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RICHARD R. ROOKER, CLERK

D.C.

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

TRACY L. WARD,
Plaintiff,

v.

MARCELLUS D. WARD,
Defendant.

Case No. 06D1377

Karen Johnson Davidson County
Batch# 906812 DEEDDIV
08/23/2022 03:14:57 PM 16 pgs
Fees: $82.00 Taxes: $0.00
20220823-0095306

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 8th day of November 2006, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court, upon original Complaint for absolute divorce, and no response from the defendant, Marcellus D. Ward; judgment by default having been taken, this matter proceeded to trial, and the defendant failed to appear; based upon allegations in the Complaint, testimony of the party, testimony of witnesses, statement of counsel, from all of which the court found that the plaintiff's allegations should be sustained, and the plaintiff should be awarded an absolute divorce on the grounds of adultery, that the Parenting Plan makes adequate and sufficient provision for the care of the parties' minor children and should be approved by the court.

It is therefore ORDERED and ADJUDGED that the wife, Tracy L. Ward, shall be granted an absolute divorce on the grounds of adultery, and both parties shall be restored to all the rights and privileges of unmarried persons. The court hereby approves the Parenting Plan submitted by the plaintiff, and furthermore the court makes the following awards and judgments: that the plaintiff be awarded the home place located at 2153 Bransford Avenue, Nashville, TN 37204, and all right, title and interest of the defendant, Marcellus D. Ward, in the following-described property is divested out of the defendant and vested solely and completely in the wife: Lot 15, Vine Hill Homes, Plat Book 9700, Page

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870, Register's Office, Davidson County, Tennessee. This is improved property known as 2153 Bransford Avenue, Nashville, Tennessee. Wife is to be responsible for the payment on the mortgage and she is to told the husband harmless on this obligation; the wife is further awarded all personal property in the home place, free and clear from any claims of the husband; it is further

ORDERED and ADJUDGED that the defendant is ordered to pay $87.00 per week beginning November 20, 2006, to the wife as child support; same is to be deducted from the defendant's paycheck as follows: the defendant's employer is Music City Dodge, 710 Murfreesboro Pike, Nashville, TN 37210; the employee is Marcellus D. Ward, Social Security # [redacted] the amount is $87.00 per week, to be deducted per wage assignment, beginning November 20, 2006, and should be paid unto the Tennessee Child Support Receipting Unit, P.O. Box 305200, Nashville, TN 37229, and paid directly to the wife. Her address is 2153 Bransford Ave., Nashville, TN 37204.

It is further ORDERED and ADJUDGED that the husband shall pay the wife's attorney's fees as reimbursement in the amount of $750.00; it is further

ORDERED, ADJUDGED and DECREED that the Parenting Plan attached hereto is approved by the court and incorporated into the Final Decree.

The costs of this cause are taxed to the defendant, Marcellus D. Ward. From all such awards and judgments let execution issue if necessary.

IT IS SO ORDERED.

ENTERED this 12th day of December, 2006.

JUDGE

Copy

APPROVED FOR ENTRY:

James V. Mondelli
Attorney for Plaintiff
5115 Maryland Way
Brentwood, TN 37027
(615) 377-0710
TSCR #2805

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was placed in the U.S. Mail, postage prepaid, to Marcellus D. Ward, c/o Music City Dodge, 710 Murfreesboro Road, Nashville, TN 37210, on this the 7 day of Dec, 2006.

James V. Mondelli

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STATE OF TENNESSEE FOURTH CIRCUIT COURT
DAVIDSON COUNTY

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PERMANENT PARENTING PLAN ORDER FILE NO.

(X) Proposed ( ) Agreed ( ) Ordered by the Court DIVISION

TRACY L. WARD
Plaintiff

MARCELLUS D. WARD
Defendant

This plan (X) is a new plan.
( ) modifies an existing Parenting Plan dated
( ) modifies an existing Order dated

Child's Name	Date of Birth
Marchelle L. Ward	12/16/93

The Primary Residential Parent is Mother
The Alternative Residential Parent is

I. RESIDENTIAL PARENTING SCHEDULE

The parties will attempt to work together on the parenting time with the child. However, if they cannot reach an agreement, the following visitation shall apply.

