Property on June 1, 2022;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Wife shall be awarded all right, title, interest in her personal property, furniture and furnishings in her possession free and clear of any right, title or interest by Husband and all such interest shall vest in Wife and Husband shall be divested of any claim to same excepting those items listed on **Exhibit 1**;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Husband shall remove all items listed on **Exhibit 1**, attached hereto, from the Real Property no less than forty-

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eight hours prior to midnight on May 31, 2022;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that should Husband fail to remove the **Exhibit 1** items by midnight on May 31, 2022, Wife shall be awarded the **Exhibit 1** items still remaining in the Real Property as her sole and separate property and shall be free to dispose of said property as she deems appropriate;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Wife shall be awarded the 2013 Scion XD, VIN JTKKUPB4XD1037734, and Husband shall be divested of any interest he may have gained in same during the marriage. Wife shall be responsible for all taxes, insurance and repairs for said vehicle and hold Husband harmless thereon;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Husband shall be awarded the 2021 Nissan Versa, VIN: 3N1CN8BV3ML809056 and Wife shall be divested of any interest she may have gained in same during the marriage. Husband shall be responsible for all the encumbrance, taxes, insurance and repairs for the Nissan Versa, and shall hold Wife harmless thereon. Husband shall have thirty-days from the date of Final Hearing to obtain his own insurance policy on this vehicle;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Wife shall be responsible for individual debts in her name only, including the Discover credit card in her name only, and shall hold Husband harmless thereon;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Husband shall be responsible for individual debts in his name only, including credit cards, and shall hold Wife harmless thereon;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Husband shall be awarded the Chase Amazon Credit card, account ending in 9027, and shall be responsible for the

payment of the $1,001.02 indebtedness on this account. Wife shall remove her name from this account as soon as practicable after the entry of the Final Decree of Divorce in this matter;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Wife is awarded the First Horizon Bank account, checking account in ending in 5826, including the $1,862.44 it held as of April 26, 2022, free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband shall be divested of any and all interest he may have obtained therein during the marriage;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Husband is awarded $10,000.00 from the parties' jointly owned First Horizon Bank savings account, account ending in 6411, which contained $42,781.00 as of April 26, 2022, free and clear from any claim by Wife and all such interest in this amount shall vest in Husband. Wife shall otherwise be awarded this account, including the remaining $32,781.00, free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband is divested of any interest whatsoever in this account;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that the joint checking account with First Horizon Bank, account ending in 6350, with $4.44 in it as of April 26, 2022, shall be awarded to Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband is divested of any interest whatsoever in this account;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that the jointly owned checking account with First Horizon Bank, account ending in 6625, that has $8,249.45 in it as of April 26, 2022, shall be awarded to Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband is divested of any interest

whatsoever in this account;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that the parties jointly own a Health Savings Account containing $370.00 as of April 26, 2022 which shall be awarded to Husband free and clear of any right, claim, title or interest by Wife and all such interest shall vest in Husband and Wife is divested of any interest whatsoever in this account;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Husband is awarded the IRA account in his name only with Wells Fargo, account ending in 6826, which contained $168,471.22 as of April 26, 2022, approximately $134,776.97 of which was accrued during the marriage. Husband shall be awarded this account free and clear of any right, claim, title or interest by Wife and all such interest shall vest in Husband and Wife is divested of any interest whatsoever in this account;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that the parties' jointly owned Acorn investing account, account ending in 5432, with a balance of $9,045.64 as of April 26, 2022, shall be awarded to Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband is divested of any interest whatsoever in this account;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that the Raymond James SEP account Wife owns in her name containing $7,212.36 as of April 26, 2022, shall be awarded to Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband is divested of any interest whatsoever in this account;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Wife's Wells Fargo ROTH IRA account, owned in her name only, account ending in 6124, containing $14,063.00 as of April 26, 2022, shall be awarded to Wife free and clear of any right, claim, title

