FILED
2013 SEP -9 PM 4:20
RICHARD R. ROOKER, CLERK

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

HENGAMEH ELLE AMIRI,

Plaintiff/Wife,

v.

KYANOOSH BALOUCH GHARAEI,

Defendant/Husband.

DOCKET NO. 12D834

Karen Johnson Davidson County
Batch# 879485 DEEDDIV
06/28/2022 12:10:04 PM 14 pgs
Fees: $72.00 Taxes: $0.00
20220628-0074402

FINAL DECREE

This cause came before the Court June 11, 2013 upon the Wife's complaint for absolute divorce, her sworn testimony, statements of counsel, and the entire record herein. Further, grounds for divorce have been conclusively established pursuant to the Motion for Partial Summary Judgment May 3, 2013. From all of which the Court finds that the parties are living separately and apart, and Wife should be awarded an absolute divorce from the Husband upon the ground of inappropriate marital conduct. The Court further finds that the division of the marital estate set forth herein is fair and equitable. The Court further finds that the parenting plan attached hereto adequately provides for the care, welfare and maintenance of the minor children, and it is in the best interests of the children. The Court finds that the support shall be calculated using the Mother's income of $1257.00 per month, the Father's income of $2,250.00 per month, with no child care expenses and not health insurance expenses. Neither party has other minor children other than those set forth in the parenting plan.

Therefore, it is SO ORDERED that the Wife shall be and is granted a divorce from the Husband upon the ground of inappropriate marital conduct, and the parties shall be restored to all rights and privileges of an unmarried person.

It is FURTHER ORDERED that the parenting plan attached hereto shall be made an Order of this Court and shall be incorporated into this Final Decree by reference.

It is FURTHER ORDERED that the 2003 Honda Pilot, VIN 2HKYF18653H515910, shall vest to the Wife free and clear from any claim of the Husband, and the Wife shall hold the Husband harmless from any debt and liability therefrom. The Mazda shall vest to the Husband

free and clear from any claim of the Wife, and the Husband shall hold the Wife harmless from any debt and liability therefrom. The Husband shall be solely responsible for any and all debt and liability related to the business called "Everything", and shall hold the Wife harmless and indemnify her from any debt and liability therefrom. There are no other marital debts to be divided. All other personal property has been divided. There are no retirement accounts or bank accounts to be divided. Any bank account held jointly shall be closed.

It is FURTHER ORDERED that the Wife shall be awarded all right, title and interest in the real property located at 720 Kaeden Pointe Court Nashville, TN 37013 and the Husband shall be divested of same. The Wife shall be solely responsible for any indebtedness on the property, as well as taxes and insurance, and hold the Husband harmless therefrom. The real property is more particularly described as:

> Land in Davidson County Tennessee, being Lot 10 on the Plan of the First Revision of Forest Pointe, Phase 1, of record in Book 9700, page 92 in the Register's office for Davidson County, Tennessee, to which plat reference is made for a more complete and accurate description.
> Being the same property conveyed to Kyanoosh Balouch Gharaei and wife, Hengameh Amiri, by Warranty Deed from Richard J. Sawyers, Jr., and wife Ozzie A. Sawyers, and duly recorded in the Register's office for Davidson County Tennessee March 10, 2005, Document Number 20050310-0026527.

It is FURTHER ORDERED that court costs shall be taxed to the Husband, for which let execution issue if necessary.

It is FURTHER ORDERED that Ray Akers, attorney at law, shall be and is granted a judgment against the Husband , Kyanoosh Baloush Gharaei, in the sum of $3,975.00, for reasonable and necessary attorney's fees in this matter, for which let execution issue if necessary.

It is FURTHER ORDERED that the complaint and pleadings shall be amended to reflect the correct spelling of the Husband's name, to wit: Kyanoosh Baloush Gharaei,

NOTICE

Pursuant to Tenn. Code Ann. 36-4-134(a), the divorce decree 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. Further, it may be in a party's best interest to cancel, close or freeze any jointly held accounts.

It is SO ORDERED this 9th day of September 2013.

JUDGE PHILIP E. SMITH

Respectfully Submitted,

Mount Juliet Law, PLLC

Ray Akers, BPR # 23471
547 N. Mt. Juliet Rd. Suite 200
Mt. Juliet, TN. 37122
(615)288-4291

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been sent, via US Mail to the following:

Kyanoosh Balouch Gharaei
720 Kaeden Pointe Court
Nashville, TN 37013

on this, the 28 day of August, 2013.

Ray Akers

STATE OF TENNESSEE	FOURTH CIRCUIT	DAVIDSON COUNTY
PERMANENT PARENTING PLAN ORDER ORDERED BY THE COURT		12D834
PLAINTIFF *(Name: First, Middle, Last)* HENGAMEH ELLE AMIRI mother	DEFENDANT *(Name: First, Middle, Last)* KYANOOSH BALOUCH GHARAEI, father	

2013 SEP -9 PM 4:29
RICHARD R. ROOT
D.C.

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.

