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Vol 1

Appendix 13-1

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By

TECHNICAL RECORD

I

NO. 48419B
COA NO. M2019-02059-COA-R3-CV

FILED
JUN 15 2020
Clerk of the Appellate Courts
Rec'd By

TR-5
TE-1

APPPEALED FROM
CHANCERY COURT
AT FRANKLIN TENNESSEE
MICHAEL W. BINKLEY CHANCELLOR
ELAINE B. BEELER, CHANCERY COURT CLERK

IN THE CASE OF
FAWN [redacted] FENTON
VS.
JEFFREY RYAN FENTON

TO THE
APPEALS COURT
NASHVILLE TENNESSEE

VIRGINIA L. STORY
135 FOURTH AVE. SOUTH
FRANKLIN, TN 37064
ATTORNEY FOR APPELLEE

JEFFREY RYAN FENTON
17195 SILVER PARKWAY, #150
FENTON, MI 48430
PRO SE APPELLANT

FILED 31ST DAY OF MARCH 2020.

CHANCERY COURT
NO. 48419B

_____ CLERK
Sara B McKinney DEP. CLERK

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE

FAWN [redacted] FENTON v. JEFFREY RYAN FENTON

Chancery Court for Williamson County
No. 48419b
COA NO. M2019-02059-COA-R3-CV

CERTIFICATE OF APPELLATE RECORD

I, Elaine B. Beeler, Clerk and Master, Williamson County Chancery Court, Franklin, Tennessee, do hereby certify that the following items herewith transmitted to the Court of Appeals are original or true and correct copies of all or the designated papers on file in my office in the captioned case.

1. Technical record attached to this certificate consisting of 709 pages contained in five volumes.
2. One volume of transcripts filed in my office on February 18, 2020, and authenticated by the Trial Judge or automatically authenticated under T.R.A.P. Rule 24(f).

   1 Volume - Hearing Date August 1, 2019
3. No exhibits are included in the record.
4. No sealed documents and/or exhibits are included in the record.
5. No depositions are included in the record.
6. No exhibits and/or documents of unusual bulk or weight have been retained in my office.

This the 31st day of March, 2020.

(SEAL)

THE CHANCERY COURT SEAL WILLIAMSON CO. TN

Sara B McKinney D.C.

Elaine B. Beeler
Clerk and Master
Williamson County Chancery Court
Franklin, Tennessee

FILED/ENTERED DATE	INDEX	PAGE
6/4/19	COMPLAINT FOR DIVORCE	1-4
6/4/19	TEMPORARY RESTRAINING ORDER	5
6/11/19	AFFIDAVIT OF LORI POLK	6-8
6/20/19	PETITION FOR ORDER OF PROTECTION AND ORDER FOR HEARING	9-29
6/20/19	TEMPORARY ORDER OF PROTECTION	30-32
6/20/19	MOTION TO DEEM HUSBAND SERVED	33-40
7/17/19	MOTION TO SELL THE MARITAL RESIDENCE	41-44
7/29/19	HUSBAND'S RESPONSE TO WIFE'S MOTION TO SELL MARITAL RESIDENCE	45-106
8/13/19	ORDER EXTENDING EX-PARTE/TEMPORARY ORDER OF PROTECTION	107-109
8/14/19	EX PARTE ORDER OF PROTECTION EXTENDED PENDING FINAL HEARING AND ORDER GRANTING MOTION TO SELL MARITAL RESIDENCE BY AUCTION	110-112
8/15/19	MOTION FOR VIOLATION OF THE EX PARTE ORDER OF PROTECTION AND FOR DATE CERTAIN FOR WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING ORDER	113-118
8/29/19	HUSBAND'S RESPONSE AND COUNTERMOTION TO WIFE'S MOTION FOR VIOLATION OF THE EX PARTE ORDER OF PROTECTION AND FOR DATE CERTAIN FOR WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING ORDER	119-380
8/29/19	ORDER/EXTEND ORDER OF PROTECTION, RESET MOTION, WAIVE MEDIATION, SET FINAL HEARING, ETC.	381-383
8/29/19	ORDER EXTENDING EX PARTE/TEMPORARY ORDER OF PROTECTION	384-386
9/20/19	PROTECTED INCOME AND ASSETS	387-391
9/26/19	MOTION TO SELL REMAINING CONTENTS OF MARITAL RESIDENCE	392-399
10/10/19	NOTICE OF FILING/ORDER ENTERED BY THE U.S. BANKRUPTCY COURT	400-402
10/10/19	ORDER/MOTION TO SELL REMAINING CONTENTS OF THE MARITAL RESIDENCE	403-404
10/21/19	ORDER OF PROTECTION	405-410
10/21/19	AFFIDAVIT OF VIRGINIA LEE STORY	411-415
10/28/19	FINAL DECREE OF DIVORCE	416-423
11/20/19	NOTICE OF APPEAL	424-425
2/18/20	NOTICE OF FILING/TRANSCRIPT	426
2/18/20	DEFENDANT'S RESPONSE TO NOTICE OF FAILURE TO COMPLY WITH T.R.A.P. RULE 24, RESPONSE TO MOTION TO DISMISS, AND RESPONSE TO ADMINISTRATIVE ORDER BY THE COURT OF APPEALS	427-709

FILED/ENTERED DATE	INDEX EXTENDED – TO DIFFERENTIATE HUSBAND'S DOCUMENTS, PROVIDING CONTEXT AND CLARITY.	PAGE
6/4/2019	COMPLAINT FOR DIVORCE **(ATTORNEY VIRGINIA LEE STORY #48419B).**	1-4
6/4/2019	TEMPORARY RESTRAINING ORDER.	5
6/11/2019	AFFIDAVIT OF LORI POLK.	6-8
6/20/2019	PETITION FOR ORDER OF PROTECTION AND ORDER FOR HEARING.	9-29
6/20/2019	TEMPORARY ORDER OF PROTECTION. **(28 U.S.C. § 455 (a),(b)(1))**	30-32
6/20/2019	MOTION TO DEEM HUSBAND SERVED.	33-40
7/17/2019	MOTION TO SELL THE MARITAL RESIDENCE. **VIOLATED FRBP RULE 7001 PART VII (1),(2),(3), 11 U.S.C. § 363(b)(1), 11 U.S.C. §363(h), 11 U.S.C. § 541, 11 U.S.C. §§ 1203-1208, 28 U.S.C. §§ 1334-1335, 18 U.S.C. §§ 153-158, 18 U.S.C. §§ 241-242, 18 U.S.C. § 1951, 42 U.S.C. §§ 12202-12203 (a),(b),(c),** TCA § 39-16-403, TCA § 39-16-507, **U.S. Const., amend. I, II, IV, V, VII, VIII, XIV.**	41-44
7/29/2019	HUSBAND'S RESPONSE TO WIFE'S MOTION TO SELL MARITAL RESIDENCE. **(SEE R.v1, PAGES: 45, 46:3, 46:6, 47:7, 47:8, 48:9, 48:10, 50:14, 50:16.)**	45-106
8/13/2019	ORDER EXTENDING EX-PARTE TEMPORARY ORDER OF PROTECTION.	107-109
8/14/2019	EX PARTE ORDER OF PROTECTION EXTENDED PENDING FINAL HEARING AND ORDER GRANTING MOTION TO SELL MARITAL RESIDENCE BY AUCTION. **(18 U.S.C. §§ 241-242, 18 U.S.C. § 1951, 42 U.S.C. §§ 12202-12203)**	110-112
8/15/2019	MOTION FOR VIOLATION OF THE EX PARTE ORDER OF PROTECTION AND FOR DATE CERTAIN FOR WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING ORDER. **(18 U.S.C. §§ 241-242, 18 U.S.C. § 1951, 42 U.S.C. §§ 12202-12203)**	113-118
8/29/2019 **ANY AND ALL POSSIBLE JURISDICTION TERMINATED UPON WRONGFUL EVICTION, FORCING HUSBAND TO RELOCATE TO MICHIGAN!**	**HUSBAND'S RESPONSE AND COUNTERMOTION** TO WIFE'S MOTION FOR VIOLATION OF THE EX PARTE ORDER OF PROTECTION AND FOR DATE CERTAIN FOR WALK THROUGH OF HOUSE AND MOTION FOR SCHEDULING ORDER **(AKA HUSBAND'S "ONE AND DONE": EMERGENCY AD HOC ANSWER & COUNTER TO ALL COMPLAINTS, INCLUDING DIVORCE, WITH SELF-EXPLANATORY EXHIBITS).**	**119-380** **NOT ONE WORD USED IN HUSBAND'S DEFENSE**
8/29/2019	ORDER/EXTEND ORDER OF PROTECTION, RESET MOTION, WAIVE MEDIATION, SET FINAL HEARING, ETC. **(18 U.S.C. §§ 241-242, 18 U.S.C. § 1951)**	381-383
8/29/2019	ORDER EXTENDING EX PARTE/TEMPORARY ORDER OF PROTECTION.	384-386
9/20/2019	**PROTECTED INCOME AND ASSETS.**	387-391
9/26/2019	**MOTION TO SELL REMAINING CONTENTS OF MARITAL RESIDENCE: FRAUD! (DESPITE 8/29 PROMISES IN COURT AND TN PROTECTED INCOME & ASSETS.)**	392-399
10/10/2019	NOTICE OF FILING/ORDER ENTERED BY THE U.S. BANKRUPTCY COURT.	400-402
10/10/2019	ORDER/MOTION TO SELL REMAINING CONTENTS - MARITAL RESIDENCE.	403-404
10/21/2019	ORDER OF PROTECTION **(FALSE CLAIMS, DEPRIVED OF HEARING, DEFAULT)**	405-410
10/21/2019	AFFIDAVIT OF VIRGINIA LEE STORY **(FAILS TO DISCLOSE CRITICAL CONTENTS OF HUSBAND'S LETTER – FRAUDULENT BY RPC DEFINITION).**	411-415
10/28/2019	FINAL DECREE OF DIVORCE **(DEFAULT ORDER – WITHOUT NOTICE OR MOTION, BASED UPON ATTORNEY STORY'S FRAUDULENT AFFIDAVIT).**	416-423
11/20/2019	NOTICE OF APPEAL.	424-425
2/18/2020	**NOTICE OF FILING/TRANSCRIPT (FOR 8/1/2019 HEARING IN CHANCERY).**	426
2/18/2020	DEFENDANT'S RESPONSE TO NOTICE OF FAILURE TO COMPLY WITH T.R.A.P. RULE 24, RESPONSE TO MOTION TO DISMISS, AND RESPONSE TO ADMINISTRATIVE ORDER BY THE COURT OF APPEALS.	427-479

2/18/2020	HUSBAND'S QUALIFIED DISABILITY DOCUMENTS FROM LOCAL PHYSICIANS.	**480-494**
**** 2/18/2020 ****	**8/29/2019 TRANSCRIPT OF EVIDENCE FROM CHANCERY HEARING ⟶**	**495-523**
**** 2/18/2020 ****	**8/01/2019 TRANSCRIPT OF EVIDENCE FROM CHANCERY HEARING ⟶**	**524-565**
2/18/2020	**WIFE'S ARSENAL, FIREARMS TRAINING RESUME, LICENSES,** DEFENSIVE HANDGUN INSTRUCTOR, CARRY PERMIT, CITIZENS POLICE ACADEMY, SITUATIONAL AWARENESS, RAPE & PEPPER SPRAY CERTIFIED TRAINER.	**566-594**
2/18/2020	**WIFE PROMISES TO PAY ALIMONY,** SETTLEMENT PROPOSITIONS, HOUSE NEGOTIATIONS, **CONCERNS ABOUT TRUMP TAX REFORM. HUSBAND OFFERED TO LET WIFE KEEP THE HOME, WIFE DECLINED.** MET WITH HUSBAND'S THERAPIST – **WIFE WANTED TO REMAIN FRIENDS AFTER DIVORCE.** CHRISTMAS AND BIRTHDAY GIFTS. **ROOMMATE ANNOUNCEMENT AND INCOME** (WIFE HAPPY) **$500 DECREASE IN SUPPORT NEEDED FROM WIFE** (TO START). **SHOULD ALLOW BOTH PARTIES TO CASHFLOW** FOR THE FIRST TIME SINCE WIFE LEFT.	**595-619**
2/18/2020	11/5/2018 MUTUAL VOLUNTARY NON-SUITS FOR WILCO DOCKET #47426.	**620-629**
2/18/2020	**10/30/2018 HUSBAND'S PRO SE ANSWER AND COUNTER COMPLAINT** FOR DIVORCE, DOCKET #47426, IN WILLIAMSON COUNTY CHANCERY COURT.	**630-644**
2/18/2020	AMICABLE NEGOTIATIONS – PUT #47426 DIVORCE ON HOLD.	**645-655**
2/18/2020	**10/27/2018 VERBAL SETTLEMENT AGREEMENT BASED ON ALIMONY** PAID TO HUSBAND BY WIFE IN THE AMOUNT **OF $1,750 PER MONTH FOR A DURATION OF 6-YEARS** (22.5% OF WIFE'S GROSS INCOME FOR HALF THE DURATION OF MARRIAGE), AS ADVISED WAS FAIR BY SANDY ARONS, MBA.	**656-661**
2/18/2020	**10/12/2018 WIFE INVITED HUSBAND TO HER APARTMENT, PROVIDED HUSBAND WITH HER ADDRESS AND DIRECTIONS.**	**662-665**
2/18/2020	**9/28/2018** WIFE'S FIRST COMPLAINT FOR DIVORCE WITH **ATTORNEY EDWARD PORTER** IN WILLIAMSON COUNTY CHANCERY **DOCKET #47426.**	**666-674**
2/18/2020	**8/30/2018 WIFE'S PROPOSED MDA, WORKING WITH SANDY ARONS, MBA, THE COLLABORATIVE DIVORCE PROFESSIONAL WE HIRED TOGETHER.**	**675-676**
2/18/2020	COLLABORATIVE DIVORCE EFFORTS.	**677-681**
2/18/2020	**WIFE'S VOLUNTARY BUDGET TO SUPPORT BOTH HOUSEHOLDS** THROUGH 2018. THE MARITAL RESIDENCE PLUS A SEPARATE APARTMENT FOR WIFE. (AT LEAST THROUGH HER INITIAL 14-MONTH LEASE.)	**683-684**
2/18/2020	**4/22/2018 WIFE LEFT UNANNOUNCED** DURING ARGUMENT; WITH WCSO ESCORT. WIFE HAD ALREADY SECRETLY APPLIED FOR AN APARTMENT, AWAITING APPROVAL. **(WIFE BROKE PROMISE AND DECIDED TO FILE FOR A CONTESTED DIVORCE IMMEDIATELY, WHILE CLAIMING SHE WOULD PURSUE MARRIAGE COUNSELING, <u>AT THE SAME TIME</u>.)** WIFE ESTIMATED A CONTESTED DIVORCE WOULD TAKE 1.5 YEARS, BELIEVING THAT IF BOTH WERE DONE SIMULTANEOUSLY, THEN WITHIN 1.5 YEARS EITHER THE MARRIAGE WOULD BE HEALTHY OR DISSOLVED. HUSBAND FOUND DECISION ABSURD & COUNTERPRODUCTIVE, PAYING TO BOTH HEAL & DESTROY MARRIAGE SIMULTANEOUSLY. WCSO DEP. WARREN P. CAGLE (2265) **"SPOKE TO BOTH PARTIES INVOLVED AND CONCLUDED THAT THE DISPUTE WAS VERBAL ONLY."** (CASE: 2018-9643). **NO LAWS BROKEN.**	**685-686**
2/18/2020	**3/3/2018 WIFE SENT TEXT TO HUSBAND ANNOUNCING SHE SECRETLY DECIDED TO GET A DIVORCE,** HAD ALREADY HIRED AN ATTORNEY, AND SIGNED THE DIVORCE PAPERS THAT DAY. **NEVER EVEN CONSIDERING DISCUSSING IT WITH HUSBAND** OR THE POSSIBILITY OF AN AMICABLE DIVORCE, **TO SAVE BOTH PARTIES FROM LOSING EVERYTHING.**	**687-709**

FILED
WILLIAMSON COUNTY
CLERK & MASTER
2023 OCT 4 PM 3:34

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE
AT FRANKLIN

[redacted])
Plaintiff/Wife,)
FILED FOR ENTRY)
v.) No. 48419 B
)
JEFFREY RYAN FENTON,)
Defendant/Husband.)

COMPLAINT FOR DIVORCE

Plaintiff, makes the following complaint for absolute divorce against, Defendant, and states as follows:

I.

Pursuant to Tenn. Code Ann. §36-4-106(b), Plaintiff has filed under seal the parties' statistical information, and further provides as follows:

Husband		**Wife**
Jeffrey Ryan Fenton	**Full Name (and Maiden)**	**Fawn [redacted] Fenton** [redacted]
1986 Sunny Side Drive Brentwood, TN 37027	**Mailing Address**	[redacted] **Brentwood, TN 37027**
24 years	**Length of Residence in TN**	**20 years**
October 8, 1969 Washington	**Date and Place of Birth**	**January 22, 1973 Nevada**
Caucasian	**Race**	**Caucasian**
3	**Number of this marriage**	**2**
Divorce	**How did prior marriages end**	**Divorce**
12	**Years of Education**	**16**
Unemployed	**Employer Name and Address**	**Adkisson & Associates Architects, Inc. 3322 West End Avenue, Suite 103 Nashville, TN 37203**

The parties were married on October 16, 2005 in Davidson County, Tennessee.

