

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

PAMELA SUE HANLON SULLIVAN

Plaintiff,

vs.

WILLIAM JOE MOONEY AND
JEAN WHITE MOONEY,

Defendants

CIVIL ACTION NO. CV 82 3848

ORDER

On January 24, 1983, this court entered a default judgment against the defendant, Jean White Mooney, with leave to prove damages. Subsequent thereto, the plaintiff came before the court and gave oral testimony in support of her proof of damages. The court has considered the fact that in this case the plaintiff has been found to be the natural mother of this child, Julia Ann Hanlon. The court is also mindful that the appellate courts of this state have held that the plaintiff is entitled to the custody of said natural minor child to the exclusion of the defendant, Jean White Mooney. It is further the understanding of this court that said minor child has been in the custody of the defendant, Jean White Mooney, since said minor was a few days old. The court is, therefore, very mindful of the love the defendant must have for such minor child and the hardship of giving up custody. Certainly, the court has sympathy with the feelings of said defendant, but this court cannot condone the acts of this defendant, which are in violation of the order of the appellate courts of this state.

The court has considered the testimony of the plaintiff and natural mother of the efforts and expenses she has gone to in attempting to locate the said minor child, as well as, the mental anguish, anxiety, and suffering of being unable to

locate and obtain said child after the ruling of the appellate courts in the case. Having considered this, the court finds that plaintiff is entitled to a judgment by default against the defendant, Jean White Mooney, in the sum of Forty Thousand Dollars (\$40,000.00). The court has arrived at this sum feeling that Fifteen Thousand Dollars (\$15,000.00) in compensatory damages related to the plaintiff's search for the child and for possible future expenses in search of the child is reasonable and appropriate. The court is further of the opinion that this plaintiff has suffered emotional distress and emotional damages in the sum of Twenty-Five Thousand Dollars (\$25,000.00). These two figures constitute a judgment of Forty Thousand Dollars (\$40,000.00) herein awarded to the plaintiff and against said defendant. The court further finds that the plaintiff, commencing this date shall be entitled to a sum of Two Thousand Dollars (\$2,000.00) per month as punitive damages, which said punitive damages shall commence thirty (30) days from the date of this order and to continue at the rate of Two Thousand Dollars (\$2,000.00) per month until the child, Julia Ann Hanlon, a/k/a Melana Susan Mooney, is returned to the plaintiff, Pamela Sue Hanlon Sullivan, or until said child reaches the age of nineteen (19) years, whichever first occurs.

DONE and ORDERED this 4th day of February, 1983.



John N. Bryan, Jr.
Presiding Judge

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1983 APR 19 AM 10:03

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Rec'd H.S.O.
Jud 1.00
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