Child's Name	Date of Birth
KASRA BALOUCH GHARAEI	6-4-1996
KIAN BALOUCH GHARAEI	6-29-1998

I. RESIDENTIAL PARENTING SCHEDULE

A. RESIDENTIAL TIME WITH EACH PARENT

The Primary Residential Parent is HENGAMEH ELLE AMIRI

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

Mother 365 days Father 0 days.

B. DAY-TO-DAY SCHEDULE

The mother shall have responsibility for the care of the child or children **AT ALL TIMES.**

This parenting schedule begins date of the Court's Order.

C. HOLIDAY SCHEDULE AND OTHER SCHOOL FREE DAYS

SAME AS DAY TO DAY SCHEDULE

D. FALL VACATION (*If applicable*)

SAME AS DAY TO DAY SCHEDULE

E. WINTER (CHRISTMAS) VACATION

SAME AS DAY TO DAY SCHEDULE

F. SPRING VACATION (*If applicable*)

SAME AS DAY TO DAY SCHEDULE

G. SUMMER VACATION

SAME AS DAY TO DAY SCHEDULE

H. TRANSPORTATION ARRANGEMENTS

NOT APPLICABLE

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

J. OTHER

THE FATHER SHALL NOT HAVE PARENTING TIME UNTIL HE PETITIONS THE COURT FOR SAME AND SAID TIME IS GRANTED.

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 each child shall be made as follows: ALL MAJOR DECISIONS SHALL BE MADE BY THE MOTHER.

III. FINANCIAL SUPPORT

A. CHILD SUPPORT

Father's gross monthly income is $ 2250
Mother's gross monthly income is $ 1257

1. The final child support order is as follows:
   a. The father shall pay to the other parent as regular child support the sum of $718.00 monthly, DUE AND PAYABLE BY THE 14TH OF EACH MONTH. **The Child Support Worksheet shall be attached to this Order as an Exhibit.***

3. Payments shall begin on JUNE 14, 2013

This support shall be paid: directly to the other parent.

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/isdocuments.html or at your local child support offices.

B. FEDERAL INCOME TAX EXEMPTION*

The mother is the parent receiving child support.

The Mother shall claim the following children: KASRA AND KIAN BALOUSH GHARAEI

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

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

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.*

* 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.

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:

BY EITHER PARENT, IF ABLE TO OBTAIN HEALTH INSURANCE THROUGH THEIR EMPLOYER AT A REASONABLE COST. THE CHILDREN ARE CURRENTLY COVERED BY TENNCARE.

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 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 father shall maintain dental, orthodontic, and optical insurance on the minor child or children.

E. LIFE INSURANCE

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

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

The child or children are scheduled to reside the majority of the time with the mother. 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 DUE TO ORDER OF PROTECTION OR RESTRICTIONS.

The costs of this process may be determined by the alternative dispute process or may be assessed by the Court based upon the incomes of the parents. It must be commenced by notifying the other parent and the Court by x written request certified mail

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) Unless otherwise provided by law, the right to receive copies of the child's medical health or other treatment records directly from the physician or health care provider who provided treatment or health care. (The keeper of the records may require a written request which contains a current mailing address and the payment of reasonable costs of duplication.) No person who receives the mailing address of a parent as a result of this requirement shall provide such address to the other parent or a third person;

(6) The right to be free of unwarranted derogatory remarks made about the parent or his or her family by the other parent to the child or in the presence of the child;

(7) The right to be given at least forty-eight (48) hours notice, whenever possible, of all extra-curricular activities, and the opportunity to participate or observe them. These include the following: school activities, athletic

activities, church activities and other activities where parental participation or observation would be appropriate;

(8) The right to receive from the other parent, in the event the other parent leaves the state with the minor child or children for more than two (2) days, an itinerary including telephone numbers for use in the event of an emergency;

(9) The right to access and participation in education on the same basis that is provided to all parents. This includes the right of access to the child for lunch and other activities. However participation or access must be reasonable and not interfere with day-to-day operations or with the child's educational performance.

VII. NOTICE REGARDING PARENTAL RELOCATION

The Tennessee statute (T.C.A. § 36-6-108) which governs the notice to be given in connection with the relocation of a parent reads in pertinent part as follows:

If a parent who is spending intervals of time with a child desires to relocate outside the state or more than one hundred (100) miles from the other parent within the state, the relocating parent shall send a notice to the other parent at the other parent's last known address by registered or certified mail. Unless excused by the court for exigent circumstances, the notice shall be mailed not later than sixty (60) days prior to the move. The notice shall contain the following:

(1) Statement of intent to move;
(2) Location of proposed new residence;
(3) Reasons for proposed relocation; and
(4) Statement that the other parent may file a petition in opposition to the move within thirty (30) days of receipt of the notice.