Plaintiff has resided in the State of Tennessee more than six (6) months preceding the filing of this complaint. The acts complained of were committed while the Plaintiff was a bona fide resident of Tennessee.

II.

There are no children born of this marriage.

III.

Plaintiff would show that the parties have been experiencing difficulties in their marriage and all attempts at reconciliation have failed, thus rendering the marriage irreconcilably broken. Plaintiff requests that she be granted a divorce based on the grounds of irreconcilable differences, or in the alternative, if the parties are unable to reach an amicable agreement, then Plaintiff requests that she be granted a divorce on grounds of inappropriate marital conduct.

IV.

Plaintiff would show that the parties have no assets other than personal property which has been divided with the exception of a few items. Husband and Wife have lived separately since April 2018. Husband refuses to work and has not paid the mortgage payment or assisted with the mortgage payment or the bills of the home. Wife has spoken to Husband and made every attempt to have the house listed and Husband previously agreed in 2018 but then refused. Wife cannot continue to pay the mortgage payment and allow Husband to stay in the house without financial help. Husband has rented two of the bedrooms out and he retains the rent. Husband ran up over $10,000 in credit card debt in Wife's name. Wife has now had to file bankruptcy to manage the debt accrual which debt all in her name as Husband has not any credit since 2016. Wife requests that the house be sold immediately. Wife requests that she be awarded her attorney's fees.

WHEREFORE, Plaintiff prays for the following relief:

1. That Defendant be served and required to answer within the time allowed by law, his oath being waived.

2. That Plaintiff be awarded an absolute divorce from Defendant and be restored to all the rights and privileges of an unmarried person.

3. That the Court approve a Marital Dissolution Agreement, if entered into between the parties; or, in the alternative if the parties cannot reach an agreement, that the Court make an equitable distribution of the parties' real and personal property and the parties' debts.

4. That the Plaintiff be awarded reasonable attorneys fees; and that costs be taxed to Defendant.

5. For all other relief this Court may deem proper.

Respectfully submitted,

Virginia Lee Story, #11700
Kathryn L Yarbrough, #32789
Attorneys for Plaintiff
136 Fourth Avenue South
Franklin, TN 37064
(615)-790-1778
virginia@tnlaw.org
kyarbrough@tnlaw.org

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

I, Fawn [redacted] Fenton, after first being duly sworn in accordance with the law make oath that I am the Complainant in the foregoing Complaint for Absolute Divorce and that the facts stated therein are true and correct to the best of my knowledge, information and belief and that the Complaint is not made out of levity or by collusion with the Defendant, but out of sincerity and truth for the causes alleged in the Complaint.

FAWN TIFFANY FENTON

Sworn to and subscribed before me on this 4 day of June, 2019.

Notary Public
My commission expires: 9-24-22

VIRGINIA K. STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY

IN THE CHANCERY COURT OF WILLIAMSON COUNTY, TENNESSEE

WILLIAMSON CO. CLERK & MASTER
2019 JUN -4 PM 3: 35

Fawn Tiffany Fenton)
vs.)
Jeffrey Ryan Fenton) NO. 48419B

FILED FOR ENTRY 6/4/19

TEMPORARY RESTRAINING ORDER

Pursuant to T.C.A. § 36-4-106 (d), it is hereby ORDERED as follows:

1. Each party is hereby restrained and enjoined from transferring, assigning, borrowing against, concealing or in any way dissipating or disposing of any marital property without permission of the Court or by consent order.
2. Expenditures from current income to maintain the marital standard of living and usual and ordinary costs of operating a business are not restricted by this injunction. Each party shall maintain records of all such expenditures and provide copies to the other party upon request.
3. Each party is restrained and enjoined from voluntarily canceling, modifying, terminating, assigning or allowing to lapse for non-payment of premiums any insurance policy of a party or in which a party or child of the parties has an interest without permission of the Court or by consent order.
4. Each party is restrained and enjoined from harassing, threatening, assaulting or abusing the other party and from making disparaging remarks about the other party to or in the presence of any children of the parties or to an employer of a party.
5. Each party is restrained and enjoined from hiding, destroying or spoiling, in whole or in part, any evidence electronically stored or on computer hard drives or other memory storage devices
6. Each party is restrained and enjoined from relocating any children of the parties outside the State of Tennessee or for more than 50 miles from the marital home without permission of the Court or by consent order, except in the case of a removal based upon a well-founded fear of physical abuse against either the fleeing parent or the child. In such latter case, upon the request of the non-relocating parent, the Court will conduct an expedited hearing to determine the reasonableness of the relocation and to make such other orders as appropriate. Nothing herein shall preclude the Court from revising, modifying or expanding the terms of this order pursuant to T.R.C.P. 65.07.

Entered this 4 day of June, 2019.

Deanna B. Johnson
Chancellor

Clerk's Certificate of Service

I hereby certify that a true and exact copy of the foregoing Order has been mailed or delivered to all parties and/or counsel of record.

This the 4 day of June, 2019.

Jacqueline Edwards
Clerk and Master

TKE

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE
AT FRANKLIN

2019 JUN 11 PM 1:04
CLERK & MASTER

FILED FOR ENTRY_____

FAWN [redacted] FENTON, Plaintiff/Wife,	)	
v.	)	**No. 48419B**
JEFFREY RYAN FENTON, Defendant/Husband.	)	

AFFIDAVIT OF LORI POLK

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Comes now, LORI POLK, after being duly sworn, does state as follows:

1. I am over 18 years of age and have personal knowledge of the facts set forth herein.

2. I am a private process server in the State of Tennessee.

3. On June 5, 2019, I was retained by Virginia Story to personally serve the Summons and Complaint in the above-captioned matter on Defendant, Jeffrey Ryan Fenton.

4. On June 5, 2019 at 7:49 p.m., I went to Mr. Fenton's home address located at 1986 Sunny Side Drive, Brentwood, TN 37027 to personally serve Mr. Fenton with the Summons and Complaint. I knocked on Mr. Fenton's front door and got no answer. The lights were on inside the house. I knocked on the back door of the residence and got no answer. Some lights came on at the back of the property. I noticed that the property is under video and audio surveillance.

5. On June 6, 2019 at 1:34 p.m., I went to Mr. Fenton's home again to serve the papers. I could not approach the front door as the access to the stairs leading up to the front door and porch was newly chained and had a sign posted stating "No Entry."

6. On June 8, 2019 at 9:04 a.m., I went to Mr. Fenton's home again to serve the papers. I walked partially up the driveway towards the residence and noticed a sign posted on the property. Attached is copy of a photograph of the sign. From both the No Entry sign by the front door and the sign next to the driveway posted by the occupant, it is my belief that Mr. Fenton is avoiding service.

6

D

Further Affiant saith not.

Lori Polk
LORI POLK

Sworn to and subscribed before me on this 11th day of June, 2019.

HEIDI L. MACY
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

Heidi L. Macy
Notary Public
My commission expires: 6-19-22

FENTON RESIDENCE
1986 Sunny Side Drive
INVITED FRIENDS & WILDLIFE WELCOME!
~ ALL OTHERS ~
STOP
NO TRESPASSING
(U.S. Const. amend. IV / T.C.A. §§ 39-14-405--39-14-407)
DELIVERIES: Please Leave at the Garage.
VISITORS: Confirmed Appointment Required in Advance.
EMERGENCIES: Ambulance & Fire Services Permitted to Protect Life and Property.
ALL OTHER IMPLIED LICENSE TO ENTER IS HEREBY REVOKED.
NO ENTRY to LAW ENFORCEMENT
"Knock-and-Talk" is expressly Forbidden.
Please Don't Proceed Past the Ditch
unless invited onto this property by the owner, or meeting the conditions above.
WHY SO VERBOSE? See what IN COURTS have DONE: www.TennesseeTrespassing.com
Audio & Video Surveillance in Use:
Violators will be Held Jointly & Legally Accountable.

48419 BF

RECEIVED BY
Judges' Chambers
Date: 6-20-19

Case # (the clerk fills this in):
FILED
WILLIAMSON CO.
CLERK & MASTER
2019 JUN 20 AM 8:39

Petition for Order of Protection and Order for Hearing

In the Chancery_____ Court of Williamson_____ County, TN

FILED FOR ENTRY 6/20/19

Petitioner's name: *(person needing protection)*
(List Child's name if filed on behalf of person under 18 years of age pursuant to TCA §36-3-602)

WARRANTS

FAWN [redacted] FENTON

first *middle* *last*

JUN 20 2019

RECEIVED

Check if Applicable:

☐ Petitioner is under 18 and this Petition is being filed on behalf of an unemancipated person (someone under 18 years of age) pursuant to TCA §36-3-602. *This request is being made by* _____ *who is ☐ child's parent or ☐ legal guardian or ☐ a caseworker.*

☐ This request is being made by a law enforcement officer pursuant to TCA §36-3-619.
Person on whose behalf this Petition is filed consents in writing to the filing and signs here

➡ _____

****PETITIONER'S CHILDREN UNDER 18 THAT PETITIONER BELIEVES ARE IN NEED OF PROTECTION:**

Name	Age	Relationship to Respondent	Name	Age	Relationship to Respondent
1.			3.		
2			4.		

Respondent's Information *(person you want to be protected from):*

JEFFREY RYAN FENTON 10/08/1969
first *middle* *last* *date of birth (MM/DD/YYYY)*

1986 SUNNYSIDE DR BRENTWOOD TN 37027
street address *city* *state* *zip*

Respondent's Employer: UNEMPLOYED
Employer's name *Employer's phone #*

Describe Respondent:

Sex	Race	Hair	Eyes	Height – Weight – SSN – Other	
☒ Male ☐ Female	☒ White ☐ Asian ☐ Black ☐ Hispanic ☐ Other: _____	☒ Black ☒ Grey ☐ Blond ☐ Bald ☐ Brown ☐ Other: _____	☐ Brown ☐ Hazel ☒ Blue ☐ Green ☐ Gray ☐ Other: _____	Height	5'9"
				Weight	240
				Social Sec. #	(Provided to Clerk's office if known) **Do not list it here. XXXXXXXXXXXXXXXXXXXX**
				Scars/Special Features	
				Phone Number	615-837-1301 (Cell) 615- 837-1300 (Home)

RETURN TO CLERK & MASTER

Called 6/21 @ 16:00 LeFT message

K

① Check all of the following that apply to the Petitioner:

Warning!
☐ Weapon involved
☒ Has or owns a weapon

a. ☒ We are married or used to be married.
b. ☒ We live together or used to live together.
c. ☐ We have a child together.
d. ☐ We are dating, used to date, or have had sex.
e. ☐ We are relatives, related by adoption, or are/were in-laws. *(Specify):* _____
f. ☐ We are the children of a person whose relationship is described above *(Specify):* _____
g. ☒ The Respondent has stalked me.
h. ☐ The Respondent has sexually assaulted me.
i. ☒ Other: Harassment by text messages, e-mails - voicemail, Harrakneedme

W3

② List all children under 18 that you have: (none)

* ☐ *Check here if listing addresses would put you or your child in danger. If so, leave any spaces for addresses blank.*

Name of Child	*Age*	*Is Respondent the parent of the child? (Write "yes" or "no")*	*Does the child need to be protected from the Respondent?*	*Child's address*

③ Where else have the children (that you and Respondent have together) lived during the last 6 months?

Children's previous addresses	Who did they live with at this address?

④ **Other Court Cases –** Is there any court, other than this court, in which the respondent and petitioner are parties to an action? (including cases in which the parties have children in common)

☒ Yes ☐ No If "Yes," fill out below:

County and State of other case: Williamson TN

Case Number (if you know it): Current 48419B

Kind of case *(check all that apply):* ☒ Divorce ☐ Domestic Violence ☐ Criminal ☐ Juvenile ☐ Child Support ☐ Other *(specify):* _____

⑤ **Custody Rights** – Does anyone besides you or the Respondent claim to have custody or visitation rights to the children that you and Respondent have together? ☐ Yes ☐ No If "Yes," who?

Name Address

⑥ **Describe Abuse – (use additional sheets of paper if necessary and attach to Petition)**

Describe abuse, stalking or assault (include, IF APPLICABLE, information about abuse or fear of abuse to your child(ren), personal property or animals)
See attached.
Where and when did this happen?
Describe any weapons used.

I ask the court to make the following Orders after the hearing: (check all that apply)

⑦ ☒ **No Contact**
Please order the Respondent to not contact: ☒ me ☐ our children under 18, either directly or indirectly, by phone, email, messages, text messages, mail or any other type of communication or contact.

⑧ ☒ **Stay Away**
Please order the Respondent to stay away from ☒ my home ☒ my workplace or ☒ from coming about me for any purpose.

⑨ ☒ **Personal Conduct**
Please order the Respondent not to:
☒ Cause intentional damage to my property or interfere with the utilities at my home.
☒ Hurt or threaten to hurt any animals that I/we own or keep.

⑩ ☐ **Temporary Custody**
Please give me temporary custody of our children.

⑪ ☐ **Child Support**
Please order the Respondent to pay reasonable child support.

⑫ ☐ **Petitioner Support (if married)**
Please order the Respondent to pay reasonable spousal support.

⑬ ☐ **Move-out / Provide other housing**
Please order the Respondent to *(check one)*: ☐ move out of our family home immediately or ☐ provide other suitable housing (if married)

☐ *Check here if your home or lease is in the Respondent's name* ***only***.

☐ If the parties share a residence, please allow the Respondent to obtain his/her clothing and personal effects such as medicine and other things he/she may need.

⑭ ☒ **Counseling/Substance Abuse Programs**
Please order the Respondent to go to a certified batterers' intervention program if one available in the area or a counseling program.

⑮ ☑ **No Firearms**
Please order the Respondent not to have, possess, transport, buy, receive, use or in any other way get any firearm.
List all firearms that you believe the Respondent owns, controls, or has access to:

Type of Firearm (Pistol, Rifle, etc.)	*Location*
SigArms P220	
Glock 27	
Kel-Tec P3AT	
IWI Galil ACE, Mosberg Shotgun	

⑯ ☒ **Animals / Pets**
Please give me custody and control of any animal owned, possessed, leased, kept or held by me, ~~the Respondent, or the children listed above~~.

⑰ ☑ **Costs, fees, and litigation taxes**
Please order the Respondent to pay all court costs, lawyer fees, and taxes for this case.

⑱ ☐ **Transfer the billing responsibility for and rights to wireless telephone number(s)**
Please issue an order directing _____, a wireless telephone service provider, to transfer the billing responsibility for and rights to the wireless telephone number or numbers of petitioner since petitioner is not the account holder.

Current account holder (name): _____

Billing telephone number: _____

New account holder *(name)*: _____

All telephone numbers to transfer to new account holder:

Telephone number *(include area code)*: _____

Telephone number *(include area code)*: _____

Telephone number *(include area code)*: _____

Telephone number *(include area code)*: _____

☐ Check box to include attachment with additional telephone number(s).

If the judge makes this order, you will be financially responsible for the transferred wireless telephone number or numbers, including the monthly service costs and costs of any mobile device associated with the wireless telephone number or numbers. You may be responsible for other fees. You must contact the wireless service provider to find out what fees you will be responsible for and whether you are eligible for an account.

(19) ☐ **Other Orders:** (*General Relief*) _____

I also ask the court to:

1. Make an immediate Temporary Order of Protection. (*Ex-Parte Order of Protection*)
2. Notify law enforcement in this county of that Order.
3. Serve the Respondent a copy of that *Order* and Notice of Hearing to take place within 15 days of service.
4. Serve a copy of the Request, Notice of Hearing and Temporary Order on the parents of the Petitioner (if the Petitioner is under 18 years of age) unless the Court finds that this would create a serious threat of serious harm to the Petitioner. *T.C.A. §36-3-605 (c)*

Petitioner (parent/legal guardian/caseworker/law enforcement personnel) signs below in front of a notary public and swears that he/she believes the above information is true:

➡ Jane T. Jenkins Date: 19 Jun 2019

Notary fills out below (TCA §36-3-602) –

I declare that the Petitioner has read this Petition, and swears it be true to the best of her/his knowledge.

Sworn and subscribed before me, the undersigned authority,

By *(Print name of notary)*: Alejandra Anderson

On this date: 06/20/2019

ALEJANDRA ANDERSON
TENNESSEE NOTARY PUBLIC
COUNTY OF WILLIAMSON

Notary or Court Clerk or Judicial Officer signs here *Date notary's commission expires*

☑ **The court finds good cause and will issue a Temporary Order of Protection.**

23 6/20/19 23.

Michael W. Binkley
Circuit Court Judge/Chancellor
21st Judicial District, Division III

☐ **The court does not find good cause and denies a Temporary Order of Protection -** The court finds there is no immediate and present danger of abuse to the petitioner and denies the Petitioner's request for a *Temporary Order of Protection.* The court will set the matter for hearing.

ORDER FOR HEARING

The Petitioner and Respondent must go to court and explain to the judge why the judge should or should not issue an Order of Protection against the Respondent.

