EFILED 01/24/24 01:04 PM CASE NO. 23D911 Joseph P. Day, Clerk

IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

ZEINAB JASSIM,	)	
	)	
Plaintiff/Wife,	)	
	)	
v.	)	**No. 23D-911**
	)	
SALEH MAHDI AL-AKASHI,	)	**NOTICE OF ENTRY REQUESTED**
	)	
Defendant/Husband.	)	

FINAL DECREE OF DIVORCE

This cause came to be heard on January 9, 2024, upon the Wife's Complaint for Divorce filed on June 30, 2023, this Court having granted a default judgment to the Wife against the Husband by Order entered on December 6, 2023. Present for this final hearing were the Plaintiff/Wife, ZEINAB JASSIM ("Wife"), her counsel, and her two witnesses, Noura Mahdi and Naba Al-Akashi. Husband did not appear in Court. Based upon the testimony of the witnesses, the exhibits admitted into evidence, the argument of counsel, and the entire record herein, the Court finds and orders as follows:

1. The parties were married on November 14, 1988, and there are no remaining minor children of this marriage, though the parties' youngest child Zahra (d/o/b 11/18/2005), is still in high school and is set to graduate in May 2024.

2. Wife filed this divorce on June 30, 2023, and Husband was personally served with the Complaint for Divorce on July 13, 2023.

3. The Court finds that Husband was personally served, but he failed to file responsive pleadings in this matter. The Court further finds that Husband was duly noticed of the Motion for Default filed by Wife on November 8, 2023 and of the hearing on the same, which was held on December 1, 2023, and did not participate then and did not participate in the hearing today.

4. The Court finds that Wife has proven that Husband is guilty of inappropriate marital conduct and indignities toward Wife by a preponderance of the evidence based upon Husband treating Wife and referring to Wife as his personal servant and maid, the Court having heard testimony from the Wife and corroborating testimony from her two witnesses of the same. The Court further finds that Husband insisted that Wife accept the responsibility of caring for him and the home that were beyond her capability such as making repairs to the home and forcing her to

Karen Johnson Davidson County
Batch # 1098788 DEEDDIV
02/07/2024 01:14:09 PM 10 pgs
Fees: $52.00 Taxes: $0.00
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drive to pick him up at night when she has night blindness; that Wife had been a homemaker and mother the entire marriage and was not trained to make repairs to the parties' home; that Wife's efforts to learn English and trying to establish her own income were criticized by Husband.

5. By Order entered on August 7, 2023, Husband was ordered to pay the family's monthly expenses and an additional $2,500.00 per month in family support. The Court finds that Husband made no payments toward the family's monthly expenses or family support and that it all fell on Wife's shoulders.

6. Based on the evidence before the Court, the Court finds that Husband fled the United States after being personally served with the Complaint for Divorce.

7. The Court finds that Husband has abandoned his family and youngest child, and that Husband will still owe a child support obligation because the parties' youngest child is still in high school, despite being 18 years of age. Based upon testimony, the Court finds that Husband had the ability to earn $120,000.00 per year gross income. The Court will impute Wife at minimum wage. The Court finds that there are no health insurance costs or work-related childcare costs to be included in the child support calculation. Days for Husband will be set at 0. The Court finds that child support was covered by the family support ordered by the Court on August 7, 2023, so there is no retroactive child support obligation owed since the Court is awarding Wife a judgment for the same.

8. The Court finds that Husband has abandoned the family, including the youngest child, as well as the property. The Court finds that the parties' home and other items of property are marital assets which were paid for with Husband's income earned during the marriage. Because Husband abandoned the property, any interest Husband may have in the property will be awarded to Wife.

9. The Court finds that the marital residence is a marital asset. The parties owed ($170,926.00) on the property as of July 21, 2023, and the loan (US Bank x5806) is titled in Husband's name only. There is also a home equity line of credit against the property (US Bank x5454), which has a 0 balance to Wife's knowledge, and which is in Husband's name only.

