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CERTIFICATE OF JUDGMENT
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THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

MARK A. MCMULLIN,
Plaintiff

VS.

VERONICA MCMULLIN,
Defendant

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)
) CASE NO: DR-97-657
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)
)

I, MARY HARRIS, Clerk of the said Court for said County and State, hereby certify that on the 9th day of September, 1998, **Veronica McMullin, Defendant, for the use and benefit of her attorney, Mitchell A. Spears, recovered of Mark A. McMullin, Plaintiff, of 17 Morris Est. Drive, Wilsonville, Alabama 35186, in the Circuit Court, of said County, a judgment without a waiver of exemption as to personal property, for the sum of Fifteen Hundred and 00/100, (\$1,500.00) Dollars and the further sum of \$.00 Dollars, costs of suit, and that Mitchell A. Spears, P. O. Box 119, Montevallo, Alabama 35115 is Defendant's Attorney of Record.**

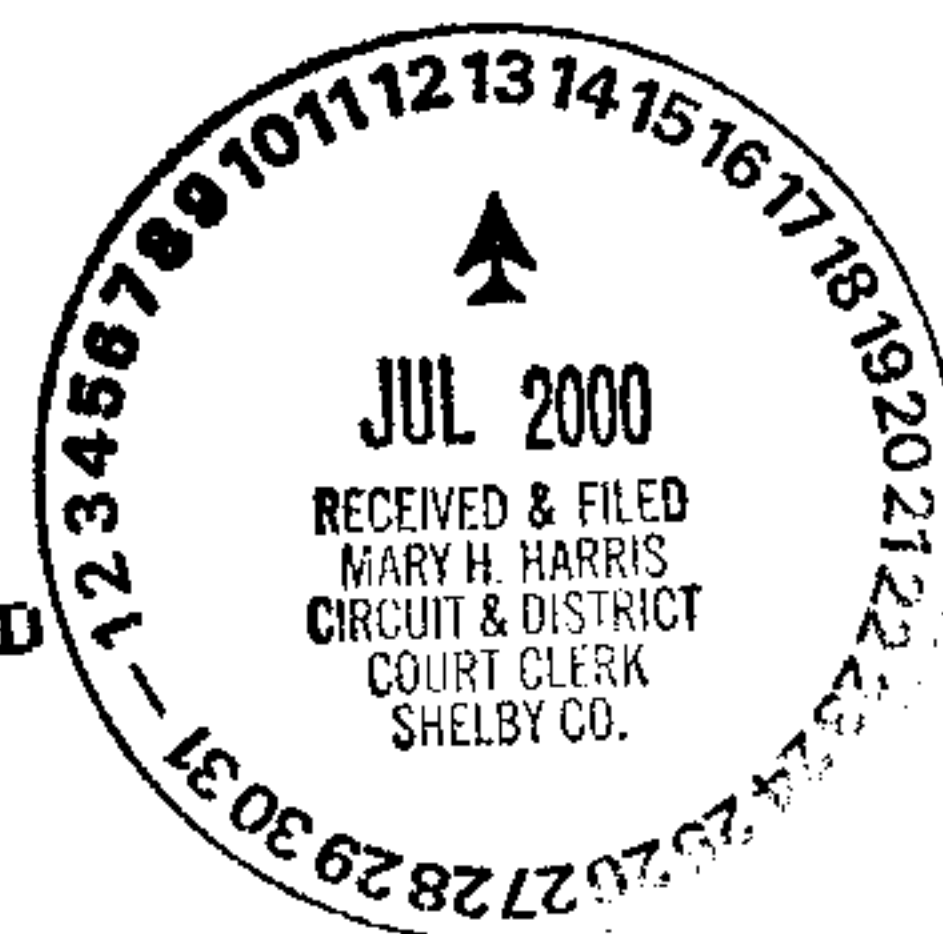
Judgment is attached for recording purposes.

Given under my hand, this 13th day of July, 2000.

Mary H Harris CLERK

Inst # 2000-23849

07/17/2000-23849
10:00 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 CJ1 16.00



eat, live and sleep together without an intention of entering marriage and sexual intercourse does not, per se, prove the existence of a common-law marriage. Further, under the principle enunciated in Cosby v. Cosby, 426 So. 2d 446 (Ala. Civ. App. 1983) and Napier v. Napier, 555 So. 2d 446 (Ala. Civ. App. 1989), above all else, it is the intention of the couple to become husband and wife which must be established.

7. The parties "tried to work things out", if "things" did work out they were to get back together as husband and wife. However, during the aforesaid nine months, "things" did not work out and the parties did not get back together as husband and wife.

8. It is the conclusion of the Court, Veronica and Mark did not enter into a common law marriage as alleged by Mark.

9. Mark was obligated to pay Veronica \$378.00 per month child support. The Court finds that at that time she filed her counterclaim on 1/6/98, Mark was in arrears (with interest) in the amount of \$18,275.00. That since the filing of the counterclaim, Mark has paid Veronica nothing. Therefore, Mark is in arrears another \$3,024.00 (through August, 1998).

10. Mark is in contempt of Court as he has had the ability to pay the aforesaid \$378.00 per month child support, but has wilfully and continuously failed to do so.

11. Out of the aforesaid child support arrearage, the State of Alabama suing in the name of Veronica is owed \$3,472.00.

12. The monthly child support amount is not due to be modified.

Accordingly, it is **ORDERED, ADJUDGED and DECREED** by the Court as follows:

A. That case # DR-92-006.01 shall merge into case #DR-97-657 and this cause shall proceed under case #DR-97-657.

B. That Plaintiff, Mark A. McMullin's complaint for divorce is **DENIED** and his Motion to Set Aside is **DENIED**.

C. That Plaintiff, Mark A. McMullin is in contempt of Court as a result of his wilful contumacy and not his inability to comply with this Court's order. The Sheriff of Shelby County, Alabama is directed to incarcerate the Plaintiff, Mark A. McMullin in the Shelby County, Alabama Jail until such time as he shall purge himself of contempt of Court. However, this Court does hereby suspend Plaintiff, Mark A. McMullin's sentence on the condition that he continues to pay \$378.00 current support and \$100.00 per month toward the aforesaid arrearage.

D. That the Income Withholding Order heretofore entered in this cause shall remain in effect, except that the arrearage amount reflected thereon shall be amended to \$21,299.00.

E. That the Plaintiff Mark A. McMullin shall pay to Defendant, Veronica McMullin for the use and benefit of her attorney, Mitchell Spears, the sum of \$1,500.00 for the reasonable value of the professional services said attorney rendered in this cause. Payment shall be made at the offices of Mitchell Spears, at Post Office Box 119, Montevallo, Alabama.

F. The costs of Court are taxed as paid.

G. That any and all other relief prayed for is hereby **DENIED**.

DONE and ORDERED this 9th day of September, 1998.

D. Al Crowson
D. Al Crowson
Circuit Judge

Inst # 2000-23849



Certified a true and correct copy

Date: 9-10-98

Dan Reeves
Dan Reeves, Circuit Clerk
Shelby County, Alabama

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07/17/2000-23849
10:00 AM CERTIFIED
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