This hearing will take place on *(date):* 6/27/19 at *(time):* 9:00 ☒ a.m. ☐ p.m.
at *(location):* 135 4th Ave. South Franklin, TN 37064

Judicial Officer's-signature Date 6/20/19

Michael W. Binkley
Circuit Court Judge/Chancellor
21st Judicial District, Division III

Proof of Service of Petition, Notice of Hearing and Temporary Order of Protection:	**If the Petitioner is under 18 (and Petitioner is a social worker filing on behalf of a minor)** and service of these documents would *not* put him/her at risk, the Clerk will serve and fill out below. (TCA § 36-3-605(c))
Respondent was served on *(date):* 6/20/2019 at *(time):* 1828 by *(check one):* ☒ Personal service ☐ U.S. Mail per TCA §§ 20-2-215 and 20-2-216 (The Respondent does not live in Tennessee.) Server's signature Dep. Greg Wilhelm Print Name Petitioner was served on *(date):* _____ at *(time):* _____ by *(check one):* ☐ Personal service Server's signature Print Name	*I served the child's parents of copies of the Petition, Notice of Hearing, and Temporary Order of Protection by personal delivery or U.S. Mail* on: *(date):* _____ at *(address):* _____ Clerk's signature: _____

Notice to the Respondent about Firearms

If the court grants the Petitioner's request for a Protective Order:

☑ You will not be able to have a firearm while this or any later protective order is in effect. You will have to transfer all firearms in your possession within 48 hours to any person who is legally allowed to have them. *18 U.S.C. §922(g)(8), TCA §36-3-606(f), TCA §36-3-625.*

☑ You will not be allowed to buy a firearm until the court says otherwise.

My name is Fawn Fenton and I have been married to Jeff Fenton for 13 years. Jeff and I have been separated since April 22, 2018 and I have not seen him since sometime in April when we met to file our taxes. Prior to that I had not seen him since December 2018. I filed for divorce on June 4, 2019.

I am in fear for my safety based on the repeated harassment that has continued to occur. Over the last several weeks Jeff has sent me numerous text messages and lengthy e-mails talking about his intentions on ruining my life, causing me issues with my employer and clients at work, ruining my credit and financially ruining me. As a result of Jeff's continued verbal and emotional abuse and deliberate non-cooperation, I have filed for bankruptcy to preserve my finances. Upon finding out about the bankruptcy petition, Jeff became enraged and his incessant texts and e-mails have been upsetting and vindictive. Just as an example, from June 12 through June 16, Jeff sent me 12 e-mails all of substantial length, describing how he plans on ruining my life. I am attaching just a snapshot of my email account showing the number of e-mails sent from June 12-16. The length of the emails would be too long to attach; however, I have saved them all. In addition, Jeff continues to send me numerous text messages, some very lengthy. In some of the texts he uses derogatory language, calling me a "bitch." On June 14, 2019 he sent me 8 text messages within in less than 40 minutes. The next day, June 15, 2019 he sent me 16 text messages over the course of 4 hours, several of which were extremely lenthy. I have asked Jeff on several occasions to stop e-mailing and texting me, however, he continues to repeatedly harass me. At this point all of his communication to me is not consensual and I have relayed this to Jeff multiple times. On June 15, 2019 Jeff left me a voicemail on my cell phone stating that if I did not call him back or respond to his emails or text messages that he was going to "show up at my work or apartment to try to get some information out of me." I am fearful that he will actually show up at my work, as he has done so in the past and has sabotaged my work e-mails. Jeff has been employed in IT and is very tech savvy. In the past he was able to remotely log into my work computer and delete all e-mails that had his name in them. My company has already spent a considerable amount of money hiring a new IT support team to try and close loopholes and delete Jeff's access to our system, but we are still finding settings that reference Jeff's settings or route to his e-mails. Jeff has also threatened to post derogatory comments anonymously on the internet about both myself and my company. This cyber stalking could potentially cost me my job and career. I am fearful for what he may try to do now that I have filed for divorce and am not responding to his threats.

On June 16, 2019 in one of his lengthy e-mails he stated, "I wish we would have had an asteroid fall on our home and kill us (or at least me"), the day before I discovered your plans to divorce me." Jeff is a licensed gun carrier and has many weapons, and I am in fear of what he may to do me if this continues. Jeff refers to himself as a part of the "extraction team" and lives a very paranoid life. He installed extensive home monitoring at our marital residence including surveillance videos and audio recording systems.

The harassment has caused me undue emotional stress and anxiety. I am unable to sleep well, and his harassment is causing trouble in my day to day life. The continued texting and e-mailing are interfering with my ability to perform my job and I fear that if these things continue that I will reach a point of an emotional breakdown.

	To	Subject	Received	
Yesterday				
Fawn Fenton	Jeff Fenton	RE: IRS Claim & Chapter 13 Bankruptcy...	Sun 6/16/2019 4:48 PM	123 KB
Where did you get copies of my bk docs? I have no obligation to communicate with you at all, but I'll clarify a few of your				
Jeff Fenton	Fawn Fenton (fawn.tiffan...	IRS Claim & Chapter 13 Bankruptcy (W...	Sun 6/16/2019 2:02 AM	4 MB
You break my heart! You absolutely refuse to share anything with me. Why was I never notified about the IRS claim for				
Last Week				
Jeff Fenton	Fawn Fenton (fawn.tiffan...	FW: Please DocuSign: Fenton App.pdf ...	Sat 6/15/2019 11:28 PM	95 KB
From: DocuSign System <dse@docusign.net>				
Jeff Fenton	Fawn Fenton; Fawn Fent...	FW: Rothschild & Ausbrooks appointm...	Fri 6/14/2019 6:11 PM	279 KB
Fawn, You simply refuse to work with me in any way. One problem with you filing bankruptcy right now, is that you won't				
Jeff Fenton	Ruth Stockell	RE: Rothschild & Ausbrooks appointm...	Fri 6/14/2019 2:59 PM	94 KB
Hello Ms. Stockell, I had no idea that Fawn was even considering filing for bankruptcy. Thanks. Jeff Fenton				
Jeff Fenton	Fawn Fenton; Fawn Fent...	RE: Sunnyside house	Thu 6/13/2019 1:49 PM	149 KB
Fawn, I was just trying to absolutely guarantee that you received it. My apologies if you are yet more offended, by me				
Fawn Fenton	Jeff Fenton	RE: Sunnyside house	Thu 6/13/2019 1:24 PM	119 KB
I have told you before, do NOT cc: this sort of shit to my work email address.				
Jeff Fenton	Fawn Fenton (fawn.tiffan...	RE: Sunnyside house	Thu 6/13/2019 12:12 AM	255 KB
Fawn Again, besides all that previously stated (below), I will establish for the court how critical having a HOME where I				
Jeff Fenton	Fawn Fenton (fawn.tiffan...	RE: Sunnyside house	Wed 6/12/2019 11:33 PM	238 KB
Fawn, I KNOW that YOU KNOW the information below, as we have discussed it several times. But just to be sure that you				
Jeff Fenton	Fawn Fenton (fawn.tiffan...	Re: Sunnyside house	Wed 6/12/2019 9:32 PM	166 KB
Fawn I have communicated with you on at least a half-dozen occasions my intentions to keep our home indefinitely in				
Jeff Fenton	Fawn Fenton (fawn.tiffan...	RE: Sunnyside house	Wed 6/12/2019 5:35 PM	37 KB
TN just passed a state law prohibiting local ordinances from outlawing short-term rentals but you are required to get a				
Fawn Fenton	Jeff Fenton	Sunnyside house	Wed 6/12/2019 4:47 PM	73 KB
Jeff This is in response to some of your texts and emails recently. NO I am not at all ok with you adding doors or				

From Jeff Fenton (615) 837-1301 To (615) [redacted]	BTW, if you spend another penny on credit from here forward, for a divorce attorney or anything else, it will be irrefutable fraud. The reason being, that YOU CLEARLY BORROWED THE MONEY (and spent it) with ABSOLUTELY NO INTENTIONS OF EVER REPAYING IT! (Since you've already hired a bankruptcy attorney, which I've received multiple documented, time and date stamped, communications about today. Both on telephone answering machines, and via email.) Does you family KNOW about this? Your mom will get notices in the mail, because you are on some of her credit cards. Hopefully you thought through all of that.	Jun 14, 2019 18:37
From Jeff Fenton (615) 837-1301 To (615) [redacted]	I'm shocked! Especially at your timing! When we aren't even at the 50 yard line yet with our divorce.	Jun 14, 2019 18:39
From Jeff Fenton (615) 837-1301 To (615) [redacted]	So in ONE-YEAR of managing our finances by YOURSELF, you literally ushered yourself into bankruptcy! While critically accusing me of "poor stewardship!" The blindness of hypocrisy!	Jun 14, 2019 18:42

From Jeff Fenton (615) 837-1301 To (615) [redacted]	To qualify for bankruptcy, you must be able to show that your debt far exceeds your ability to pay. Your debt and income levels are the main factors in qualifying for either a reorganization or liquidation. Fawn: It doesn't look to me like you QUALIFY for bankruptcy currently. Is that why you wanted to force your car insurance rates increase so much? You need to be legally careful about this too! (Perjury/Fraud). You may have qualified for a little while when you had negative cash-flow, but NOW you don't have negative cash-flow anymore. Instead, according to the numbers you gave me a few weeks ago, you should have a positive cash flow of $400 - $500 per month currently, which you could use to pay down your debt. That explains the long delay, lack of excitement, and anger which you showed when I informed you that I had transferred the utilities into my name and taken over paying for them. Now you are ethically on THIN ICE, once again!	Jun 14, 2019 19:05
From Jeff Fenton (615) 837-1301 To (615) [redacted]	Remember all the personal property which you "signed for", when you moved-out of the house too.	Jun 14, 2019 19:08
From Jeff Fenton (615) 837-1301 To (615) [redacted]	You can't keep what is closest to your heart, while taking what is closest to mine!	Jun 14, 2019 19:09
From Jeff Fenton (615) 837-1301 To (615) [redacted]	If you won't tell me if you've stayed current on the first and second mortgages here, then I'm calling both BCS and BOA, to explain the situation, and inquire. So please just tell me honestly, so that we won't need to go through that inconvenience.	Jun 14, 2019 19:15
From Jeff Fenton (615) 837-1301 To (615) [redacted]	Or embarrassment.	Jun 14, 2019 19:15

From Jeff Fenton (615) 837-1301 To (615) [redacted]	[Attachment 1] Long message.txt	Jun 15, 2019 01:01
From Jeff Fenton (615) 837-1301 To (615) [redacted]	All progress here just stopped, until we know it is safe to continue.	Jun 15, 2019 01:09
From Jeff Fenton (615) 837-1301 To (615) [redacted]	You're going to ruin the rest of my life, aren't you?	Jun 15, 2019 02:43
From Jeff Fenton (615) 837-1301 To (615) [redacted]	[Attachment 2] Long message.txt	Jun 15, 2019 04:05
From Jeff Fenton (615) 837-1301 To (615) [redacted]	[Attachment 3] Long message.txt	Jun 15, 2019 04:06
From Jeff Fenton (615) 837-1301 To (615) [redacted]	Yet regardless, the clock is ticking and you are as determined as ever. That breaks my heart! That I let someone in so far, who then chose to hurt me so bad. Neither of our lives shall ever be the same!	Jun 15, 2019 04:07
From Jeff Fenton (615) 837-1301 To (615) [redacted]	And FOR what?	Jun 15, 2019 04:07
From Jeff Fenton (615) 837-1301 To (615) [redacted]	WHY is this an acceptable or even the desired conclusion for you? What happened to your FAITH? What happened to THE TRUTH PROJECT? What happened to iMARRIAGE? What happened to "NO EXPECTATIONS!"? WHAT HAPPENED TO MY TOOTIE?	Jun 15, 2019 04:11

1. Long message.txt

Now that I told my tenants about you filing bankruptcy, they are freaking out and are "keeping their eyes open" for another place to live.
The financial relief that I'm giving you right now, of around $1k per month, is holding nothing back for myself. If either one of my tenants bale, then I'll need more financial help from you to survive until both our bankruptcies and the divorce are finalized.
My tenants want to know if you are filing Chapter 7 or Chapter 13?
Are the mortgages paid current?
Are you including dumping our home in your bankruptcy?
They need reassurance, if you want their continued financial help.
Nobody is interested in living without any security, which is how you like to keep everyone who in any way depends upon you.
Are we transferring the utilities and car insurance back to you, and having you pay for my consumables again? I have no cash flow except for my tenants, which you are threatening now.
We need you to let us know what you are doi
ng, what you have planned now with this property, and how long we have to live here before it is all yanked away again?
Otherwise I want to trade you AGAIN for an apartment, and we can let this house go!
Otherwise I'll have no choice but an interim order, in order to survive.
Everything I do to try to help, you sabotage! If you continue to refuse to let me know where we stand, then I'll have no choice but to start calling your creditors and to file litigation to get answers, within the next week.
Chris asked me to just ASK YOU what is going on, what he can rely upon, and what he should expect. As I had to explain to him AGAIN, that you REFUSE to communicate, unlike his ex, that you will not allow us to have ANY IDEA until it swallows us upl
It is reaching the point of you becoming financially and legally liable for transgressions reaching far beyond our divorce.
You refuse to allow me to survive without you!
We need some answers please!

2. Long message.txt

You completely sabotaged our marriage, out of nowhere, within a couple of months. Then you ruined your own life, within a single year, filing for bankruptcy, while making the best money of your life (which I got for you). Now you are out to take everything that's left of mine, which I have spent my life working for!
I would be infinitely better off, if I had never met you!
YOU ARE POISON!
I tried to teach you to have HOPE and to DREAM with me. Now you are out to punish me for ever dragging you out of your dreary pit!
I don't know why I've spent so many years trying to protect you from the consequences of the horror which you have become!
You have raped and stolen everything that I ever had! Everything that I once had worked for, a decade before even meeting you! Everything that I spent the past 15 years trying to hold onto, between your volitile mood swings. Then when I had nothing left for you to feed on, you threw me away like yesterday's trash! While claiming not
to have loved me for over a year! What sort of savage are you?
I think you need to be seriously tested for having bi-polar personalty disorder, like your uncle. That is a familial plague, when not treated.
I know of no other reason, for your completely irrational, uncompassionate, self-destructive behavior!
When you once were almost completely logic driven and goal focused like me! Where you didn't GET IN YOUR OWN WAY to success.
Now you are willing to kill yourself and everyone around you, simply to reach something which you had before meeting me, and you were never happy with.
I realized that once you had the house of your dreams (and quit thanking God daily for it), then the aquarium of your dreams, which I should have never allowed, as it sucked the life right out of us, and finally the car of your dreams, while you were more miserable than ever, that NOTHING WAS EVER GOING TO MAKE YOU HAPPY! That you had no clue what you really wanted. That you had betrayed a
decade of my life, trying to give you the desires of your heart, while you were ready to burn it all down within a single day! That I had errored in my pursuits, by seeking to add value to anyone's life other than my own.
Then somehow in YOUR MIND, you became the martyr, as you destroyed everything which we had both spent our lives building!
I have fought and fought, trying to prevent you from destroying everything which we had both worked decades for, in hope's that someday when you are sane again (after menopa

3. Long message.txt

(after menopause), there would be something left to return to. Yet you refuse to allow it! You WON'T leave ANY door open, through which to return!
In a litle over a year, you have completely destroyed both of our lives!
What I sarcastically suggested in jest, upon learning of your betrayal of everything that I loved and lived for; suggesting that we burn our house down, since neither of us was fit or deserving of the labors, life, hopes, and dreams of the other, would now have been far better than where we both stand today!
What a sad and tragic end that your family's pride has brought upon our union.
I hope that at the end of the day, you can look at your tiny apartment at 45 years old, while making almost a hundred grand per year, and thinking that this is as good as it is going to get, for the rest of your life. That your life has already hit its peak and is rapidly in decline. When with me all of our best years were still ahead of us, but you took a hand grenade
to them all!
We needed a surgeons scalpel, and instead you chose a hand grenade.
Now we are both forced to live maimed with the consequences, of what persuing your dreams, with an instable and uncommitted partner, costs!
I hope you remember, that WE ALMOST MADE IT! Before you pulled the pin and angrily threw the grenade to the floor. WE ALMOST MADE IT TOOTIE!
I see no evidence of anything that was worth it, in the past 15 years of my life now.
The only thing of substance which has walked out of it all with me, is Tweetie. The rest I will all see burning on the horizon as walk away!
That's the one side of me which you have yet to see, which you keep begging for, but I doubt you will like.
When I finally GIVE UP! I walk away, even if carrying nothing. And I REFUSE to ever look back, as my very survival depends upon it.
We've gotten close, but never quite made it. Now I feel us getting close again, but I promise you on that day, though you may consider it a victory
in advance, you will never remember that moment as such. While you will never have less and feel emptier than in that day, which you absolutely demanded come to pass.
It brings tears to my eyes just knowing what you are forcing to be, having been there before myself and realizing the weight of that destiny defining choice.
Before I was always harder when forced to travel that road, now I don't even know if I have the strength to live through it. Yet regardless, the clock is ticking and you are as determined as ev

From Jeff Fenton (615) 837-1301
To (615) [redacted]

I will stay here until you, the banks, and the police carry me out of here. While they carry truckloads of old junk and my treasures out into the lawn. Where it and I will stay as neighbors stare and news crews broadcast, about what has become of this man abandoned and betrayed by his wife, losing his life's savings, with no retirement, very little social security, with everything he has left in his life, sitting out on the lawn with me, getting rained on, rusting, blowing around, as Williamson County tries to figure out what to do with this man and all his STUFF, with nowhere to go and no means of reastically supporting himself.
Devastated by the betrayal of a "successful" woman, his wife, who couldn't steward her vocational success well enough to prevent her from self-destructing.
Teaching us again that allowing a woman in a man's place, is a recipe for destruction.
They haven't the strength, the tenacity, the humility, the love, to financially support others in their fami
ly, without feeling victimized, and taken advantage of, though men have been doing that for hundred's of years.
Women want equality... yeah! Nobody on Earth wants equality! Everyone wants privelage!
Well now you have the privelage of destroying both of our lives, and you seem hell bent to continue until we are on the nightly news.
So then shall it be.
Maybe we'll never get to bury Slim, Casey, and Noah in the back yard, but maybe you can me!