IT IS THEREFORE ORDERED that Wife is awarded a divorce from Husband on the ground of Husband's inappropriate marital conduct and Husband's indignities toward Wife, and both parties are hereby restored to all rights and privileged of unmarried persons.

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IT IS FURTHER ORDERED that Wife is awarded a judgment for the Court-ordered family support Husband failed to pay from the date of entry of the Order on August 7, 2023 through January 2024 in the amount of $15,000.00, for which execution shall issue, if necessary.

IT IS FURTHER ORDERED that Wife is further awarded a judgment for the Court-ordered marital expenses Husband failed to pay from the date of entry of the Order on August 7, 2023 through the month of January 2024 in the amount of $14,156.87, for which execution shall issue, if necessary. A breakdown of the court-ordered marital expenses that Husband failed to pay is attached hereto as a late-filed Exhibit.

IT IS FURTHER ORDERED that Wife is awarded alimony *in futuro* in the amount of Two Thousand, Five Hundred Dollars ($2,500.00) per month. Said alimony obligation shall begin and shall become due on February 1, 2024, and shall continue to become due on the 1st day of each and every month thereafter.

IT IS FURTHER ORDERED that Wife is awarded the marital residence located at 512 Whispering Hills Drive, Nashville, Tennessee 37211, as her sole and separate property, to have and to hold this property with the appurtenances, estate, title and interest thereto, and all equity therein, and Husband is divested of any interest therein, and Husband's equitable share of the equity therein is awarded to Wife as alimony *in solido*, in addition to Wife's alimony *in futuro*. This property is more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 138 on the Plan of Whispering Hills, Section One, 2nd Revision of Lots 138 and 601, of record in Instrument Number 20000321-0028513, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete description of the property.
>
> Being the same property conveyed to Saleh M. Al-Akashi, married, by Warranty Deed from Julie Nicole Herring, unmarried, of record at Instrument Number 20070605-0066861, in the Register's Office for Davidson County, Tennessee, dated May 21, 2007 and recorded June 5, 2007.
>
> This conveyance is subject to any and all existing easements and restrictions as shown of record.
>
> This is improved property known as 512 Whispering Hills Drive, Nashville, TN 37211.

Pursuant to Tenn. Code Ann. §16-1-109, Wife may record this Final Decree of Divorce or an abstract thereof with the Davidson County Register of Deeds Office in order to effectuate the change of title of this property from Husband to Wife as reflected herein.

IT IS FURTHER ORDERED that there shall be no withdrawals from the US Bank home equity line of credit (x5454). Said home equity line of credit shall be closed.

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IT IS FURTHER ORDERED that Wife is awarded, as her sole and separate property, all personal property and household furnishings located at the marital residence, and Husband is divested of any interest therein.

IT IS FURTHER ORDERED that Wife is awarded, as her sole and separate property, the 2015 Nissan Sentra vehicle (VIN # 3N1AB7AP7FY373024), and Husband is divested of any interest therein. Husband abandoned this vehicle. Wife is permitted to use the vehicle or dispose of it. Husband's equitable interest in this vehicle shall be applied toward his support obligation to Wife.

IT IS FURTHER ORDERED that Wife is awarded all right, title, and interest in and to the 2002 Toyota Sienna vehicle (VIN # 4T3ZF13C12U457089), and Husband is divested of any interest therein. Husband abandoned this vehicle. Wife is permitted to use the vehicle or dispose of it. Husband's equitable interest in this vehicle shall be applied toward his support obligation to Wife.

IT IS FURTHER ORDERED that Wife is awarded all right, title, and interest in and to the 2015 Freightliner Cascadia vehicle (VIN # 1FUJGLD55FLGM3762), and Husband is divested of any interest therein. Husband abandoned this vehicle. Wife is permitted to use the vehicle or dispose of it. Husband's equitable interest in this vehicle (½) shall be applied toward the judgments Husband owes to Wife.