or interest by Husband and all such interest shall vest in Wife and Husband is divested of any interest whatsoever in this account;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Wife's Ellvest investing account, owned in her name only, account ending in 7003, containing $263.00 as of April 26, 2022, shall be awarded to Wife free and clear of any right, claim, title or interest by Husband and all such interest shall vest in Wife and Husband is divested of any interest whatsoever in this account;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that each party is awarded his and her own individual Venmo account free and clear of any right, claim, title or interest from the other party and all such interest shall vest in the party owning the account and shall be responsible for any indebtedness thereon and shall hold the other party harmless thereon;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Wife is awarded the Verizon account, in her name only, and her cellular number ending in 8807 and shall be allowed to close this account within twenty-days of the date of the Final Hearing in this matter;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Husband shall be awarded his cellular number ending in 1128 and shall port said number to a provider of his choosing within ten-days of the date of the entry of the Final Decree in this matter. Husband shall also be responsible for new equipment or accessory purchases, as well as inordinary and unnecessary data charges between the date of the Final Hearing and the date the number is transferred to the new account;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that all costs of court shall be taxed to Husband, for which execution may issue; and

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Wife shall be

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awarded a judgment for attorney fees in the amount of $ 4752.15, for which execution may issue, against Husband.

Entered this the 4th day of May 2022.

JUDGE PHILIP SMITH

APPROVED FOR ENTRY,

THE RUSHTON LAW FIRM, PLLC

T. Leigh Hearn-Rushton, Esq., BPR No. 021513
102 Woodmont Blvd., Suite 230, Nashville, TN 37205
615.200.7923 | Leigh@TheRushtonLawFirm.com
Counsel for Wife

This Order may be signed manually or by separate electronic page.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this **FINAL DECREE OF ABSOLUTE DIVORCE** has been sent to the below-named person(s) via the method indicated below on the May 4, 2022.

___Fax: _____; Number of Pages including cover: _____
_x_ U.S. Mail, First Class postage prepaid or ___certified
___ Other: Davidson County E-Flex Efiling System

Mr. Steven Lee Porter
1509 Eller Dr.
Nashville, TN 37221

T. Leigh Hearn-Rushton, Esq., BPR No.: 021513

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Exhibit 1

HUSBAND'S SEPARATE PROPERTY

Coffee Table	Rec Room

ITEMS HUSBAND IS TO REMOVE FROM THE HOME BY JUNE 1, 2022

Desk 1: with large drawers	Office
Desk 2: wooden skinny	
Wooden Table and Colored Chairs (4)	Dining room
½ of Kitchen Utensils (Knives, Ladles,	Kitchen
Garlic Crusher, Mezzaluna, Wooden Spoons)	Kitchen
2 Brown Chairs (Suede, World Market)	Living room
Island Wood Table (From Big Lots 42")	Foyer
Queen bed - Wooden (box springs and mattress)	Master bedroom
Queen bed linens (2 sheet sets, comforter, duvet, 2 pillows)	Towel closet
Mattress. (Queen Size 9", Beautiers)	
Chest of Drawers (Wooden, 6-drawer, Set with Bed)	Master bedroom
Blue night stand (2) (Door, Wooden)	Rec room
Couch (Faux Leather, Gray)	Rec room
Nightstand (Blue, TJMaxx)	Rec room
Media Console (2 Doors, Brown Wooden)	Rec room
Vintage Rocking Chair	Rec room
Two (2) Bamboo Rugs	Rec room
Stackable Bookshelves (Dark, Solid Wood (4))	Rec room
Lawn Mower (Battery Powered)	Garage
Weed Eater (Battery Powered)	Garage
Blower (Battery Powered)	Garage
Macbook Air Computer (13 inches)	Rec room
Instant Vortex Air Fryer	Dining room
Nutribullet	Kitchen
Crockpot	Kitchen
Turnip, male canine mix breed	Home
Set of 8 items each silverware set: large forks,	Kitchen
small forks, spoons, teaspoons, steak knives	