Jun 15, 2019
04:31

24

From Jeff Fenton (615) 837-1301 To (615) [redacted]	I promise that you will end-up with one of two things in life, no matter what happens legally, in court, through negotiations, and childish power games. Either I will have a HOME where I feel SAFE. OR You will have ME! One or the other is a given, until the day we die! Play whatever game you want, treating my life like Mark's strategy games, but I promise you that one of those two will always be true! IF you really want to "get rid of me", you better start offering me some security, some stability, and helping to FREE ME. Otherwise, I'm trapped. I have nowhere to go!	Jun 15, 2019 04:41
From Jeff Fenton (615) 837-1301 To (615) [redacted]	You "win" the grand prize for your selfishness: ME!	Jun 15, 2019 04:42
From Jeff Fenton (615) 837-1301 To (615) [redacted]	Until death do us part!	Jun 15, 2019 04:43
From Jeff Fenton (615) 837-1301 To (615) [redacted]	It's the first time in my life that I've ever viewed death as a reprieve, like you. I figure the biggest challenge that I have remaining in life now, is to survive and stay reasonably comfortable, between now and the day that I die. That is my main objective. To die reasonably comfortably. I went from thriving on life, before I met you, to looking forward to death, after you stole my identity, emasculated me, and took away everything that I had to live for.	Jun 15, 2019 04:50
From Jeff Fenton (615) 837-1301 To (615) [redacted]	Like my puppy, you cold hearted bitch!	Jun 15, 2019 04:51
From Jeff Fenton (615) 837-1301 To (615) [redacted]	https://www.pacer.gov/	Jun 15, 2019 04:59
From Jeff Fenton (615) 837-1301 To (615) [redacted]	I'll be watching.	Jun 15, 2019 05:00

From Jeff Fenton (615) 837-1301 To (615) [redacted]	And waiting for you to perjure yourself again.	Jun 15, 2019 05:00

From: Jeff Fenton [redacted]
Sent: Sunday, June 16, 2019 2:01 AM
To: Fawn Fenton ([redacted] < [redacted] Fawn Fenton
< [redacted]
Subject: IRS Claim & Chapter 13 Bankruptcy (Where do we stand?)

You break my heart! You absolutely refuse to share anything with me.

Why was I never notified about the IRS claim for 2015, 2016, and 2017? I've been asking for weeks about our 2017 refund which never showed up, yet you told me that you hadn't heard anything from the IRS.

> **The Proof of Claim filed by the Internal Revenue Service contains estimates for 2015, 2016, and 2017 Form 1040 Taxes in the amount of $15,910.36, including penalties and interest. The income transcripts for 2015, 2016, and 2017 Form 1040 tax return, attached hereto, have not been processed by the Internal Revenue Service and reflects a lesser amount owed for that year. The Debtor is owed refunds for 2015 and 2017 and has mailed a payment in the amount of $412.00 to the IRS for 2016.**

So I'm confused about a few things, which I'm hoping that you can clear up, without me needing to waste more money on legal help, just to understand:

- Did the $412 you mailed the IRS for 2016, take into account the 2014 & 2015 refunds which they already held in their possession?
- Is there a 2016 return, by which you calculated this amount to mail them?
- Can you please send me a copy of all correspondences with the IRS, since they involve me too?
- Do we still need to complete a return for 2016, or is that no longer necessary?

Regarding the house, I understand that you included both BCS and BOA in your list of creditors, and that they both plan to come to your hearing, but I'm unclear if you are trying to forfeit the house or retain the house through your bankruptcy?

- Are the first and second mortgage payments current?
- Is there anything which I need to be concerned about here?

That was nice that you did not attribute any ownership interest in anything to me… as though I'm not a part owner in the house, ext… and providing no amount for supporting me or my household… and that you listed my gun safe, treadmill, and weight set as your assets. Somehow you left all your art out, but I was surprised to see you disclose most of your guns.

Mostly I'm not angry about this, I'm just confused… and heart broken, that all of this could happen and you never even bothered to mention it to me. That you think that little of me.

I won't try to use any of this against you, or interfere in any way. I'm just sad!

So after your confirmation hearing on 7/15/2019, are you expecting anything to change regarding our possession/ownership of our home? How long after than until you expect the final "discharge of indebtedness", so that I can file. Or don't you even receive a discharge since it is a Chapter 13? Can you please find out how long I need to wait until after your hearing date to file Chapter 7 myself, without putting our home or other marital assets at risk? (Until then, I will be piling up default judgment after default judgment, because it is pointless to fight each of these claims in court.)

I would really appreciate it if you could please answer that question for me. I can see that now even though I'm ready and wanting to file bankruptcy, that I can't until after yours is discharged, because it doesn't allow both spouses to file separately yet simultaneously. So I'm going to need to keep bobbing and weaving for at least another month.

I had the Sheriff's Department here again the other day… the same bald guy as before. I just received two letters from attorneys, one to notify me again about the BCS default judgment again, and another which I have not opened yet. I spent an entire day gathering documentation for Rothschild to file myself, before they realized the conflict of interest, since they are already representing you.

I just can't handle all this turmoil and instability. I need to have some foundation to stand upon, in order for me to proceed. Right now, I have nothing, more literally than ever in my life.

So can you please give me some clue of what to expect here? It may be detailed in the 100+ pages of legal forms attached, but it is all overwhelming to me. I can't waste any more time on all of this right now.

Me and my roommates need to know where we stand.

So after your BK, do you have a plan for the divorce? You've shown absolutely no interest in working together towards a fair MDA. Are you planning another legal ambush, or to let sleeping dogs lie for a bit, or ??? It really is self-defeating to keep me guessing all the time… in the dark…. Because you know that it is impossible for me to

move forward and improve myself, when I have noting in life that I can count on. When I don't know when I'll be legally attached next. When I don't even know how long I'll have a home, before I will be forced into the street.

If I was sitting there with you and another professional which you have some respect for, you would answer reasonable questions like that from them, but for some reason, you absolutely refuse to answer them for me.

No-one in the world will benefit more than you (and me) once I'm vocationally rehabilitated, working full-time in an area of interest and opportunity, and financially independent again! So why won't you offer me the most basic elements of security, like simply INFORMATION, so that I can leave the house and work towards reaching those goals, instead of waiting for years to pass by, expecting me to "do the right thing", while you refuse to provide me with the one simple ingredient necessary, for me to ever do that? Some simple assurance of safety? Some cease fire? Some timeline? Some opportunity to advance, without needing you to provide my basic financial needs?

I hate this whole fucking roller-coaster ride… where you are my opponent, instead of my partner! It was never meant to be this way!

I'm SORRY! I don't know what I could have done differently to prevent this outcome! But I'm so, so sorry that our marriage has ended in the absolute worst way imaginable… with us both broke, with nothing to our names, with no retirement, with us both in bankruptcy.

How could this be worse?

I wish we would have had an asteroid fall on our home and kill us (or at least kill me), the day before I discovered your plans to divorce me.

Jeff Fenton
METICULOUS.TECH
(615) 837-1300 Office
(615) 837-1301 Mobile
(615) 837-1302 Fax

Technical Consulting, Services, and Solutions,
When it's worth doing RIGHT the first time!

Submit or respond to a support ticket here.

A Division of Meticulous Marketing LLC

Temporary Order of Protection (Ex Parte Order of Protection)

Case # (the clerk fills this in): 48419 B

CLERK & MASTER

2019 JUN 20 AM 8:41

In the Chancery_____ Court of Williamson_____ County, TN

Petitioner *(person needing protection)*
(List Child's name if filed on behalf of person under 18 years of age pursuant to TCA §36-3-602)

FAWN [redacted] FENTON

first *middle*

RECEIVED BY
Judges' Chambers
Date: 6-20-19

FILED FOR ENTRY_____

Check if Applicable:

☐ Petitioner is under 18 and the Petition was filed on behalf of an unemancipated person (someone under 18 years of age) pursuant to TCA §36-3-602 by ☐ *child's parent* or ☐ *legal guardian* or ☐ *a caseworker.*

☐ The Petition was made by a law enforcement officer pursuant to TCA §36-3-619 and Petitioner consented to the filing of this Petition by the law enforcement officer.

Petitioner's children under 18 protected by this Order: N/A

Name	Age	Relationship to Respondent	Name	Age	Relationship to Respondent
1.			3.		
2.			4.		

Respondent's Information *(person you want to be protected from)*

JEFFREY RYAN FENTON 10/08/1969
first *middle* *last* *date of birth*

1986 SUNNY SIDE DR BRENTWOOD TN 37027
street address *city* *state* *zip*

Respondent's Employer: UNEMPLOYED_____
Employer's name *Employer's phone #*

Describe Respondent:

Sex	Race	Hair	Eyes	Height – Weight – SSN – Other			
☑ Male ☐ Female	☑ White ☐ Asian ☐ Black ☐ Hispanic ☐ Other: _____	☑ Black ☑ Grey ☐ Blond ☐ Bald ☐ Brown ☐ Other: _____	☐ Brown ☐ Hazel ☑ Blue ☐ Green ☐ Grey ☐ Other: _____	Height	5'9"	Weight	240 LBS
				Social Sec. #	(Provided to Clerk's office if known) **Do not list it here. XXXXXXXXXXXXXXXXXXXX**		
				Scars/Special Features			
				Phone Number	615-837-1301		

Petitioner's relationship to the Respondent (*Check all that apply*):

☑ We are married or used to be married.
☑ We live together or used to live together.
☐ We have a child together.
☐ We are dating, used to date, or have had sex.
☐ We are relatives, related by adoption, or are/were in-laws. *(Specify)*: _____
☐ We are the children of a person whose relationship is described above *(Specify)*: _____
☑ The Respondent has stalked me.
☐ The Respondent has sexually assaulted me.
☑ Other: Harassment via text messages, emails, phone voicemail_____

RETURN TO CLERK & MASTER

This is a Court Order

30

LC 6-20 5:05

The Court having reviewed the Petition for Temporary Order of Protection and finding, pursuant to TCA §36-3-605(a), that Petitioner is under an immediate and present danger of abuse from the Respondent and good cause appearing, the court issues the following:

Warning!
☐ Weapon involved
☒ Has or owns a weapon

Orders to the Respondent:

- ☑ **Do not abuse, threaten to abuse, hurt or try to hurt, or frighten Petitioner and/or Petitioner's minor children under 18.**
- ☑ **Do not put Petitioner and/or Petitioner's minor children under 18 in fear of being hurt or in fear of not being able to leave or get away.**
- ☑ **Do not stalk or threaten to stalk Petitioner and/or Petitioner's minor children under 18.**
- ☐ Do not come about the Petitioner and/or Petitioner's minor children protected by this order (including coming by or to a shared residence) for any purpose.
- ☐ Do not contact the Petitioner and/or Petitioner's minor children protected by this order either directly or indirectly, by phone, email, messages, mail or any other type of communication or contact.
- ☒ If the parties share(d) a residence, Respondent must immediately and temporarily vacate the residence shared with the Petitioner, pending a hearing on the matter.
- ☐ If the parties shared a residence, Respondent can obtain his/her clothing and personal effects such as medicine as follows: (List process as approved by local law enforcement personnel)

_____

_____

_____

_____

- ☒ You must not hurt or threaten to hurt any animals owned or kept by the Petitioner/Petitioner's children.
- ☐ Other orders: _____

☑ **Go to court** on *(date)*: 6/27/19 at 9:00 ☒ a.m. ☐ p.m.

at *(location)*: _____

You must obey these orders until the date of the hearing or until changes are made by the court. If you do not agree with these orders, go to the court hearing and tell the court why. If you do not go, the court can make orders against you. You have the right to bring your own lawyer. If you do not obey all orders on this form, you may be fined and sent to jail.

Only the court can change this Order. Neither you nor the Petitioner can agree to change this Order. Even if the Petitioner tries to contact you or agrees to have contact with you, you must obey this Order. If you do not, you can be sent to jail for up to 10 days and fined up to $50 for each violation

(TCA § 36-3-610)

Date: 6/20/19 Time: 3:15 ☐ a.m. ☒ p.m.

Judicial officer's signature Michael W. Binkley
Circuit Court Judge/Chancellor
21st Judicial District, Division III

Warnings to Respondent:

A copy of this Order will be sent to all law enforcement agencies where Petitioner resides AND any court in which the respondent and petitioner are parties to an

This is a Court Order

action. Any law enforcement icer who reasonably believes you h disobeyed this Order may arrest you.

If you hurt or try to hurt anyone while this Order, probation or diversion is in effect, you may face separate charges for aggravated assault, a Class C felony. (TCA § 39-13-102(c))

Proof of Service

The Respondent was served copies of the Petition, Notice of Hearing, and Temporary Order of Protection on:
(date): 6/20/2019 at *(time):* 6:38 ☐ a.m. ☒ p.m.

by *(check one):*

☒ Personal service

☐ U.S. Mail per TCA §§ 20-2-215 and 20-2-216 (The Respondent does not live in Tennessee.)

#2171

Server's signature Deputy Greg Wilhelm

If the Petitioner is under 18 and serving these documents would *not* put him/her at risk, the Clerk will serve and fill out below. (TCA § 36-3-605(c))

I served the child's parents copies of the Petition, Notice of Hearing, and Temporary Order of Protection by personal delivery or U.S. Mail on: *(date):* _____

at *(address):* _____

_____

Clerk's signature: _____

This Is a Court Order

WILLIAMSON COUNTY
CHANCERY
2019 JUN 20 AM 9: 17
FILED FOR ENTRY_____

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE
AT FRANKLIN

FAWN [redacted] FENTON, Plaintiff/Wife,	)	
v.	)	**No. 48419B**
JEFFREY RYAN FENTON, Defendant/Husband.	)	

MOTION TO DEEM HUSBAND SERVED

COMES NOW the Plaintiff/Wife, Fawn [redacted] Fenton (hereinafter "Wife"), by and through her attorney of record, Virginia Lee Story, and files this Motion to Deem Husband Served and in support of her Motion, would state as follows:

1. Wife filed her Complaint for Divorce on June 4, 2019.

2. Counsel for Wife hired a private process server, Lori Polk, to attempt personal service on Husband.

3. Ms. Polk attempted to serve Husband at his residence located at 1986 Sunny Side Drive, Brentwood, Tennessee on June 5, June 6, and June 8 to no avail. (See Affidavit of Lori Polk which was previously filed with the Court on June 11, 2019 and is attached to the Affidavit of Reasonable Efforts filed simultaneously with this Motion.)

4. Husband has installed numerous cameras around the home and posted a "No Trespassing" sign on the property. (Photo of sign is attached to Affidavit of Lori Polk.)

5. After Ms. Polk communicated that she was unable to serve Husband at the marital residence, counsel for Wife attempted service via certified mail as stated below. Counsel also mailed via U.S. first-class mail a copy of the Complaint which has not been returned by the post office. Based upon the numerous emails and texts from Husband to Wife, it is clear that Husband is aware of the Complaint and he is avoiding service. A copy of the Complaint has also been sent

to Husband via email.

6. A file-stamped copy of the Summons and Complaint for Divorce was sent to Husband via certified mail, return receipt requested, on June 11, 2019. On June 17, 2019, counsel for Wife received the return receipt for the certified mail which had been signed. The signature on the return receipt is that of an adult roommate who is currently residing with Husband.

7. Wife believes that Husband is trying to evade service.

8. That Husband be deemed served pursuant to Tennessee Rules of Civil Procedure 4.04(1) which states that service is made:

> Upon an individual other than an unmarried infant or an incompetent person, by delivering a copy of the summons and of the complaint to the individual personally, or if he or she evades or attempts to evade service, by leaving copies thereof at the individuals dwelling or usual place of abode with some person of suitable age and discretion then residing therein, whose name shall appear on the proof of service, or by delivering the copies to an agent authorized by appointment or by law to receive service on behalf of the individual served.

9. That Wife has also filed an Alias Summons on June 11, 2019 requesting that service on Defendant be attempted by the Sheriff's Department. To date, the Sheriff's Department has not been successful in serving Defendant.

10. That counsel for Wife has made all attempts to obtain personal service on Defendant to no avail. (See Affidavit of Reasonable Efforts attached hereto as **Exhibit 1.**)

WHEREFORE, premises considered, Wife respectfully requests that this Court grant her Motion to Deem Husband Served and that she be awarded her attorney fees for having to bring this Motion.

Respectfully submitted,

VIRGINIA LEE STORY; BPR #11700
Attorney for Plaintiff/Wife
136 Fourth Avenue, South
Franklin, Tennessee 37064
(615) 790-1778
virginia@tnlaw.org

THIS MOTION IS SET TO BE HEARD ON JULY 18, 2019 AT 9:00 A.M. ON THE CHANCERY COURT MOTION DOCKET HEARD AT THE WILLIAMSON COUNTY COURTHOUSE. IF NO WRITTEN RESPONSE TO THIS MOTION IS FILED AND SERVED IN THE TIME SET BY THE LOCAL RULES OF PRACTICE, THE MOTION MAY BE GRANTED WITHOUT A HEARING.
TESTIMONY EXPECTED

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was forwarded by certified mail, first-class mail, and email to Jeffrey Ryan Fenton at Jeff@Meticulous.tech and 1986 Sunny Side Drive, Brentwood, TN 37027 on this the 20th day of June, 2019.

