

DEBBIE BICE BROOKER,

PLAINTIFF,

VS.

GARY BICE,

DEFENDANT.

IN THE CIRCUIT COURT FOR

SHELBY COUNTY, ALABAMA

DR 85-059.03

Inst # 1999-43542

JUDGMENT

This case came before the Court upon the pleadings and proof, including ore tenus testimony heard by the Court, documents which were received into evidence, and stipulations of the parties made in open Court, and upon consideration thereof, the Court FINDS, ORDERS, ADJUDGES, and DECREES as follow:

1. This proceeding was initiated by the plaintiff's Petition To Modify the Divorce Decree of this Court which was entered in this Court on February 25, 1985, and which was thereafter modified by order of this Court dated October 2, 1992, and the parties have stipulated in open Court that the only issues for determination by the Court relate to the defendant's obligation, if any, to pay child support to the plaintiff for his minor daughter, Jamie Bice, and his obligations, if any, to reimburse the plaintiff for medical bills for said child which the plaintiff claims to have paid.

2. The Court FINDS that the defendant has failed to sustain his burden of proof in his contention that he is not obligated to pay child support for said child. The birthdate of said child is June 4, 1981; said child resides with the plaintiff, attends school, is not self-supporting, but instead, relies on the plaintiff and the defendant for her support and maintenance.

A. Paragraph No. 3 of the Agreement, which is attached to said Divorce Decree of February 25, 1985, as

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modified, is further MODIFIED to provide that, the defendant shall pay to the plaintiff for the support and maintenance of said minor child, Jamie Bice, the sum of \$247.00 per month, beginning on the 10th day of October, 1998, and payable on the 10th day of each month thereafter during the minority and dependency of said child.

B. The award of child support made herein was determined by application of the Child Support Guidelines established by Rule 32, A.R.J.A. A copy of the Guideline forms has been filed and is made a part of the record in this cause.

C. As the defendant Gary Bice is presently self-employed, an Income Withholding Order shall be entered, but not served at this time. In the event the defendant Gary Bice becomes otherwise employed, and in the event he as the child support obligor, becomes delinquent in a dollar amount equal to one month of support payment as herein ordered, and upon written affidavit of the plaintiff Debbie Bice Brooker of such delinquency, or upon his own request, or upon the Court's own motion, the Income Withholding Order for child support, which order is contained on separate paper and is specifically incorporated as a part of this decree as required by Title 30-3-61, 1975 Code Of Alabama, shall be served upon Gary Bice's employer and shall become effective immediately after service of same.


3. The defendant's obligation under said Divorce Decree, as modified, is to pay one-half (1/2) of any and all medical, doctor, dental and drug bills for said child which are not covered by insurance, and the Court FINDS that the plaintiff has not sustained her burden of proof in her contention that the defendant owes her \$421.96 pursuant to said obligation.