IT IS FURTHER ORDERED that the 2017 Nissan Sentra vehicle is not a marital asset. Although Wife's name is included on the title, along with the parties' adult son, Wife did not make any payments toward the vehicle. The parties' adult son made all of the payments. Husband is divested of any interest therein.

IT IS FURTHER ORDERED that all personal property is awarded to Wife, and Husband is divested of any interest therein. Husband made no claim to any of the items of personal property.

IT IS FURTHER ORDERED that Wife is awarded her Chase Bank account maintained in her name only, and all funds maintained therein, and Husband is divested of any interest therein.

IT IS FURTHER ORDERED that, as alimony *in solido*, Wife is awarded all funds maintained in Truist Bank checking x8446, which is in Husband's name only, and Husband is divested of any interest therein.

IT IS FURTHER ORDERED that, as alimony *in solido*, Wife is awarded all funds maintained in US Bank x5725 and any other US Bank accounts titled in Husband's name only,

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and Husband is divested of any interest therein.

IT IS FURTHER ORDERED that, as alimony *in solido*, Wife is awarded all funds maintained in Regions Bank x0867 and Regions Bank 4278, which are in Husband's name only, and Husband is divested of any interest therein.

IT IS FURTHER ORDERED that Wife is awarded the Regions Bank Certificate of Deposit (x9484) as her sole and separate property and Husband is divested of any interest therein. Husband's equitable interest in this account (½) is awarded to Wife as alimony *in solido*.

IT IS FURTHER ORDERED that Wife shall be solely responsible for the payment of her credit card(s) and any other debts held in her individual name, and she shall hold Husband harmless and indemnify him thereon.

IT IS FURTHER ORDERED that Husband shall be solely responsible for the payment of his credit card(s) and any other debt held in his individual name, and he shall hold Wife harmless and indemnify her thereon.

IT IS FURTHER ORDERED that Husband shall pay to Wife child support in the amount of $1,318.00 per month until the child graduates from high school. The child support worksheet is attached hereto as Exhibit B.

IT IS FURTHER ORDERED that Wife is hereby awarded a judgment against Husband in the amount of $ 16,292.91 for Wife's attorney fees in this matter, for which execution shall issue, if necessary. ~~The Court finds the above~~ fee reasonable in accordance with the factors set forth at Tenn. R. Sup. Ct. 1.5.

IT IS FURTHER ORDERED that the court costs are assessed to ~~Husband~~, SALEH MAHDI AL-AKASHI, ~~for which~~ execution may issue, if necessary.

ENTERED THIS 24 **DAY OF** January **2024.**

JUDGE PHILLIP R. ROBINSON

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APPROVED FOR ENTRY:

MILLER UPSHAW FAMILY LAW, PLLC

By: /s/ Rachel S. Upshaw

RACHEL S. UPSHAW, BPR #25683
TAYLOR L. RIPPE, BPR #37799
Attorneys for Wife
631 Woodland Street
Nashville, TN 37206
Email: rachel@nashvillefamilylaw.com
Phone: (615) 391-4200

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order has been forwarded, via email and U.S. Mail, postage pre-paid, to the following:

Saleh Mahdi Al-Akashi
512 Whispering Hills Drive
Nashville, TN 37211

pridesaleh@gmail.com
assadtruck@gmail.com

on this 18th day of January, 2024.