VIRGINIA LEE STORY

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE
AT FRANKLIN

FILED
CLERK & MASTER
2019 JUN 20 AM 9: 17
FILED FOR ENTRY_____

FAWN [redacted] FENTON, Plaintiff/Wife,	)	
vs.	)	**No. 48419B**
JEFFREY RYAN FENTON, Defendant/Husband.	)	

AFFIDAVIT OF REASONABLE EFFORTS

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Comes now, Virginia Lee Story, attorney of record for the Petitioner, and after being first duly sworn, states as follows:

1. I am over 18 years of age and have personal knowledge of the following facts.

2. On June 4, 2019, I filed a Complaint for Divorce on behalf of my client, Fawn [redacted] Fenton.

3. That I have sent a file-stamped copy of the Summons and Complaint to Defendant on June 12, 2019 via certified mail.

4. That I received a signed return receipt for the Summons and Complaint on June 17, 2019.

5. That upon information and belief the signature on the return receipt is that of an adult roommate that is currently residing with Defendant. Pursuant to Tennessee Rules of Civil Procedure if a party is avoiding service, the service may be accepted by an adult living in the home.

6. That I have also attempted personal service via a private process server, Lori Polk, who attempted service on three separate occasions to Defendant's residence to no avail (see attached Affidavit of process server). After the process was attempted, Husband posted signs that he would prosecute those entering the property.

7. The Defendant is clearly evading service of the Summons and Complaint for Divorce. In 2018, Plaintiff filed for Divorce and Defendant avoided service for several months costing her enormous expense and wasting considerable time. The Defendant has installed video

36

EXHIBIT
1

and audio surveillance, blackout window shades, and physical gates and barriers specifically for the purpose of detecting and avoiding personal service.

8. That Defendant should be deemed served pursuant to Tennessee Rule of Civil Procedure 4.04(1) so this matter may proceed to conclusion. This notice has been sent to the Defendant/Husband via regular mail and via certified mail with a copy of the Complaint. The Sheriff's Department now has the Complaint for Service as well as the Order of Protection.

FURTHER AFFIANT SAITH NOT.

VIRGINIA LEE STORY

SWORN to and subscribed before me this 20th day of June, 2019.

Heidi L. Macy

Notary Public
My Commission Expires: 6-19-2022

HEIDI L. MACY
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE
AT FRANKLIN

FILED
WILLIAMSON COUNTY
CLERK & MASTER

2019 JUN 11 PM 1:04

FILED FOR ENTRY_____

2019 JUN 20 AM 9:17

FILED FOR ENTRY_____

No. 48419B

FAWN [redacted] FENTON, Plaintiff/Wife,	)	
v.	)	
JEFFREY RYAN FENTON, Defendant/Husband.	)	

COPY

AFFIDAVIT OF LORI POLK

STATE OF TENNESSEE)
COUNTY OF WILLIAMSON)

Comes now, LORI POLK, after being duly sworn, does state as follows:

1. I am over 18 years of age and have personal knowledge of the facts set forth herein.

2. I am a private process server in the State of Tennessee.

3. On June 5, 2019, I was retained by Virginia Story to personally serve the Summons and Complaint in the above-captioned matter on Defendant, Jeffrey Ryan Fenton.

4. On June 5, 2019 at 7:49 p.m., I went to Mr. Fenton's home address located at 1986 Sunny Side Drive, Brentwood, TN 37027 to personally serve Mr. Fenton with the Summons and Complaint. I knocked on Mr. Fenton's front door and got no answer. The lights were on inside the house. I knocked on the back door of the residence and got no answer. Some lights came on at the back of the property. I noticed that the property is under video and audio surveillance.

5. On June 6, 2019 at 1:34 p.m., I went to Mr. Fenton's home again to serve the papers. I could not approach the front door as the access to the stairs leading up to the front door and porch was newly chained and had a sign posted stating "No Entry."

6. On June 8, 2019 at 9:04 a.m., I went to Mr. Fenton's home again to serve the papers. I walked partially up the driveway towards the residence and noticed a sign posted on the property. Attached is copy of a photograph of the sign. From both the No Entry sign by the front door and the sign next to the driveway posted by the occupant, it is my belief that Mr. Fenton is avoiding service.

Further Affiant saith not.

Lori Polk
LORI POLK

Sworn to and subscribed before me on this 11th day of June, 2019.

HEIDI L. MACY
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

Heidi L. Macy
Notary Public
My commission expires: 6-19-22

Filed Return 6-11-19

RETURN ON PERSONAL SERVICE OF SUMMONS

I hereby certify and return that I served this summons together with the complaint as follows:

Check one: (1) or (2) are for the return of an authorized officer or attorney; an attorney's return must be sworn to; (3) is for the witness who will acknowledge service and requires the witness's signature.

☐ 1. I certify that on the date indicated below I served a copy of this summons on the witness stated above by _____

☒ 2. I failed to serve a copy of this summons on the witness because avoiding service

☐ 3. I acknowledge being served with this summons on the date indicated below:

DATE OF SERVICE: June 8, 2019

SIGNATURE OF WITNESS, OFFICER OR ATTORNEY: Lori Polk

ADDRESS OF PROCESS SERVER (TRCP 4.01) 2804 Sanford Road, Nolensville, TN 37135

Signature of Notary Public or Deputy Clerk: Heidi L. Macy

Commission Expires: 6-19-22

STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY HEIDI L. MACY

RETURN ON SERVICE OF SUMMONS BY MAIL

I hereby certify and return that on the _____ day of _____, 2019, I sent, postage prepaid, by registered return receipt mail or certified return receipt mail, a certified copy of the summons and a copy of the complaint in case no. _____ to the defendant _____, on the _____ day of _____, 2019. I received the return receipt, which had been signed by _____ on the _____ day of _____, 2019. The return receipt is attached to this original summons to be filed by the Chancery Court Clerk and Master.

_____
Signature Address (TRCP 4.01)

Sworn to and subscribed before me on this _____ day of _____, 2019.

_____
Signature of Notary Public or Deputy Clerk

Commission Expires: _____

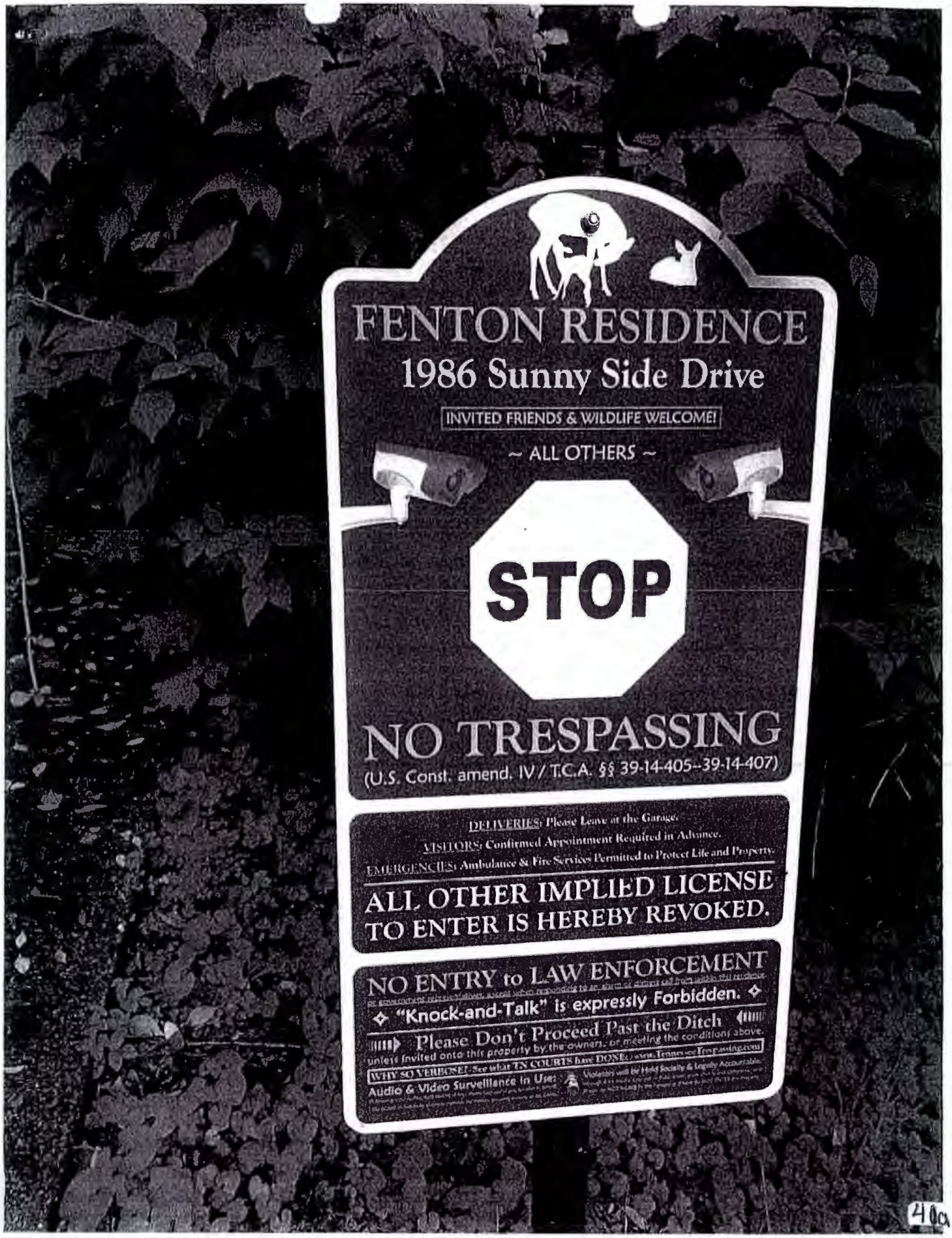
CERTIFICATION (IF APPLICABLE)

I hereby certify this to be a true and correct copy of the original summons issued in this case.

_____
CLERK & MASTER

For ADA assistance, please call ADA coordinator: 615-790-5428

40


FENTON RESIDENCE
1986 Sunny Side Drive
INVITED FRIENDS & WILDLIFE WELCOME!
~ ALL OTHERS ~
STOP
NO TRESPASSING
(U.S. Const. amend. IV / T.C.A. §§ 39-14-405--39-14-407)
DELIVERIES: Please Leave at the Garage.
VISITORS: Confirmed Appointment Required in Advance.
EMERGENCIES: Ambulance & Fire Services Permitted to Protect Life and Property.
ALL OTHER IMPLIED LICENSE TO ENTER IS HEREBY REVOKED.
NO ENTRY to LAW ENFORCEMENT
"Knock-and-Talk" is expressly Forbidden.
Please Don't Proceed Past the Ditch
unless invited onto this property by the owners, or meeting the conditions above.
WHY SO VERBOSE? See what TN COURTS have DONE: www.TennesseeTrespassing.com
Audio & Video Surveillance In Use:

ORIGINAL

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE
AT FRANKLIN

2019 JUL 17 PM 1:16

FILED FOR ENTRY _____

FAWN [redacted] FENTON, Plaintiff/Wife,	)	
v.	)	**No. 48419B**
JEFFREY RYAN FENTON, Defendant/Husband.	)	

MOTION TO SELL THE MARITAL RESIDENCE

COMES NOW the Plaintiff/Wife, Fawn [redacted] Fenton (hereinafter "Wife"), by and through her attorney of record, Virginia Lee Story, and files this Motion to Sell the Marital Residence and in support of her Motion, would state as follows:

1. Wife filed her Complaint for Divorce against Husband on June 4, 2019.
2. As of the date of the filing of this Motion, Husband has not filed an Answer to the Complaint for Divorce.
3. Wife currently has an *Ex Parte* Order of Protection against Husband as the result of the domestic abuse she has incurred by Husband.
4. The marital residence is located at 1986 Sunnyside Drive, Brentwood, Tennessee.
5. Wife has not resided in the marital residence since April 2018 at which time she moved into her own apartment as the living situation at home had gotten unbearable.
6. After Wife moved from the marital residence she continued to pay the mortgage and utilities for the marital residence up until the Spring of 2019 when she could no longer afford to keep paying all of the bills on her own.
7. As the result of her financial constraints, Wife filed for bankruptcy in April 2019. The Trustee has agreed to allow Husband and Wife to sell the marital residence as the house will have sufficient equity to pay off the first and second mortgage holders if it is put

41

VH ACB

on the market and sold immediately. If, however, Husband continues to reside in the home without paying the mortgage, foreclosure proceedings will begin and the parties will be charged late fees, attorney's fees, foreclosure costs and closing costs. If the foreclosure begins, then the parties will have no equity in the property.

8. As part of the bankruptcy agreement Wife agreed to continue paying Bancorp South's second mortgage payments to avoid foreclosure as they would not allow the parties time to list the house through the divorce. Therefore, Wife is paying the second mortgage while Husband lives in the house for free and collects rent from two (2) roommates that he has moved into the home. The balance on the second mortgage is approximately $54,000.00. Bank of America holds the first mortgage with a balance of approximately $240,000.00.

9. Wife tried to convince Husband to put the house in the market in the fall of 2018 as finances were getting tighter, however, Husband would not agree on anything and Wife believes that Husband will again try and do whatever he can in order to stall this process.

10. Husband has threatened Wife, previously making the following statements:

> "I promise you, it will cost you more if we sell than if we don't!" and "I will not fix it up for sale, and I will not live in it while it's on the market." (Text message July 27, 2018)
>
> "If you choose to fight me on this, I will leverage every penny of this home which I legally can, plus it's future value to leave it in my will to whomever will fund my legal battle with you, no matter how complex the case, or how many appeals that it requires." (Text message March 27, 2019).
>
> "I will work and fight to my death, to never allow you or anyone else to TAKE this property from me...." (Text message May 25, 2019).

> "I will stay here until you, the banks, and the police carry me out of here." (Text messages, June 15, 2019)

11. Wife is unsure what all modifications and/or renovations Husband has done to the home since she left in April 2018. Prior to her leaving, Husband had installed numerous security cameras and devices in the home and has rented out rooms to various individuals. Wife is concerned that Husband may be devaluing the home by making undesirable changes to the property.

12. Wife believes the home to be valued at approximately $425,000.00. The Williamson County Property Assessor values the home at $386, 900.00. A similar home across the street, 1987 Sunny Side Drive) sold for $524,900.00 in April 2018. Therefore, the sale of the home is likely to easily pay off both of the mortgages and still leave the parties some equity.

13. Pursuant to the terms of Wife's bankruptcy, if the home is not placed on the market in a timely manner, then one or both of the mortgage holders may begin foreclosure proceedings and the parties will lose all available equity in the property.

14. Husband has made it very clear that he will do whatever he can to thwart any effort of Wife to sell the home.

15. Because time if of the essence, Wife requests that this Court order that Husband immediately vacate the premises so that the home can be prepared for sale.

16. Wife requests that this Court order the home to be sold by an independent third-party auctioneer to obtain the best sales price in a time efficient manner.

17. Wife would further request that she be reimbursed from the equity for the mortgage payments that she has made since vacating since April 2018 and that after the repayment of the first and second mortgage, that any remaining equity from the sale of

mortgage payments that she has made since vacating the home in April 2018 and that after the repayment of the first and second mortgage, that any remaining equity from the sale of the home be placed in the trust account of attorney for Wife until a distribution can be negotiated or further ordered from the Court.

WHEREFORE, premises considered, Wife respectfully requests that this Court grant her Motion to Sell the Marital Residence and that she be awarded her attorney fees for having to bring this Motion.

Respectfully submitted,

VIRGINIA LEE STORY; BPR #11700
KATHRYN YARBROUGH; BPR#
Attorney for Plaintiff/Wife
136 Fourth Avenue, South
Franklin, Tennessee 37064
(615) 790-1778
virginia@tnlaw.org

THIS MOTION IS SET TO BE HEARD ON AUGUST 1, 2019 AT 9:00 A.M. ON THE CHANCERY COURT MOTION DOCKET HEARD AT THE WILLIAMSON COUNTY COURTHOUSE. IF NO WRITTEN RESPONSE TO THIS MOTION IS FILED AND SERVED IN THE TIME SET BY THE LOCAL RULES OF PRACTICE, THE MOTION MAY BE GRANTED WITHOUT A HEARING.
TESTIMONY EXPECTED

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was forwarded via first-class mail, facsimile, and email to Brittany Gates, Attorney for Husband, at brittany@gateslaw.com and 1616 Westgate Circle, Suite 116, Brentwood, TN 37027 on this the 17 day of July 2019.

VIRGINIA LEE STORY
KATHRYN L. YARBROUGH

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE

AT FRANKLIN

FILED 7/29/19
ENTERED
BOOK PAGE
ELAINE B. BEELER Clerk & Master

FAWN [redacted] FENTON, Plaintiff/Wife,	)	
v.	)	Docket No: 48419B
JEFFREY RYAN FENTON Defendant/Husband.	)	

HUSBAND'S RESPONSE TO WIFE'S MOTION TO SELL MARITAL RESIDENCE

COMES NOW the Defendant/Husband, Jeffrey Ryan Fenton, by and through his attorneys of record, Charles M. Duke and Mitchell Miller, and for Response to Wife's Motion to Sell the Marital Residence, would respectfully request that the hearing on the motion be continued for a short period of time, due to the fact that undersigned counsel only has been retained to represent the Defendant/Husband as of the filing date required of this response, the same being July 29, 2019, and an Agreed Order of Substitution of Counsel is being filed concurrently herewith regarding the same. Therefore, counsel for the Defendant would respectfully submit that additional time is necessary for undersigned counsel to review the matter fully and meet with their client, so as to fully and completely respond to a motion that will have such enormous bearing on the parties moving forward in this matter. Should the Court not allow a short continuance, and deem the hearing shall go forward as scheduled on August 1, 2019, for response to the Motion to Sell the Marital residence, Defendant would state and show as follows:

1. For the purposes of responding to the motion solely, the averments of Paragraph 1 of the motion are admitted
2. For the purposes of responding to the motion solely, the averments of Paragraph 2 of the motion are admitted.