Under the below schedule each parent will spend the following number of days with the child:

365 TRW

Mother 287 **days** **Father** 78 **days**

A. DAY-TO-DAY SCHEDULE

The Mother shall have responsibility for the care of the child except at the following times when the other parent shall have responsibility:

Because of the father's failure to exercise visitation, specific visitation under this Parenting Plan shall be set by the court upon application by the father.

This Parenting Plan begins the date of the court order.

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B. HOLIDAY SCHEDULE

Reserved

	WITH MOTHER	WITH FATHER	TIME PERIOD
Memorial Day	Even	Odd	Friday 6:00 p.m. until Monday 6:00 p.m.
Labor Day	Odd	Even	Friday 6:00 p.m. until Monday 6:00 p.m.
Mother's Day	Every		
Father's Day		Every	
Mother's Birthday	Every		
Father's Birthday		Every	
Child's Birthdays	Every	Every	The parties shall equally divide their time with the child on each child's birthday.

TLW

FALL VACATION: To be set by the court upon application by the father.

THANKSGIVING: To be set by the court upon application by the father.

CHRISTMAS: To be set by the court upon application by the father.

SPRING BREAK: To be set by the court upon application by the father.

SUMMER VISITATION: To be set by the court upon application by the father.

H. TRANSPORTATION ARRANGEMENTS:

Not applicable.

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:

Tennessee shall retain exclusive jurisdiction over all issues of custody and visitation regarding the minor child.

Neither party shall have non-related guests, with whom they are sexually intimate, in inappropriate circumstances when the child is in their possession.

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II. DECISION-MAKING

A. DAY-TO-DAY DECISIONS

Each parent shall make decisions regarding the day-to-day care of the child while the child is residing with that parent, including any emergency decisions affecting the health or safety of a child.

B. CHILD NURTURE

The Mother and Father will behave with each other and with 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 member 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.

C. MAJOR DECISIONS

Major decisions regarding each child 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
_____	( ) Mother	( ) Father	( ) Joint

III. FINANCIAL SUPPORT

A. CHILD SUPPORT

Father's gross monthly income is $1,548.00
Mother's gross monthly income is $1,984.00

1. The final child support order is as follows:

a. The Father shall pay to the Mother as regular child support pursuant to line 20 of the Child Support Worksheet, the sum of $372.00, **each month, payable ~~on the fifth day of each month~~,** $87.00 per week. MR/ see dance, MR/ **The Child Support Worksheet shall be attached to this Order as an Exhibit.**

Payments in this amount shall continue until the child reaches age eighteen or graduates from high school, whichever occurs last. Neither parent will seek a deviation from this amount until the child reaches age eighteen or graduates from high school, whichever occurs last.

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2. Payments shall begin on December 5, 2006.

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 mother at 2153 Bransford Ave., Nashville, TN 37204.
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.

B. FEDERAL INCOME TAX EXEMPTION*

The (X) Mother ( ) Father is the parent receiving child support.

The Mother shall claim the child each year.

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 1 of the year the tax return is due.

* **NOTE:** The child support schedule assumptions in the guidelines (104-2-4-.03 (6) (b)) assume that the parent receiving the child support will get the tax exemptions for the child.

C. PROOF OF INCOME AND WORK-RELATED CHILDREN 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

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due by the parent paying child support. *This requirement applies only if a parent is receiving benefits from the Department 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

The Mother will maintain and keep in full force and effect major medical and hospital insurance for the minor child. The Father will reimburse the Mother pursuant to the Child Support Worksheet figures.

E. LIFE INSURANCE

For so long as he has a child support obligation, the Father shall insure his own life in the minimum amount of $50,000.00 by whole life or term insurance. He shall name Mother, as the trustee for the benefit of the minor child, to serve without bond or accounting,

F. SCHOOLING

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. 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 parent or the Court.
( ) Arbitration by a neutral party selected by parents or the Court.
( ) The Court due to order of protection or restrictions.