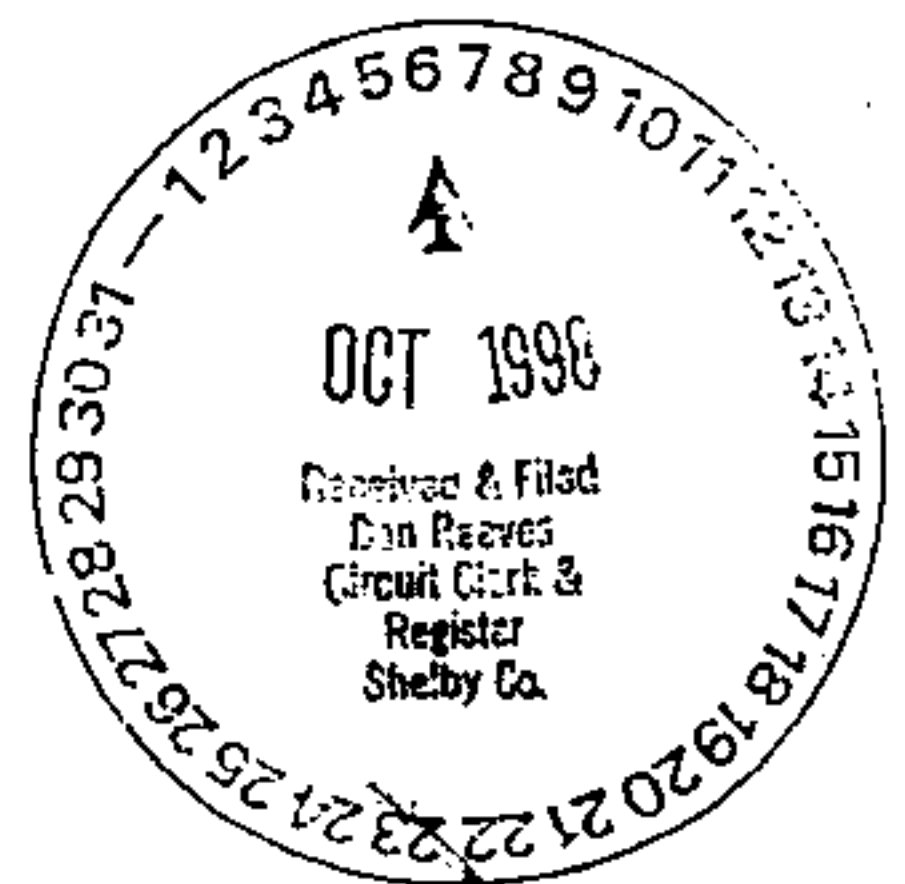
Paragraph No. 4 of the Agreement, which is attached to said Divorce Decree, as modified, is further MODIFIED to provide the following addition thereto:

"The plaintiff shall furnish to the defendant copies of all medical, doctor, dental and drug bills for which she seeks payment or reimbursement from the defendant for said minor child within thirty days after she receives said bills, and the defendant shall then thereafter pay the portion of said bills for which he is responsible, or reimburse to the plaintiff the portion of said bills for which he is responsible and which has been paid by the plaintiff, within thirty days after he receives said bills from the plaintiff."

4. Costs of Court are taxed to the defendant.

DONE and ORDERED this 6<sup>th</sup> day of October, 1998.

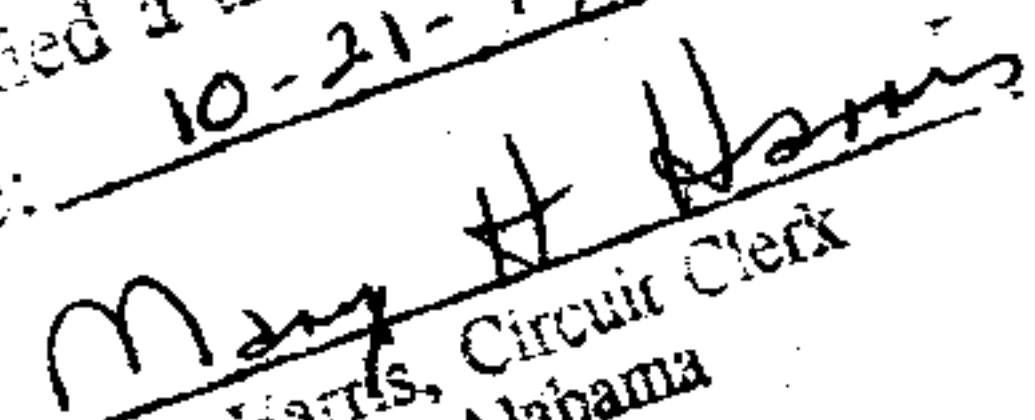
  
Oliver P. Head  
Circuit Judge



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Certified a true and correct copy  
Date: 10-21-99

  
Mary H. Harris, Circuit Clerk  
Shelby County, Alabama