3. For the purposes of responding to the motion solely, the averments of Paragraph 3 are admitted, to the extent that Plaintiff has taken out an Order of Protection against the Defendant. Defendant denies that he has committed any form of domestic abuse. Defendant avers that the Ex Parte Order of Protection is baseless, and that Plaintiff acted for improper purposes when she applied for that Order. Defendant would show that the Temporary Restraining Order, automatically binding on both parties pursuant to T. C. A. §36-4-106 upon the commencement of this cause, prohibits the parties from harassing, threatening, assaulting or abusing each other, that such prohibition adequately protects both parties' interests, and that Defendant has complied with the Temporary Restraining Order.
4. For the purposes of responding to the motion solely, the averments of Paragraph 4 of the motion are admitted.
5. For the purposes of responding to the motion solely, the averments of Paragraph 5 of the motion are admitted, with the exception that Defendant denies that the situation had become "unbearable." Defendant avers that Plaintiff, in fact, deserted the Defendant, when Defendant did not have the ability or means to support himself or pay for the first and second mortgage on the marital residence.
6. For the purposes of responding to the motion solely, the averments of Paragraph 6 of the motion are admitted, with the exception that Defendant avers that Plaintiff chose voluntarily to burden herself with rent payments and utilities for a separate residence so as to desert the Defendant when, in fact, she could have continued living at the marital residence. In addition, Defendant avers that he currently pays the utilities for the marital residence, and that Plaintiff has the ability to pay certain household bills for the marital

residence, as the financially advantaged spouse, but instead chooses not to do so. In support, Defendant would show the Court that Plaintiff filed for bankruptcy in April 2019 and reported having gross monthly income of Seven Thousand Five Hundred dollars ($7,500.00), after-tax-deduction income of Five Thousand Eight Hundred Forty-Five dollars and four cents ($5,845.04), actual expenses of Three Thousand Twenty-Five dollars ($3,025.00), leaving a monthly net income of Two Thousand Eight Hundred Twenty dollars and four cents ($2,820.04). Plaintiff's Voluntary Petition for Individuals Filing for Bankruptcy is incorporated and attached hereto as **Exhibit 1**.

7. For the purposes of responding to the motion solely, the averments of sentence one of Paragraph 7 of the motion are admitted. Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the averments of sentence two of Paragraph 7 of the motion and, therefore, denies same, and demands strict proof thereof. Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the averments of sentences three and four of Paragraph 7 of the motion and, therefore, denies same in their entirety, and demands strict proof thereof. Defendant respectfully avers that he must continue to reside in the marital residence at this time, as he has no other choices for a residence, nor any funds to secure an alternative residence, due to being deserted by the Plaintiff and her refusal to continue to pay the mortgage on the marital residence, the one viable marital asset, so as to maximize any possible return to the parties if they were allowed to sell the residence by reasonable means as opposed to some sort of "fire sale," as requested by the Plaintiff herein.

8. Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the averments of Paragraph 8 of the motion and, therefore, denies same in their

entirety, and demands strict proof thereof. Defendant admits that, currently, he has two individuals renting rooms in the marital residence, so as to be in a position to pay utilities and monthly expenses he must now solely pay due to being deserted by the Plaintiff. Defendant respectfully avers that he must continue to reside in the marital residence at this time, as he has no other choices for a residence, nor any funds to secure an alternative residence, due to being deserted by the Plaintiff and her refusal to continue to pay the mortgage on the marital residence, the one viable marital asset, so as to maximize any possible return to the parties if they were allowed to sell the residence by reasonable means as opposed to some sort of "fire sale," as requested by the Plaintiff herein.

9. Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the averments of Paragraph 9 of the motion and, therefore, denies same in their entirety. Defendant respectfully avers that he must continue to reside in the marital residence at this time, as he has no other choices for a residence, nor any funds to secure an alternative residence, due to being deserted by the Plaintiff and her refusal to continue to pay the mortgage on the marital residence, the one viable marital asset, so as to maximize any possible return to the parties if they were allowed to sell the residence by reasonable means as opposed to some sort of "fire sale," as requested by the Plaintiff herein.

10. Defendant denies the averments of Paragraph 10 of the motion and, further, objects to the characterizations of Plaintiff of them as "threats." Defendant admits that he objects and opposes to the marital residence being sold at this time, and in the fashion, sought by the Plaintiff, as Defendant has no other viable means for housing at this time, and, as a Tenant by the Entirety of the marital residence, Defendant respectfully submits he should

be allowed to remain in the marital residence while this litigation is pending Defendant respectfully avers that he must continue to reside in the marital residence at this time, as he has no other choices for a residence, nor any funds to secure an alternative residence, due to being deserted by the Plaintiff and her refusal to continue to pay the mortgage on the marital residence, the one viable marital asset owned by these parties, so as to maximize any possible return to the parties if they were allowed to sell the residence by reasonable means, as opposed to some sort of "fire sale," as requested by the Plaintiff herein.

11. Plaintiff's allegation and concerns that Defendant is devaluing the home are unfounded. Installing security devices would tend to secure, not devalue the home. Moreover, merely renting rooms to tenants does not indicate any misuse, waste, or devaluation. To the contrary, rental income from these tenants provides Defendant a means to maintain the property.

12. Defendant generally agrees with Plaintiff's assessment of the home's value and sale potential and believes the home could sell for up to $450,000.00. Plaintiff's averments in Paragraph 12, however, would tend to indicate that Plaintiff's averments in Paragraph 7 are not accurate; if the home could potentially yield $130,000 to $150,000 in proceeds, it is not reasonable to say that a foreclosure would wipe out all equity. More importantly, however, determining these matters at this stage of the divorce action is premature. Plaintiff should be required to maintain Defendant at his accustomed standard of living while an equitable distribution of the marital estate is determined. Based on her sworn bankruptcy Petition, Plaintiff should have sufficient resources to pay all or most of the mortgages on the home or otherwise provide Defendant an appropriate amount of spousal

support during the pendency of this cause. Accordingly, these matters should be reserved for further determination of the division of the marital estate. .

13. Defendant denies Plaintiff's assertions in Paragraph 13. Plaintiff has the financial ability to continue to pay all or most of the mortgages, which would also avoid foreclosure.

14. Defendant denies Plaintiff's assertion in Paragraph 14. Defendant has merely asserted his legal rights to demand an equitable distribution of martial assets and has attempted to communicate with Plaintiff to form a strategy that does not leave Defendant homeless or financially ruined. It is Plaintiff who created the financial crisis at issue by refusing to pay the mortgages and Plaintiff who now asks this Court to order a fire sale of the most significant asset in this marital estate. The Court should deny this unreasonable and premature request.

15. Defendant denies Plaintiff assertions in Paragraph 15. Plaintiff can pay the mortgage. Her selfish refusal to do so is what has created a time-sensitive crisis. Defendant does not have another place to live or financial means to secure alternate living quarters. While Defendant understand that neither party will come through this divorce unscathed, to ask Defendant to immediately leave his home because of a financial crisis Plaintiff created is an unreasonable and insulting proposition. It should be denied.

16. Defendant strenuously objects to any order to sell the home before the Court has assessed the full marital estate, particularly while Plaintiff has the financial ability to pay the mortgages and thereby maintain status quo. In the even the Court does order a sale, an auction would be an unreasonable fire sale that would almost certainly yield proceeds far below what the home would bring if listed on the open market. Moreover, an immediate auction would expose Defendant to significant liability to current leaseholders residing in

the home. Defendant therefore would ask the Court to order Plaintiff to maintain the mortgage for three (3) to six (6) months so that the home may be sold in an orderly fashion on the open market, yield the most proceeds possible, and limit Defendant's liability to leaseholders.

17. Defendant objects to Plaintiff's request in Paragraph 17. Plaintiff voluntarily, and abruptly left the marital residence. She should bear all costs of her decision, and no reimbursement from the marital estate should be permitted. Plaintiff's request for an offset of the proceeds should be denied because her payments on the mortgages were required to keep Defendant in the manner of living to which he had become accustomed. Further, withholding proceeds from a sale to determine any offset would literally render Defendant homeless, without any income, and without any funds available to secure alternate housing. Plaintiff's request is a cruel and unreasonable concept that this Court should reject out of hand.

Defendant would further state and show unto the Court as follows:

18. As noted previously, Defendant currently rents two rooms of the marital residence, so as to have some means of income to pay the utilities for the marital residence and to have some source of income. Should the Court determine that the marital residence should be sold in some form or fashion at this time, the Court take into consideration that the Defendant will need ample time to notify the current tenants of their need to vacate the residence located at 1986 Sunnyside Drive, Brentwood, Tennessee 37027; therefore, the Defendant would request that he, along with the current tenants, be permitted to remain in the residence until the home is sold, and that he be permitted ninety (90) days to properly notify the tenants of their need to vacate the property.

19. As a result of the two (2) leases with one-year terms, the Defendant is put into a compromising situation which could result in serious liability. His only two options are to either sell the marital residence with two active leases, or to pay the tenants to vacate early. If he elected to pay the tenants to vacate early, he would most likely have to reimburse them for the remaining months of their lease, security deposits for their next rental, moving costs, etc.

20. As one could imagine, the financial burden to the Defendant is monumental when considering these expenses; if anything, if the Defendant is forced to vacate the residence and also reimburse his tenants for vacating early, then Plaintiff should have to share equally in the costs for reimbursing the tenants as well.

21. The Defendant would further respectfully submit and agree, as condition to his remaining in the residence, that he shall maintain the home in pristine condition, pay all utilities for the marital residence and pay the first mortgage on the marital residence.

22. The Defendant would further agree to permit Plaintiff to inspect the home to determine the status of the interior of the residence, provided he receive notice of no less than forty-eight (48) hours of her intent to enter the former marital residence.

23. The Defendant would further aver that the Plaintiff willingly/intentionally failed to notify the Defendant of her bankruptcy proceedings as well as her failure/inability to pay the mortgage in a timely fashion, and that throughout the duration of the marriage, the Plaintiff has been the primary breadwinner and primarily paid the parties' mortgage obligations, moreover Plaintiff is well-aware of the Defendant's inconsistent employment history due to his debilitating mental health diagnoses which affect his ability to maintain continuous and consistent employment.

24 That the first and second mortgages as outlined in Plaintiff's Motion, are in the Plaintiff's sole name, and that according to these negotiable instruments, the Plaintiff is solely responsible for payment thereof. Because the Plaintiff failed to communicate with the Defendant as to the status of payment, and Defendant was not a party to the financial documents, it was an impossibility for him to have the ability to contact the lender to verify whether or not payments on the marital residence were being made in a timely manner, and to date is still unaware of when the last payment was received by the mortgage holders, as Plaintiff has failed or refused to provide him with this information.

25. In this aspect, it is arguable that the Plaintiff has unclean hands and that she is acting in bad faith because her past actions have undoubtedly created the present "emergency" as it relates to the possible foreclosure on the marital residence and the need to sell the home in an urgent fashion.

26. The Defendant specifically denies any allegation that he is guilty of domestic abuse towards the Wife, he acknowledges that an *Ex Parte* Order of Protection is in effect and that the hearing on the Order of Protection is set to be heard on August 1, 2019, which is the same day as the Plaintiff's Motion to Sell the Marital Residence is set.

27. The Defendant has not filed an Answer and Counter-Complaint to date as a result of an agreement between the attorneys to grant an extension to file such, and that this is irrelevant with respect to the Motion to Sell the Marital Residence as it has no bearing on the status of the marital residence and the mortgage payments.

28. As stated previously, Defendant acknowledges that he has two tenants residing in the marital residence, and that the rental proceeds are put towards the utilities and maintenance of the home and that he rented these bedrooms in an attempt to mitigate the

financial disaster that the Plaintiff put him in after she ceased paying the mortgage and the utilities, and deserted the Defendant.

29. The Defendant has transferred utilities into his name and that the utilities remain current, and that he agrees to maintain the status quo.

30. Should the Court order the sale of the marital residence, the Defendant would respectfully request that, pending payment of the existing first and second mortgages and any liens on the property, he be permitted an advance on his portion of the proceeds in order to obtain housing, as the sale of the residence will essentially leave him homeless, and without stable employment or rent from tenants, he has no other source of income at this time to rely upon for basic necessities and survival.

Respectfully Submitted,

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Attorneys for Defendant/Husband

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Response to Wife's Motion to Sell the Marital Residence, has been sent to Ms. Virginia Story, Esq. Attorney for the Wife, at 136 Fourth Avenue South, Franklin, TN 37064, via U.S. Mail, postage pre-paid, on the 29th day of July, 2019.

From: Marty Duke Fax: 16155411842 To: Fax: (615) 790-5626 Page: 1 of 12 07/29/2019 4:32 PM

ENTERED 7/29/19
BOOK PAGE
ELAINE B. BEECH, Clerk & Master

TENNESSEE COURTS
UNIFORM FACSIMILE FILING COVER SHEET

DATE 7-29-19

TO (COURT CLERK) Clerk & Master

COURT Williamson County Chancery Court

CLERK'S FAX NUMBER 615-790-5626

CASE NAME Fenton v. Fenton

DOCKET NUMBER 48419B

TITLE OF DOCUMENT Response in Opposition to Motion to Sell

FROM (SENDER) Charles M. Duke

SENDER'S ADDRESS 1200 Villa Place, Suite 201, Nashville 37212

SENDER'S VOICE TELEPHONE NUMBER 615-541-1842

SENDER'S FAX TELEPHONE NUMBER 615-647-0672

TOTAL PAGES INCLUDING COVER PAGE 12

Unless authorized by the Court, a facsimile transmission exceeding fifty (50) pages, including cover page, shall not be filed by the clerk.

YOUR FACSIMILE FILING LISTED ABOVE WAS STAMP FILED ON 7/29/19

PLEASE REMIT $ 17 **TO:**

CLERK AND MASTER
P. O. BOX 1666
FRANKLIN, TN 37065

56

ex 1 to Response

FILED 7/29/19
ENTERED
BOOK PAGE
ELAINE B. BEELER, Clerk & Master

Fill in this information to identify your case:

United States Bankruptcy Court for the:

MIDDLE DISTRICT OF TENNESSEE

Case number *(if known)* _____

Chapter you are filing under:

- ☐ Chapter 7
- ☐ Chapter 11
- ☐ Chapter 12
- ■ Chapter 13

☐ Check if this an amended filing

Official Form 101

Voluntary Petition for Individuals Filing for Bankruptcy

12/17

The bankruptcy forms use you and Debtor 1 to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, these forms use you to ask for information from both debtors. For example, if a form asks, "Do you own a car," the answer would be yes if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Identify Yourself

	About Debtor 1:	About Debtor 2 (Spouse Only in a Joint Case):
1. Your full name Write the name that is on your government-issued picture identification (for example, your driver's license or passport). Bring your picture identification to your meeting with the trustee.	Fawn First name [redacted] Middle name Fenton Last name and Suffix (Sr., Jr., II, III)	First name Middle name Last name and Suffix (Sr., Jr., II, III)
2. All other names you have used in the last 8 years Include your married or maiden names.	Fawn [redacted] Fawn Tiffany [redacted]	
3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)	xxx-xx-2065	

57

TKE

Debtor 1 Fawn Tiffany Fenton Case number (if known)

	About Debtor 1:	About Debtor 2 (Spouse Only in a Joint Case):
4. Any business names and Employer Identification Numbers (EIN) you have used in the last 8 years Include trade names and *doing business as* names	■ I have not used any business name or EINs Business name(s) EINs	☐ I have not used any business name or EINs. Business name(s) EINs
5. Where you live	[redacted] Brentwood, TN 37027 Number, Street, City, State & ZIP Code Davidson County **If your mailing address is different from the one above, fill it in here.** Note that the court will send any notices to you at this mailing address. Number, P.O. Box, Street, City, State & ZIP Code	**If Debtor 2 lives at a different address:** Number, Street, City, State & ZIP Code County **If Debtor 2's mailing address is different from yours, fill it in here.** Note that the court will send any notices to this mailing address. Number, P.O. Box, Street, City, State & ZIP Code
6. Why you are choosing *this district* to file for bankruptcy	*Check one.* ■ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district. ☐ I have another reason. Explain. (See 28 U.S.C. § 1408.)	*Check one:* ☐ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district. ☐ I have another reason. Explain. (See 28 U.S.C. § 1408.)

58

Debtor 1 Fawn Tiffany Fenton Case number (if known)

Part 2: Tell the Court About Your Bankruptcy Case

7. **The chapter of the Bankruptcy Code you are choosing to file under**

Check one. (For a brief description of each, see *Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)*). Also, go to the top of page 1 and check the appropriate box.

- ☐ Chapter 7
- ☐ Chapter 11
- ☐ Chapter 12
- ■ Chapter 13

8. **How you will pay the fee**

- ☐ **I will pay the entire fee when I file my petition.** Please check with the clerk's office in your local court for more details about how you may pay. Typically, if you are paying the fee yourself, you may pay with cash, cashier's check, or money order. If your attorney is submitting your payment on your behalf, your attorney may pay with a credit card or check with a pre-printed address.
- ■ **I need to pay the fee in installments.** If you choose this option, sign and attach the *Application for Individuals to Pay The Filing Fee in Installments* (Official Form 103A).
- ☐ **I request that my fee be waived** (You may request this option only if you are filing for Chapter 7. By law, a judge may, but is not required to, waive your fee, and may do so only if your income is less than 150% of the official poverty line that applies to your family size and you are unable to pay the fee in installments). If you choose this option, you must fill out the *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 103B) and file it with your petition.