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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. The costs of this process shall be allocated 50% by the father and 50% by the mother.

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 children at least twice a week at reasonable times and for reasonable durations;
(2) The right to send mail to the children 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 at 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 children 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

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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 children 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 children 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 with 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. If one or both parents have not attended the parent education class the certificate shall be filed with the court within sixty (60) days of this order.

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 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.)

Traci L Ward
Mother

11-8-06
Date and Place signed

Copy

Sworn to and subscribed before me this the _____ day of _____ 2006.

_____
Notary Public

My Commission Expires: _____

_____ _____
Father **Date and Place signed**

Sworn to and subscribed before me this the _____ day of _____, 2006.

_____
Notary Public

My Commission Expires: _____

APPROVED FOR ENTRY:

_____

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 as follows:
against the father.

It is so ORDERED this the 8th day of Nov, 2006.

_____
JUDGE

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State of Tennessee - Child Support Worksheet

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RICHARD R. ROOTHER, 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:	Tracy L. Ward			
Name of Father:	Marcellus D. Ward		X	
Name of non-parent Caretaker:				

TCSES case #:

Docket #: 0601377

Court name: Fourth Circuit Court, Davidson County

Name(s) of Child(ren)	Date of Birth	Days with Mother	Days with Father	Days with Caretaker
Marchelle L. Ward	12/16/1993	365	0	0
		0	0	0
		0	0	0
		0	0	0
		0	0	0
		0	0	0
		0	0	0
		0	0	0
		0	0	0
		0	0	0

Part II. Basic Support Obligation

✓ For clarity and consistency, use Column A for PRP information and Column B for ARP information.

✓ For Split Parenting, use Column A for Mother's information and Column B for Father's information.

Use Credit Worksheet to calculate line items 1a - 1d

		Column A	Column B	Column C
1	Monthly Gross Income	$ 1984.00	$ 1548.00	
1a	Self-employment tax paid	0.00	0.00	
1b	Credit for pre-existing support orders	0.00	0.00	
1c	Credit for in-home children	0.00	0.00	
1d	Credit for not-in-home children	0.00	251.25	
2	Adjusted Gross Income (AGI)	$ 1984.00	$ 1296.75	$ 3280.75
3	Percentage Share of Income (PI)	60 %	40 %	100 %
4	Basic Child Support Obligation (BCSO)			$ 640.00

Part III. Parents' Share of Support Obligation

Standard Parenting

5	Each parent's share of the BCSO	$ 384.00	$ 256.00	

Split Parenting

6a	Mother's obligation for children for whom father is the PRP	$ 0.00		
6b	Father's obligation for children for whom mother is the PRP		$ 0.00	

Part IV. Parenting Time Adjustment

7a	Number of days per calendar year with children supported by this order with whom the ARP spends 121 or more days per calendar year	0	0	
7b	Parenting time adjustment percentage	0 %	0 %	
8a	Number of days per calendar year with children supported by this order with whom the ARP spends 53 or fewer days per calendar year	0	0	
8b	Parenting time adjustment percentage	0 %	35 %	
9	Adjustment in ARP's support obligation for parenting time	$ 0.00	$ 89.60	
10	Each parent's share of the adjusted BCSO	$ 384.00	$ 345.60	

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Part V. Additional Expenses

	Column A	Column B	Column C
11a Children's portion of health insurance premium	$ 78.00	$ 0.00	
11b Work-related childcare (payroll-deducted)	$ 0.00	$ 0.00	
11c Work-related childcare (non payroll-deducted)	$ 0.00	$ 0.00	$ 0.00
11d Total additional expenses	$ 78.00	$ 0.00	$ 78.00
12 Each parent's share of additional expenses	$ 46.80	$ 31.20	
13 Adjusted Support Obligation (ASO)	$ 430.80	$ 376.80	
14 Adjustment to ASO for payment of Additional Expenses	- 78.00	- 0.00	
15 Subtract line 14 from line 13. Enter remainder.	$ 352.80	$ 376.80	

Part VI. Presumptive Child Support / Modification of Current Support

	Obligation Column
16 Presumptive Child Support Order (PCSO) The ARP's amount from Line 15.*	$ 377.00

* For split parenting situations, enter the difference between the greater and smaller numbers from Line 15.

