

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

ANGIE LEIGH HORTON *

PLAINTIFF *

VS. * CASE NO. DR-97-526-RSM

JONATHON WADE HORTON *

DEFENDANT *

VERIFIED BILL OF COMPLAINT FOR DIVORCE
AND FOR EX PARTE RELIEF

Comes now the Plaintiff, Angie Leigh Horton, and files this her Verified Bill of Complaint For Divorce and for Ex Parte Relief and in support thereof shows unto the Court as follows:

1. The parties were married the first time on December 7, 1990 and divorced by order of the Circuit Court of Etowah County, October 5, 1992, and
2. The parties remarried December 28, 1992, and
3. The parties separated Sunday night, July 6, 1997 and have not lived together as husband and wife since that time, and
4. There have been two children born of this marriage, [REDACTED], whose date of birth is [REDACTED] and [REDACTED] whose date of birth is [REDACTED]
5. Your plaintiff alleges and avers that she is a fit and proper parent to have the full legal and physical care, custody and control of said minor children and that the defendant should be awarded visitation, and
6. The defendant is able bodied and is gainfully employed and is able to and should be ordered to pay child support for the minor children of the parties, and
7. The defendant through his employment as manager of Village Chapel Funeral Home (owned by his father, Joe Horton) provides Blue-Cross Blue-Shield Health Insurance for the minor children of the parties as well as for the plaintiff and should be ordered to continue to do so, and
8. The defendant should further be ordered to pay the uninsured medical expenses of

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the minor children of the parties, and

9. The defendant has been mentally and physically abusive toward the plaintiff and has threatened her life and has threatened to take her children from her, and
10. The most recent incident of physical abuse was Sunday night, July 6, 1997, when the defendant struck the plaintiff and pulled her hair and physically assaulted her, and
11. That is when the plaintiff left the marital home with the minor children of the parties and went to her mothers, and
12. During the two marriages of the parties there is a history of physical and mental abuse inflicted upon the plaintiff by the defendant and the plaintiff legitimately fears for her health and safety, and

13. The parties have one vehicle to-wit: a 1989 Ford Ranger Pickup Truck which the plaintiff presently has in her possession and which the plaintiff needs for transportation for herself and the minor children of the parties. The defendant works for his family and has available to him transportation through his father and his grandfather and does not need the one marital vehicle for transportation, and

14. The parties own no real estate, and

15. The parties have accumulated certain debts during this marriage and plaintiff prays orders of the Court to effectuate debt maintenance, Pendente Lite, and debt payment following the Final Judgment of Divorce.

WHEREFORE PREMISES CONSIDERED, Plaintiff prays this Honorable Court will:

- (a) Enter an immediate Ex Parte Order restraining and enjoining the Defendant from coming around, calling, harassing, annoying, alarming, contacting or molesting the Plaintiff in any way subject to criminal penalty and contempt of Court, and
- (b) Enter an Ex Parte Order granting her temporary legal and physical care, custody and control of the minor children of the parties subject to standard visitation in the defendant, and
- (c) Enter an Ex Parte Order granting her sole and exclusive possession of the 1989 Ford Ranger Pick up Truck, Pendente Lite, and
- (d) Set this matter down for a hearing Pendente Lite in the District Court of Etowah County, and
- (e) Grant plaintiff full legal, physical care, custody and control of the minor children of the parties, subject to visitation of the defendant, and

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