9. **Have you filed for bankruptcy within the last 8 years?**

- ■ No.
- ☐ Yes.

District _____ When _____ Case number _____
District _____ When _____ Case number _____
District _____ When _____ Case number _____

10. **Are any bankruptcy cases pending or being filed by a spouse who is not filing this case with you, or by a business partner, or by an affiliate?**

- ■ No
- ☐ Yes.

Debtor _____ Relationship to you _____
District _____ When _____ Case number, if known _____
Debtor _____ Relationship to you _____
District _____ When _____ Case number, if known _____

11. **Do you rent your residence?**

- ☐ No. Go to line 12.
- ■ Yes. Has your landlord obtained an eviction judgment against you?
  - ■ No. Go to line 12.
  - ☐ Yes. Fill out *Initial Statement About an Eviction Judgment Against You* (Form 101A) and file it with this bankruptcy petition.

59

Debtor 1 Fawn [redacted] Fenton Case number (if known)

Part 3: Report About Any Businesses You Own as a Sole Proprietor

12. Are you a sole proprietor of any full- or part-time business?

A sole proprietorship is a business you operate as an individual, and is not a separate legal entity such as a corporation, partnership, or LLC.

If you have more than one sole proprietorship, use a separate sheet and attach it to this petition.

- ■ No. Go to Part 4.
- ☐ Yes. Name and location of business

Name of business, if any

Number, Street, City, State & ZIP Code

Check the appropriate box to describe your business:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ None of the above

13. Are you filing under Chapter 11 of the Bankruptcy Code and are you a *small business debtor*?

For a definition of *small business debtor*, see 11 U.S.C. § 101(51D).

If you are filing under Chapter 11, the court must know whether you are a small business debtor so that it can set appropriate deadlines. If you indicate that you are a small business debtor, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. 1116(1)(B).

- ■ No. I am not filing under Chapter 11.
- ☐ No. I am filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code.
- ☐ Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code.

Part 4: Report If You Own or Have Any Hazardous Property or Any Property That Needs Immediate Attention

14. Do you own or have any property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention?

For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs?

- ■ No.
- ☐ Yes.

What is the hazard?

If immediate attention is needed, why is it needed?

Where is the property?

Number, Street, City, State & Zip Code

60

Debtor 1 Fawn [redacted] Fenton Case number (if known)

Part 5: Explain Your Efforts to Receive a Briefing About Credit Counseling

15. Tell the court whether you have received a briefing about credit counseling.

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to file.

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

About Debtor 1:

You must check one:

■ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.**

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.**

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

☐ **I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.**

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.
If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

☐ **I am not required to receive a briefing about credit counseling because of:**

☐ **Incapacity.**
I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

☐ **Disability.**
My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

☐ **Active duty.**
I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver credit counseling with the court.

About Debtor 2 (Spouse Only in a Joint Case):

You must check one:

☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.**

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.**

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

☐ **I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.**

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

☐ **I am not required to receive a briefing about credit counseling because of:**

☐ **Incapacity.**
I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

☐ **Disability.**
My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

☐ **Active duty.**
I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

61

Debtor 1 Fawn [redacted] Fenton Case number (if known)

Part 6: Answer These Questions for Reporting Purposes

16. What kind of debts do you have?

16a. **Are your debts primarily consumer debts?** *Consumer debts* are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."

☐ No. Go to line 16b.

■ Yes. Go to line 17.

16b. **Are your debts primarily business debts?** *Business debts* are debts that you incurred to obtain money for a business or investment or through the operation of the business or investment.

☐ No. Go to line 16c.

☐ Yes. Go to line 17.

16c. State the type of debts you owe that are not consumer debts or business debts

17. Are you filing under Chapter 7?

■ No. I am not filing under Chapter 7. Go to line 18.

Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available for distribution to unsecured creditors?

☐ Yes. I am filing under Chapter 7. Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available to distribute to unsecured creditors?

☐ No

☐ Yes

18. How many Creditors do you estimate that you owe?

■ 1-49
☐ 50-99
☐ 100-199
☐ 200-999
☐ 1,000-5,000
☐ 5001-10,000
☐ 10,001-25,000
☐ 25,001-50,000
☐ 50,001-100,000
☐ More than100,000

19. How much do you estimate your assets to be worth?

☐ $0 - $50,000
☐ $50,001 - $100,000
■ $100,001 - $500,000
☐ $500,001 - $1 million
☐ $1,000,001 - $10 million
☐ $10,000,001 - $50 million
☐ $50,000,001 - $100 million
☐ $100,000,001 - $500 million
☐ $500,000,001 - $1 billion
☐ $1,000,000,001 - $10 billion
☐ $10,000,000,001 - $50 billion
☐ More than $50 billion

20. How much do you estimate your liabilities to be?

☐ $0 - $50,000
☐ $50,001 - $100,000
■ $100,001 - $500,000
☐ $500,001 - $1 million
☐ $1,000,001 - $10 million
☐ $10,000,001 - $50 million
☐ $50,000,001 - $100 million
☐ $100,000,001 - $500 million
☐ $500,000,001 - $1 billion
☐ $1,000,000,001 - $10 billion
☐ $10,000,000,001 - $50 billion
☐ More than $50 billion

Part 7: Sign Below

For you

I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct.

If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11, 12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7.

If no attorney represents me and I did not pay or agree to pay someone who is not an attorney to help me fill out this document, I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I understand making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to $250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

/s/ Fawn [redacted] Fenton
Fawn [redacted] Fenton
Signature of Debtor 1

Signature of Debtor 2

Executed on April 26, 2019
MM / DD / YYYY

Executed on
MM / DD / YYYY

62

Debtor 1 Fawn [redacted] Fenton Case number *(if known)*

For your attorney, if you are represented by one

If you are not represented by an attorney, you do not need to file this page.

I, the attorney for the debtor(s) named in this petition, declare that I have informed the debtor(s) about eligibility to proceed under Chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each chapter for which the person is eligible I also certify that I have delivered to the debtor(s) the notice required by 11 U.S.C. § 342(b) and, in a case in which § 707(b)(4)(D) applies, certify that I have no knowledge after an inquiry that the information in the schedules filed with the petition is incorrect

/s/ **Mary Beth Ausbrooks** Date **April 26, 2019**
Signature of Attorney for Debtor MM / DD / YYYY

Mary Beth Ausbrooks
Printed name

Rothschild & Ausbrooks PLLC
Firm name

1222 16th Avenue South, Suite 12
Nashville, TN 37212-2926
Number, Street, City, State & ZIP Code

Contact phone **(615) 242-3996** Email address **notice@rothschildbklaw.com**

3463 TN
Bar number & State

63

Fill in this information to identify your case:

Debtor 1 Fawn [redacted] Fenton
First Name Middle Name Last Name

Debtor 2 (Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number (if known)

☐ Check if this is an amended filing

Official Form 106Sum
Summary of Your Assets and Liabilities and Certain Statistical Information 12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Fill out all of your schedules first; then complete the information on this form. If you are filing amended schedules after you file your original forms, you must fill out a new *Summary* and check the box at the top of this page.

Part 1: Summarize Your Assets

	Your assets Value of what you own
1. **Schedule A/B: Property** (Official Form 106A/B) 1a. Copy line 55, Total real estate, from Schedule A/B	$ 425,000.00
1b. Copy line 62, Total personal property, from Schedule A/B	$ 33,108.50
1c. Copy line 63, Total of all property on Schedule A/B	$ 458,108.50

Part 2: Summarize Your Liabilities

	Your liabilities Amount you owe
2. *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 106D) 2a. Copy the total you listed in Column A, *Amount of claim*, at the bottom of the last page of Part 1 of *Schedule D*	$ 306,750.19
3. *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 106E/F) 3a. Copy the total claims from Part 1 (priority unsecured claims) from line 6e of *Schedule E/F*	$ 0.00
3b. Copy the total claims from Part 2 (nonpriority unsecured claims) from line 6j of *Schedule E/F*	$ 48,941.30
Your total liabilities	$ 355,691.49

Part 3: Summarize Your Income and Expenses

4. *Schedule I: Your Income* (Official Form 106I) Copy your combined monthly income from line 12 of *Schedule I*	$ 5,845.04
5. *Schedule J: Your Expenses* (Official Form 106J) Copy your monthly expenses from line 22c of *Schedule J*	$ 3,025.00

Part 4: Answer These Questions for Administrative and Statistical Records

6. **Are you filing for bankruptcy under Chapters 7, 11, or 13?**
   - ☐ No. You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.
   - ■ Yes
7. **What kind of debt do you have?**
   - ■ **Your debts are primarily consumer debts.** *Consumer debts* are those "incurred by an individual primarily for a personal, family, or household purpose." 11 U.S.C. § 101(8). Fill out lines 8-9g for statistical purposes. 28 U.S.C. § 159.
   - ☐ **Your debts are not primarily consumer debts.** You have nothing to report on this part of the form. *Check this box* and submit this form to the court with your other schedules.

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Debtor 1 Fawn [redacted] Fenton Case number *(if known)*

8 **From the *Statement of Your Current Monthly Income*:** Copy your total current monthly income from Official Form 122A-1 Line 11; **OR**, Form 122B Line 11; **OR**, Form 122C-1 Line 14. $ 7,500.00

9. **Copy the following special categories of claims from Part 4, line 6 of *Schedule E/F*:**

From Part 4 on *Schedule E/F*, copy the following:	Total claim
9a. Domestic support obligations (Copy line 6a.)	$ 0.00
9b. Taxes and certain other debts you owe the government. (Copy line 6b.)	$ 0.00
9c. Claims for death or personal injury while you were intoxicated. (Copy line 6c.)	$ 0.00
9d. Student loans. (Copy line 6f.)	$ 0.00
9e. Obligations arising out of a separation agreement or divorce that you did not report as priority claims. (Copy line 6g.)	$ 0.00
9f. Debts to pension or profit-sharing plans, and other similar debts. (Copy line 6h.)	+$ 0.00
9g. **Total.** Add lines 9a through 9f.	$ 0.00

65

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Fill in this information to identify your case and this filing:

Debtor 1 Fawn [redacted] Fenton
First Name Middle Name Last Name

Debtor 2 (Spouse, if filing)
First Name Middle Name Last Name

United States Bankruptcy Court for the MIDDLE DISTRICT OF TENNESSEE

Case number

☐ Check if this is an amended filing

Official Form 106A/B
Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

☐ No. Go to Part 2.

■ Yes. Where is the property?

1.1

1986 Sunny Side Drive
Street address, if available, or other description

Brentwood TN 37027-0000
City State ZIP Code

Williamson
County

What is the property? Check all that apply
- ■ Single-family home
- ☐ Duplex or multi-unit building
- ☐ Condominium or cooperative
- ☐ Manufactured or mobile home
- ☐ Land
- ☐ Investment property
- ☐ Timeshare
- ☐ Other

Who has an interest in the property? Check one
- ☐ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ■ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property.*

Current value of the entire property?	Current value of the portion you own?
$425,000.00	$425,000.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.
Tenants by the Entireties

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:
Separated Spouse is on Deed only

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=> $425,000.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases.*

66

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Debtor 1 Fawn [redacted] Fenton Case number (if known)

3 Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

☐ No
■ Yes

3.1 Make: Toyota
Model: Prius
Year: 2017
Approximate mileage: 23,000
Other information:
VIN: [redacted]

Who has an interest in the property? Check one
■ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property.*

Current value of the entire property?	Current value of the portion you own?
$16,375.00	$16,375.00

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories
Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

■ No
☐ Yes

5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=> $16,375.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?	Current value of the portion you own? Do not deduct secured claims or exemptions.
6. Household goods and furnishings *Examples:* Major appliances, furniture, linens, china, kitchenware ☐ No ■ Yes. Describe.. ..	
Sofa, Rugs, End Table, Coffee Table, Bedroom Suite, Bookshelves, Gun Safe, Table & Chairs, Toaster, Pots & Pans, Misc. Household Items	$1,500.00
1986 Sunny Side Drive Sofa, Entertainment Center, Lounge Chair, Patio Furniture, File Cabinets, Desk, Lamps, Misc. Household Items	$500.00
7 Electronics *Examples:* Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games ☐ No ■ Yes. Describe.....	
Cellphone, Laptop, TV, Tablet	$1,000.00
8. Collectibles of value *Examples:* Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles ☐ No ■ Yes. Describe.. ..	
Breyer Horses	67 $900.00

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Debtor 1 Fawn [redacted] Fenton Case number *(if known)*

9. **Equipment for sports and hobbies**
Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☐ No
■ Yes. Describe.. ..

Treadmill $1,000, Weight Set $200 **located at 1986 Sunny Side Drive, Brentwood, TN**	**$600.00**

10 **Firearms**
Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☐ No
■ Yes. Describe.....

AR15, FN-FAL, Glock 23, Rugger SP101	**$2,700.00**

11 **Clothes**
Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No
■ Yes. Describe.....

Clothing/Shoes/Purse	**$500.00**

12. **Jewelry**
Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☐ No
■ Yes. Describe ....

Wedding Ring $1500 and Costume jewelry	**$1,500.00**

13. **Non-farm animals**
Examples: Dogs, cats, birds, horses

☐ No
■ Yes. Describe.....

Dog, 2 Bunnies, Fish	**$0.00**

14 **Any other personal and household items you did not already list, including any health aids you did not list**

☐ No
■ Yes. Give specific information.....

Items in storage **Books, Luggage, Pet Supplies, Christmas Decorations**	**$1,000.00**
2 Aquarium located at 1986 Sunny Side Drive **2 Aquarium located at** [redacted]	**$2,000.00**

15 **Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here** **$12,200.00**

Part 4: Describe Your Financial Assets 68

Do you own or have any legal or equitable interest in any of the following?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

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Debtor 1 Fawn [redacted] Fenton Case number *(if known)*

16. **Cash**
Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition
☐ No
■ Yes.....

Cash $50.00

17 **Deposits of money**
Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.
☐ No
■ Yes..... Institution name:

17 1. Checking	First Farmers & Merchants	$2,000.00
17.2. Checking	Ascend Federal CU	$0.00
17.3. Savings	First Farmers & Merchants	$800.00
17 4. Savings	Ascend Federal CU	$150.00

18. **Bonds, mutual funds, or publicly traded stocks**
Examples: Bond funds, investment accounts with brokerage firms, money market accounts
■ No
☐ Yes..... Institution or issuer name:

19. **Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture**
■ No
☐ Yes. Give specific information about them.....
Name of entity: % of ownership:

20. **Government and corporate bonds and other negotiable and non-negotiable instruments**
Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.
Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.
■ No
☐ Yes. Give specific information about them
Issuer name:

21. **Retirement or pension accounts**
Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans
■ No
☐ Yes. List each account separately.
Type of account: Institution name:

22. **Security deposits and prepayments**
Your share of all unused deposits you have made so that you may continue service or use from a company
Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others
■ No
☐ Yes. ..... Institution name or individual:

23. **Annuities** (A contract for a periodic payment of money to you, either for life or for a number of years)
■ No
☐ Yes..... Issuer name and description.

24 **Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.**
26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

69

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Debtor 1 Fawn [redacted] Fenton Case number (if known)

■ No
☐ Yes Institution name and description Separately file the records of any interests.11 U.S.C. § 521(c):

25 **Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit**
■ No
☐ Yes Give specific information about them ..

26. **Patents, copyrights, trademarks, trade secrets, and other intellectual property**
Examples: Internet domain names, websites, proceeds from royalties and licensing agreements
■ No
☐ Yes. Give specific information about them ..

27. **Licenses, franchises, and other general intangibles**
Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses
■ No
☐ Yes. Give specific information about them...

Money or property owed to you? **Current value of the portion you own?** Do not deduct secured claims or exemptions.

28 **Tax refunds owed to you**
☐ No
■ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

2017 Tax Refund	Federal	$1,533.50
2018 Tax Refund $2,158.00 $668.98 to Separated Spouse remainder used on living expenses	Federal	$0.00

29. **Family support**
Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement
■ No
☐ Yes. Give specific information ....

30 **Other amounts someone owes you**
Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else
■ No
☐ Yes. Give specific information..

31. **Interests in insurance policies**
Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance
■ No
☐ Yes. Name the insurance company of each policy and list its value.
Company name: Beneficiary: Surrender or refund value:

32 **Any interest in property that is due you from someone who has died**
If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.
■ No
☐ Yes Give specific information

33 **Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment**
Examples Accidents, employment disputes, insurance claims, or rights to sue
■ No

70

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Debtor 1 Fawn [redacted] Fenton Case number *(if known)*

☐ Yes Describe each claim .....

34 **Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims**

■ No

☐ Yes Describe each claim.....

35 **Any financial assets you did not already list**

■ No

☐ Yes. Give specific information..

36 **Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....** **$4,533.50**

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. **Do you own or have any legal or equitable interest in any business-related property?**

■ No Go to Part 6.

☐ Yes. Go to line 38. .

Part 6 Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In. If you own or have an interest in farmland, list it in Part 1.

46. **Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?**

■ No. Go to Part 7.

☐ Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest In That You Did Not List Above

53. **Do you have other property of any kind you did not already list?**
Examples: Season tickets, country club membership

■ No

☐ Yes. Give specific information.....