/s/ Rachel S. Upshaw
Rachel S. Upshaw

512 Whispering Hills Dr. Expenses

Month	Mortgage	Maintenance/ Repairs	Property Taxes	Pest Control	Water/Sewage	Electricity	Cable and Internet
August 2023	$1349.62	$200.00	$168.73	$40.00	$94.49	$613.00	$106.00
September 2023	$1349.62	$200.00	$168.73	$40.00	$119.75	$406.00	$106.00
October 2023	$1349.62	$200.00	$168.73	$40.00	$35.07	$170.00	$106.00
November 2023	$1349.62	$200.00	$168.73	$40.00	$107.11	$248.00	$106.00
December 2023	$1349.62	$200.00	$168.73	$40.00	$81.86	$561.00	$106.00
January 2024	$1349.62	$200.00	$168.73	$40.00	$94.49	$440.00	$106.00

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Effective as of 7/22/2008

State of Tennessee - Department of Human Services
Child Support Worksheet

1/18/2024 - 2:56 PM

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 or Parent 1:	Zeinab Jassim	X		
Name of Father or Parent 2:	Saleh Al-Akashi		X	
Name of non-parent Caretaker:				

TCSES case #:
Docket #: 23D-911
Court name: Davidson County Third Circuit Court

Name(s) of Child(ren)	Date of Birth	Days with Mother or Parent 1	Days with Father or Parent 2	Days with Caretaker
Zahra Al-Akashi	11/18/2005	365	0	

Part II. Adjusted Gross Income

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

			Mother or Parent1 \ Column A	Father or Parent 2 \ Column B	Nonparent Caretaker \ Column C
1	Monthly Gross Income		$ 1,257.00	$ 10,000.00	
	1a	Federal benefit for child	+	+	
	1b	Self-employment tax paid	-	-	
	1c	Subtotal	1,257.00	10,000.00	
	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	$ 10,000.00	
2a	Combined Adjusted Gross Income	$11,257.00			
3	Percentage Share of Income (PI)		11%	89%	
3a	Means Tested Income only (Y/N)		N	N	

Part III. Parents' Share of BCSO

4	BCSO allotted to primary parent's household	$ 1245.00	$ 0.00	$ 0.00
4a	Share of BCSO owed to primary parent	$ 0.00	$ 1108.05	
4b	BCSO if Self Support Reserve (SSR) is applied	N/A	N/A	
5	Each parent's average parenting time	N/A	0	
5a	Parenting Time Adjustment (68 or less days)	N/A	209.47	
5b	Adjusted BCSO (68 or less days)	N/A	1317.52	
6a	Parenting Time Adjustment (92 or more days)	N/A	N/A	
6b	Adjusted BCSO (92 or more days)	N/A	N/A	
7	Calculated BCSO	$ 0.00	$ 1,317.52	

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State of Tennessee - Department of Human Services
Child Support Worksheet

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Part IV. Additional Expenses

		Mother or Parent 1 \ Column A	Father or Parent 2 \ Column B	Nonparent Caretaker \ Column C
8a	Children's portion of health insurance premium	$	$	$
8b	Recurring uninsured medical expenses	$	$	$
8c	Work-related childcare	$	$	$
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	$ 1,317.52	

Part V. Presumptive Child Support Order

		OBLIGATION	
12	Presumptive Child Support Order (PCSO)	$ 0.00	$ 1,318.00

* Enter the difference between the greater and smaller numbers from Line 11 except in non-parent caretaker situations.

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	$ 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):	$	$
15	Adjusted for Minimum Order (Y/N)	N	N
16	Final Child Support Order (FCSO)	$ 0.00	$ 1,318.00
17	FCSO adjusted for Federal benefit, Line 1a, Obligor's column.	$ 0.00	$ 1,318.00

Comments, Calculations, or Rebuttals to Schedule

Preparer's Use Only

Name: Rachel S. Upshaw Date: 1/18/2024

Title: Attorney for Mother

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STATE OF TENNESSEE

****

ZEINAB JASSIM
[Plaintiff(s)]

vs.

Docket No: *23D911*

SALEH MAHDI AL-AKASH
[Defendant(s)]

I, JOSEPH P. DAY, 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 above styled case on January 24, 2024 in the Third Circuit Court for Davidson County, Tennessee, 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, on February 7, 2024.

JOSEPH P. DAY
CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____
Deputy Clerk