



ELECTRONICALLY FILED
5/13/2010 11:11 AM
DR-2002-000122.01
CIRCUIT COURT OF
COFFEE COUNTY, ALABAMA
MICKEY COUNTS, CLERK

IN THE CIRCUIT COURT OF COFFEE COUNTY, ALABAMA
ENTERPRISE DIVISION

SPERRY AMOS R.,

Plaintiff,

V.

SPERRY SANDRA JOYCE,

Defendant.

Case No.: DR-2002-000122.01

AMENDED JUDGMENT



20130520000207490 1/2 \$15.00
Shelby Cnty Judge of Probate, AL
05/20/2013 01:48:23 PM FILED/CERT

This cause comes before the court by Petition for Contempt filed by Sandray Joyce Sperry, hereinafter referred to as Petitioner and an Answer filed by Amos R. Sperry, hereinafter referred to as Respondent.

A hearing was scheduled and held on April 28, 2010. The Petitioner was present and represented herself. The Respondent was present and represented himself.

The Petitioner has alleged that the Respondent has failed or refused to abide by the terms of the Final Judgment of Divorce which ordered the Respondent to pay \$800.00 per month periodic alimony for the first year and then the Respondent has alleged that he is not in contempt as he has paid court ordered alimony, he has actually overpaid, and is entitled to a credit for overpayment.

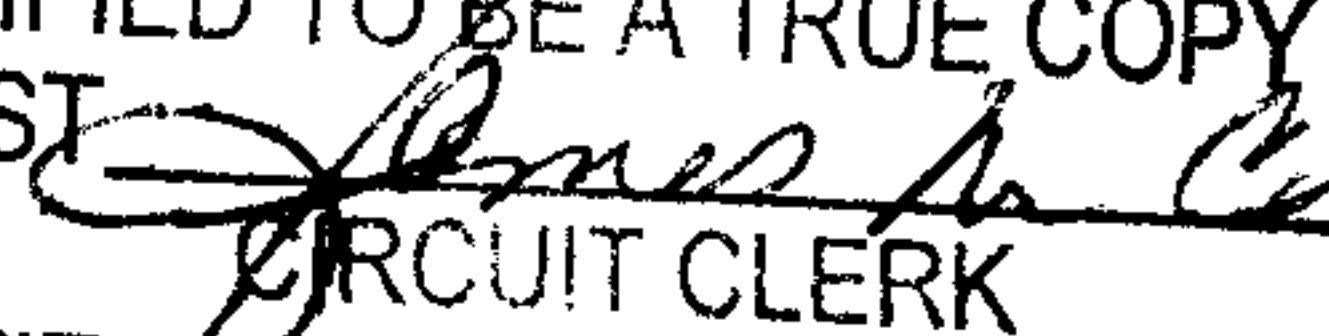
Upon consideration of the evidence presented the court finds as follows:

1. The Respondent has paid \$800.00 per month through September 2009 and in October 2009 he paid \$400.00. The Respondent has paid no alimony since the \$400.00 payment in October 2009. The Respondent seeks credit for \$5,900.00 which was paid on July 14, 2003, however the Respondent testified that the payment was to help the Petitioner repair or replace a floor in her house. The court finds that the \$5,900.00 was a gift and the Respondent is not entitled to a credit for court ordered alimony.

2. The court finds that the Respondent paid an additional \$100.00 per month for each month beginning on the second year after the divorce and continued to pay the additional \$100.00 per month through September 2009. The Petitioner testified that the Respondent has paid the additional \$100.00 per month to help her out financially. There was no agreement that the additional \$100.00 per month was an advancement of court ordered alimony. The additional \$100.00 per month appears to have been a gift from the Respondent and the Respondent is not entitled to a credit of court ordered alimony.

Upon consideration of the evidence presented this court finds that the Respondent is in contempt for failing to pay court ordered alimony as follows:

October 2009	\$ 300.00
November 2009	\$ 700.00
December 2009	\$ 700.00

CERTIFIED TO BE A TRUE COPY
ATTEST 
CIRCUIT CLERK

CIRCUIT COURT, COFFEE COUNTY, AL

cc: p/f

Def

January 2010	\$ 700.00
February 2010	\$ 700.00
March 2010	\$ 700.00
April 2010	\$ 700.00



20130520000207490 2/2 \$15.00
Shelby Cnty Judge of Probate, AL
05/20/2013 01:48:23 PM FILED/CERT

Total	\$ 4,500.00
-------	-------------

A Judgment is entered in favor of the Petitioner in the sum of \$4,500.00 for arrears of court ordered alimony. Interest shall accrue on the Judgment at the statutory rate of 12% annually.

DONE this 13th day of May, 2010.

/s JEFFERY W KELLEY

CIRCUIT JUDGE