Modification of Current Child Support Order

17a Current child support order amount for the payor parent	$ 0.00
17b Amount required for significant variance to exist	$ 0.00
17c Actual variance between current and presumptive child support orders	$ 0.00

Part VII. Uninsured Medical Expenses, Deviations, Final Child Support Order

18 Recurring uninsured medical expenses	$ 0.00
19 Deviations (Specify):	$ 0.00

Deviations must be substantiated by written findings in the Child Support Order

20 Final Child Support Order	$ 377.00

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State of Tennessee - Credit 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:	Tracy L. Ward	X		
	Name of Father:	Marcellus D. Ward		X	
	Name of non-parent Caretaker:				
	TCSES case #:				
	Docket #:	0601377			
	Court name:	Fourth Circuit Court, Davidson County			

Part II. Additional Children

✓ 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.

		Column A	Column B
Parent Income Information	1 Monthly gross income of parent desiring to claim credit	$ 1984.00	$ 1548.00
	2a Self-employment tax paid	$ 0.00	$ 0.00
	2b Applicable gross income for credit worksheet	$ 1984.00	$ 1548.00

In-Home Children

3 Below, list qualified children living in the parent's home (if none, skip to line 7):

Name(s) of Child(ren) for PRP	Date of Birth	Name(s) of Child(ren) for ARP	Date of Birth

4	Number of qualified children living in the parent's home	# 0	# 0
5	Theoretical child support order (this parent's income on CS Schedule for number of children from line 4)	$ 0.00	$ 0.00
6	75% of theoretical child support order from line 5	$ 0.00	$ 0.00

Not-In-Home-Children

7 Below, list qualified children not living in the parent's home:

Name(s) of Child(ren) for PRP	Date of Birth	Name(s) of Child(ren) for ARP	Date of Birth
		Kyle J. Upton	1/23/1990

8	Number of qualified children not living in the parent's home	# 0	# 1
9	Average documented monetary support over last 12 months	$ 0.00	$ 262.30
10	Theoretical child support order (this parent's income on CS Schedule for number of children from line 8)	$ 0.00	$ 335.00
11a	75% of theoretical child support order from line 10	$ 0.00	$ 251.25
11b	Allowable credit for not-in-home children	$ 0.00	$ 251.25

Part III. Pre-Existing Support Orders

This section is not part of the calculation for Part II above

✓ List court name, docket number, TCSES number, monthly obligation, name and date of birth for each child supported under the order. Do not include arrears payments. If a parent has more than three pre-existing support orders, use the Additional Credit sheet to detail the orders.

		Column A	Column B
1		$ 0.00	$ 0.00
2		$ 0.00	$ 0.00
3		$ 0.00	$ 0.00
	Total monthly obligation amount(s) from Additional Credit sheet	$ 0.00	$ 0.00
	Total	$ 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 PRP	Date of Birth	Name(s) of Child(ren) for ARP	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 PRP	Date of Birth	Name(s) of Child(ren) for ARP	Date of Birth

Pre-Existing Support Orders (Continued from Credit Worksheet)

PRP Support Orders

Below, list additional pre-existing support orders for the parent. List court name, docket number, TCSES number, monthly obligation, name and date of birth for each child supported under the order. Do not include arrears payments.	Obligation Amount
	$0.00
	$0.00
	$0.00
	$0.00
	$0.00
	$
	$
	$
	$
Total	$0.00

ARP Support Orders

	$0.00
	$0.00
	$0.00
	$0.00
	$0.00
	$
	$
	$
Total	$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 12 day of DECEMBER, 2006, in Docket Number 06D1377 between WARD, TRACY L ET.AL, Plaintiff, and WARD, MARCELLUS D, 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 04 day of AUGUST in the year two thousand twenty-two and in the 246th year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____
Deputy Clerk

[SEAL]