VIII. PARENT EDUCATION CLASS

This requirement has been fulfilled by mother

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.)***

Respectfully Submitted,

The Law Office of Ray Akers, PLLC

David M. Dolan, BPR # 29798
Ray Akers, BPR # 23471
547 N. Mt. Juliet Rd. Suite 200
Mt. Juliet, TN. 37122
(615)288-4291

COURT COSTS (If applicable)

Court costs, if any, are taxed as follows: Husband

It is so ORDERED this the 9th day of September 2013

Judge Philip E. Smith

State of Tennessee -- Child Support Worksheet

STAMP ERROR

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RICHARD R. ROOKER, Clerk

By _____ Deputy

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RICHARD R. ROOKER, CLERK

4TH CIRCUIT

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:	NEGAMEHAMIRI	X		
Name of Father:	KYANNOOSH BALOUCH GHARAE		X	
Name of non-parent Caretaker:				
TCSES case #:				
Docket #:	12D834			
Court name:	4TH CIRCUIT			

Name(s) of Child(ren)	Date of Birth	Days with Mother	Days with Father	Days with Caretaker
KASRA BALOUCH GHARAEI	6/4/96	365		
KIAN BALOUCH GHARAEI	6/29/98	365		

Part II. Adjusted Gross Income

			Mother / Column A	Father / Column B	Non-parent Caretaker / Column C
	1	Monthly Gross Income	$ 1,257.00	$ 2,250.00	
	1a	Federal benefit for child	+ 0.00	+ 0.00	
	1b	Self-employment tax paid	- 0.00	- 0.00	
	1c	Subtotal	$ 1,257.00	$ 2,250.00	
Use Credit Worksheet to calculate line items 1d and 1e.	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)	$ 1,257.00	$ 2,250.00	
	2a	Combined Adjusted Gross Income	$ 3,507.00		
	3	Percentage Share of Income (PI)	36 %	64 %	

Part III. Parents' Share of BCSO

		Mother / Column A	Father / Column B	Non-parent Caretaker / Column C
4	BCSO allotted to primary parent's household	$ 943.00	$ 0.00	$ 0.00
4a	Share of BCSO owed to primary parent	$ 0.00	$ 603.52	
5	ARP parent's average parenting time	N/A	N/A	
6	Parenting time adjustment	$ N/A	$ 114.09	
7	Adjusted BCSO	$ 0.00	$ 717.61	

State of Tennessee – Child Support Worksheet

Part IV: Additional Expenses

		Mother / Column A	Father / Column B	Non-parent 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 expenses	$ 0.00	$ 0.00	$ 0.00
10	Share of additional expenses owed	$ 0.00	$ 0.00	
11	Adjusted Support Obligation (ASO)	$ 0.00	$ 717.61	

Part V. Presumptive Child Support / Modification of Current Support

		Obligation Column		
12	Presumptive Child Support Order (PCSO)	$ 0.00	$ 718.00	

* 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 obligor parent	$	$	
	13b	Amount required for significant variance to exist	$	$	
	13c	Actual variance between current order and PCSO / BCSO	$	$	

Part VI. Deviations and Final Child Support Order

Deviations must be substantiated by written findings in the Child Support Order					
	14	Deviations (Specify):	$	$	
	15	Final Child Support Order (FCSO)	$ 0.00	$ 718.00	
	16	FCSO adjusted for federal benefit, Line 1a, Obligor's column	$ 0.00	$ 718.00	

Comments, Calculations, or Rebuttals to Schedule

Preparer's Use Only

Name:

Title: 95471

Date: 12/11/13

State of Tennessee – Credit Worksheet

Part I. Identification

			PRP	ARP	SPLIT
Indicate the status of each parent or caretaker by placing an "X" in the appropriate column	Name of Mother:	HENGAMEH AMIRI	X		
	Name of Father:	KYANNOOSH BALOUCH GHARAEI		X	
	Name of non-parent Caretaker:				
	TCSES case #:				
	Docket #:	12D834			
	Court name:	4TH CIRCUIT			

Part II. Other Children

			Mother	Father
Parent Income Information	1	Applicable gross income from CS worksheet	$ 1,257.00	$ 2,250.00
In-Home Children	2	Below, list qualified children living in the parent's home (if none, skip to line 6):		

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

3	Number of qualified children living in the parent's home	# 0	# 0
4	Theoretical child support order (this parent's income on CS Schedule for number of children from line 3)	$ 0.00	$ 0.00
5	75% of theoretical child support order from line 4	$ 0.00	$ 0.00
Not-In-Home Children	6	Below, list qualified children not living in the parent's home:	

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

7	Number of qualified children not living in the parent's home	# 0	# 0
8	Average monthly amount of documented monetary support	$ 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

STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the FOURTH Circuit Court for Davidson County, Tennessee, on the 09 day of SEPTEMBER, 2013, in Docket Number 12D834 between AMIRI, HENGAMEH ELLE, Plaintiff, and BALOUCHGHARAEI, KYANOOSH, 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 23 day of JUNE in the year two thousand twenty-two and in the 245th year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____
Deputy Clerk

[SEAL]