54. **Add the dollar value of all of your entries from Part 7. Write that number here** **$0.00**

Part 8: List the Totals of Each Part of this Form

55.	**Part 1: Total real estate, line 2**			**$425,000.00**
56	**Part 2: Total vehicles, line 5**	**$16,375.00**		
57.	**Part 3: Total personal and household items, line 15**	**$12,200.00**		
58.	**Part 4: Total financial assets, line 36**	**$4,533.50**		
59.	**Part 5: Total business-related property, line 45**	**$0.00**		
60.	**Part 6: Total farm- and fishing-related property, line 52**	**$0.00**		
61.	**Part 7: Total other property not listed, line 54** +	**$0.00**		
62	**Total personal property.** Add lines 56 through 61...	**$33,108.50**	Copy personal property total	**$33,108.50**
63.	**Total of all property on Schedule A/B.** Add line 55 + line 62			**$458,108.50**

71

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Fill in this information to identify your case:

Debtor 1 Fawn [redacted] Fenton
First Name Middle Name Last Name

Debtor 2 (Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number (if known)

☐ Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

4/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. **Which set of exemptions are you claiming?** *Check one only, even if your spouse is filing with you.*

   ■ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)

   ☐ You are claiming federal exemptions. 11 U S C § 522(b)(2)

2. **For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.**

Brief description of the property and line on *Schedule A/B* that lists this property	Current value of the portion you own Copy the value from *Schedule A/B*	Amount of the exemption you claim *Check only one box for each exemption.*	Specific laws that allow exemption
2017 Toyota Prius 23,000 miles **VIN:** [redacted] Line from *Schedule A/B*: 3.1	$16,375.00	■ $3,775.00 ☐ 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-103
AR15, FN-FAL, Glock 23, Rugger SP101 Line from *Schedule A/B*: 10.1	$2,700.00	■ $2,700.00 ☐ 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-103
Clothing/Shoes/Purse Line from *Schedule A/B*: 11.1	$500.00	■ 100% ☐ 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-104
Cash Line from *Schedule A/B*: 16.1	$50.00	■ $50.00 ☐ 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-103
Checking: First Farmers & Merchants Line from *Schedule A/B*: 17.1	$2,000.00	■ $2,000.00 ☐ 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-103

72

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Debtor 1 Fawn Tiffany Fenton Case number (if known)

Brief description of the property and line on *Schedule A/B* that lists this property	Current value of the portion you own Copy the value from *Schedule A/B*	Amount of the exemption you claim *Check only one box for each exemption.*	Specific laws that allow exemption
Savings: First Farmers & Merchants Line from *Schedule A/B*: 17.3	$800.00	■ $800.00 ☐ 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-103
Savings: Ascend Federal CU Line from *Schedule A/B*: 17.4	$150.00	■ $150.00 ☐ 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-103
Federal: 2017 Tax Refund Line from *Schedule A/B*: 28.1	$1,533.50	■ $525.00 ☐ 100% of fair market value, up to any applicable statutory limit	Tenn. Code Ann. § 26-2-103

3. **Are you claiming a homestead exemption of more than $170,350?**
(Subject to adjustment on 4/01/22 and every 3 years after that for cases filed on or after the date of adjustment.)

■ No

☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?

☐ No

☐ Yes

73

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Fill in this information to identify your case:

Debtor 1 Fawn [redacted] Fenton
First Name Middle Name Last Name

Debtor 2 (Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number (if known)

☐ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.

■ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

	Column A Amount of claim Do not deduct the value of collateral.	Column B Value of collateral that supports this claim	Column C Unsecured portion If any
2.1 BanCorp South	$53,967.42	$425,000.00	$0.00
2.2 Bank of America, NA	$240,182.77	$425,000.00	$0.00

2.1 BanCorp South
Creditor's Name

Attn: Officer Manager or Agent
914 Murfreesboro Road
Franklin, TN 37067
Number, Street, City, State & Zip Code

Who owes the debt? Check one.
■ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim relates to a community debt

Describe the property that secures the claim:
1986 Sunny Side Drive Brentwood, TN 37027 Williamson County Separated Spouse is on Deed only

As of the date you file, the claim is: Check all that apply
☐ Contingent
☐ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.
☐ An agreement you made (such as mortgage or secured car loan)
☐ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
■ Other (including a right to offset) Home Equity Line of Credit

Date debt was incurred _____ Last 4 digits of account number _____

2.2 Bank of America, NA
Creditor's Name

Attn: Officer Manager or Agent
4909 Savarese Circle
Tampa, FL 33634
Number, Street, City, State & Zip Code

Who owes the debt? Check one.
■ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim relates to a community debt

Describe the property that secures the claim:
1986 Sunny Side Drive Brentwood, TN 37027 Williamson County Separated Spouse is on Deed only

As of the date you file, the claim is: Check all that apply
☐ Contingent
☐ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.
☐ An agreement you made (such as mortgage or secured car loan)
☐ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
■ Other (including a right to offset) First Mortgage

Date debt was incurred _____ Last 4 digits of account number _____ 74

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Debtor 1 Fawn [redacted] Fenton
First Name Middle Name Last Name

Case number (if known)

2.3	Toyota Motor Credit Co. Creditor's Name Attn Officer Manager or Agent 5005 N River Blvd. NE Cedar Rapids, IA 52411-6634 Number, Street, City, State & Zip Code	Describe the property that secures the claim: 2017 Toyota Prius 23,000 miles VIN: [redacted]	$12,600.00	$16,375.00	$0.00

As of the date you file, the claim is: Check all that apply
- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed

Who owes the debt? Check one.
- ■ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another
- ☐ Check if this claim relates to a community debt

Nature of lien. Check all that apply.
- ☐ An agreement you made (such as mortgage or secured car loan)
- ☐ Statutory lien (such as tax lien, mechanic's lien)
- ☐ Judgment lien from a lawsuit
- ■ Other (including a right to offset) PMSI

Date debt was incurred 09/15/2016 Last 4 digits of account number

Add the dollar value of your entries in Column A on this page. Write that number here:	$306,750.19
If this is the last page of your form, add the dollar value totals from all pages. Write that number here:	$306,750.19

Part 2: List Others to Be Notified for a Debt That You Already Listed

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

75

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Fill in this information to identify your case:

Debtor 1 Fawn [redacted] Fenton
First Name Middle Name Last Name

Debtor 2
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number
(if known)

☐ Check if this is an amended filing

Official Form 106E/F

Schedule E/F: Creditors Who Have Unsecured Claims

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY claims and Part 2 for creditors with NONPRIORITY claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on Schedule A/B: Property (Official Form 106A/B) and on Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G). Do not include any creditors with partially secured claims that are listed in Schedule D: Creditors Who Have Claims Secured by Property. If more space is needed, copy the Part you need, fill it out, number the entries in the boxes on the left. Attach the Continuation Page to this page. If you have no information to report in a Part, do not file that Part. On the top of any additional pages, write your name and case number (if known).

Part 1: List All of Your PRIORITY Unsecured Claims

1. **Do any creditors have priority unsecured claims against you?**

☐ No. Go to Part 2.

■ Yes.

2. **List all of your priority unsecured claims.** If a creditor has more than one priority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. If a claim has both priority and nonpriority amounts, list that claim here and show both priority and nonpriority amounts. As much as possible, list the claims in alphabetical order according to the creditor's name. If you have more than two priority unsecured claims, fill out the Continuation Page of Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3.

(For an explanation of each type of claim, see the instructions for this form in the instruction booklet.)

			Total claim	Priority amount	Nonpriority amount
2.1	IRS Insolvency Priority Creditor's Name Attn: Officer Manager or Agent PO Box 7346 Philadelphia, PA 19101-7346 Number Street City State Zip Code	Last 4 digits of account number	$0.00	$0.00	$0.00

When was the debt incurred?

Who incurred the debt? Check one

■ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

☐ Check if this claim is for a community debt

Is the claim subject to offset?

■ No

☐ Yes

As of the date you file, the claim is: Check all that apply

☐ Contingent

☐ Unliquidated

☐ Disputed

Type of PRIORITY unsecured claim:

☐ Domestic support obligations

■ Taxes and certain other debts you owe the government

☐ Claims for death or personal injury while you were intoxicated

☐ Other. Specify Notice

Part 2: List All of Your NONPRIORITY Unsecured Claims

3. **Do any creditors have nonpriority unsecured claims against you?**

☐ No. You have nothing to report in this part. Submit this form to the court with your other schedules.

■ Yes.

4. **List all of your nonpriority unsecured claims in the alphabetical order of the creditor who holds each claim.** If a creditor has more than one nonpriority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. Do not list claims already included in Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3. If you have more than three nonpriority unsecured claims fill out the Continuation Page of Part 2.

Total claim

76

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Debtor 1 Fawn [redacted] Fenton Case number (if known)

4.1 American Express
Nonpriority Creditor's Name
Attn: Officer Manager or Agent
PO Box 981537
El Paso, TX 79998
Number Street City State Zip Code

Last 4 digits of account number
When was the debt incurred?
$9,518.02

Who incurred the debt? Check one.
- ■ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another
- ☐ Check if this claim is for a community debt

Is the claim subject to offset?
- ■ No
- ☐ Yes

As of the date you file, the claim is: Check all that apply
- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed

Type of NONPRIORITY unsecured claim:
- ☐ Student loans
- ☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
- ☐ Debts to pension or profit-sharing plans, and other similar debts
- ■ Other. Specify Credit Card

4.2 Ascend Federal Credit Union
Nonpriority Creditor's Name
Attn: Officer Manager or Agent
PO Box 1210
Tullahoma, TN 37388
Number Street City State Zip Code

Last 4 digits of account number
When was the debt incurred?
$17,811.23

Who incurred the debt? Check one.
- ■ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another
- ☐ Check if this claim is for a community debt

Is the claim subject to offset?
- ■ No
- ☐ Yes

As of the date you file, the claim is: Check all that apply
- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed

Type of NONPRIORITY unsecured claim:
- ☐ Student loans
- ☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
- ☐ Debts to pension or profit-sharing plans, and other similar debts
- ■ Other. Specify Credit Card

4.3 Bank of America
Nonpriority Creditor's Name
Attn: Officer Manager or Agent
PO Box 982238
El Paso, TX 79998
Number Street City State Zip Code

Last 4 digits of account number
When was the debt incurred?
$11,793.22

Who incurred the debt? Check one.
- ■ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another
- ☐ Check if this claim is for a community debt

Is the claim subject to offset?
- ■ No
- ☐ Yes

As of the date you file, the claim is: Check all that apply
- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed

Type of NONPRIORITY unsecured claim:
- ☐ Student loans
- ☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
- ☐ Debts to pension or profit-sharing plans, and other similar debts
- ■ Other. Specify Credit Card

77

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Debtor 1 Fawn [redacted] Fenton Case number (if known)

4.4 Capital One Bank USA NA
Nonpriority Creditor's Name
Attn: Officer Manager or Agent
PO Box 30281
Salt Lake City, UT 84130-0281
Number Street City State Zip Code

Last 4 digits of account number $9,818.83
When was the debt incurred?

Who incurred the debt? Check one.
- ■ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another
- ☐ Check if this claim is for a community debt

Is the claim subject to offset?
- ■ No
- ☐ Yes

As of the date you file, the claim is: Check all that apply
- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed

Type of NONPRIORITY unsecured claim:
- ☐ Student loans
- ☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
- ☐ Debts to pension or profit-sharing plans, and other similar debts
- ■ Other. Specify Flexible Spending Account

4.5 Chase Card
Nonpriority Creditor's Name
Attn: Officer Manager or Agent
PO Box 15298
Wilmington, DE 19850
Number Street City State Zip Code

Last 4 digits of account number $0.00
When was the debt incurred?

Who incurred the debt? Check one.
- ■ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another
- ☐ Check if this claim is for a community debt

Is the claim subject to offset?
- ■ No
- ☐ Yes

As of the date you file, the claim is: Check all that apply
- ☐ Contingent
- ☐ Unliquidated
- ☐ Disputed

Type of NONPRIORITY unsecured claim:
- ☐ Student loans
- ☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
- ☐ Debts to pension or profit-sharing plans, and other similar debts
- ■ Other. Specify Notice

Part 3: List Others to Be Notified About a Debt That You Already Listed

5. Use this page only if you have others to be notified about your bankruptcy, for a debt that you already listed in Parts 1 or 2. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the original creditor in Parts 1 or 2, then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Parts 1 or 2, list the additional creditors here. If you do not have additional persons to be notified for any debts in Parts 1 or 2, do not fill out or submit this page.

Name and Address
IRS Insolvency
801 Broadway Room 285
MDP 146
Nashville, TN 37203

On which entry in Part 1 or Part 2 did you list the original creditor?
Line 2.1 of (*Check one*):
- ■ Part 1: Creditors with Priority Unsecured Claims
- ☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number

Name and Address
US Attorney General
US Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530

On which entry in Part 1 or Part 2 did you list the original creditor?
Line 2.1 of (*Check one*):
- ■ Part 1: Creditors with Priority Unsecured Claims
- ☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number

Part 4: Add the Amounts for Each Type of Unsecured Claim

6. Total the amounts of certain types of unsecured claims. This information is for statistical reporting purposes only. 28 U.S.C. §159. Add the amounts for each type of unsecured claim.

		Total Claim
6a	Domestic support obligations	6a $ 0.00
Total		

78

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Debtor 1 Fawn [redacted] Fenton Case number (if known)

claims from Part 1	6b.	Taxes and certain other debts you owe the government	6b.	$ 0.00
	6c.	Claims for death or personal injury while you were intoxicated	6c.	$ 0.00
	6d.	Other. Add all other priority unsecured claims. Write that amount here.	6d.	$ 0.00
	6e.	Total Priority. Add lines 6a through 6d.	6e.	$ 0.00
				Total Claim
	6f.	Student loans	6f.	$ 0.00
Total claims from Part 2	6g.	Obligations arising out of a separation agreement or divorce that you did not report as priority claims	6g.	$ 0.00
	6h	Debts to pension or profit-sharing plans, and other similar debts	6h.	$ 0.00
	6i.	Other. Add all other nonpriority unsecured claims. Write that amount here.	6i.	$ 48,941.30
	6j.	Total Nonpriority. Add lines 6f through 6i.	6j.	$ 48,941.30

79

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Fill in this information to identify your case:

Debtor 1 Fawn [redacted] Fenton
First Name Middle Name Last Name

Debtor 2
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number
(if known)

☐ Check if this is an amended filing

Official Form 106G
Schedule G: Executory Contracts and Unexpired Leases

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the additional page, fill it out, number the entries, and attach it to this page. On the top of any additional pages, write your name and case number (if known).

1. **Do you have any executory contracts or unexpired leases?**
   ☐ No. Check this box and file this form with the court with your other schedules. You have nothing else to report on this form.
   ■ Yes. Fill in all of the information below even if the contacts of leases are listed on *Schedule A/B:Property* (Official Form 106 A/B).

2. **List separately each person or company with whom you have the contract or lease. Then state what each contract or lease is for (for example, rent, vehicle lease, cell phone).** See the instructions for this form in the instruction booklet for more examples of executory contracts and unexpired leases.

Person or company with whom you have the contract or lease Name, Number, Street, City, State and ZIP Code	State what the contract or lease is for
2.1 [redacted] c/o Brookside Properties, Inc. 2002 Richard Jones Road, Suite 200-C Nashville, TN 37215	Assume Residential Lease Ends 08/2020

80

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Fill in this information to identify your case:

Debtor 1 Fawn [redacted] Fenton
First Name Middle Name Last Name

Debtor 2
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number
(if known)

☐ Check if this is an amended filing

Official Form 106H
Schedule H: Your Codebtors

12/15

Codebtors are people or entities who are also liable for any debts you may have. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, and number the entries in the boxes on the left. Attach the Additional Page to this page. On the top of any Additional Pages, write your name and case number (if known). Answer every question.

1. Do you have any codebtors? (If you are filing a joint case, do not list either spouse as a codebtor.

■ No
☐ Yes

2. Within the last 8 years, have you lived in a community property state or territory? (*Community property states and territories* include Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, and Wisconsin.)

■ No. Go to line 3.
☐ Yes. Did your spouse, former spouse, or legal equivalent live with you at the time?

3. In Column 1, list all of your codebtors. Do not include your spouse as a codebtor if your spouse is filing with you. List the person shown in line 2 again as a codebtor only if that person is a guarantor or cosigner. Make sure you have listed the creditor on Schedule D (Official Form 106D), Schedule E/F (Official Form 106E/F), or Schedule G (Official Form 106G). Use Schedule D, Schedule E/F, or Schedule G to fill out Column 2.

Column 1: Your codebtor Name, Number, Street, City, State and ZIP Code	*Column 2:* The creditor to whom you owe the debt Check all schedules that apply:
3.1 Name Number Street City State ZIP Code	☐ Schedule D, line ____ ☐ Schedule E/F, line ____ ☐ Schedule G, line ____
3.2 Name Number Street City State ZIP Code	☐ Schedule D, line ____ ☐ Schedule E/F, line ____ ☐ Schedule G, line ____

81

Fill in this information to identify your case:

Debtor 1 Fawn [redacted] Fenton

Debtor 2 (Spouse if filing)

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number (If known)

Check if this is:
- ☐ An amended filing
- ☐ A supplement showing postpetition chapter 13 income as of the following date: MM / DD / YYYY

Official Form 106I

Schedule I: Your Income

12/15

Be as complete and accurate as possible. If two married people are filing together (Debtor 1 and Debtor 2), both are equally responsible for supplying correct information. If you are married and not filing jointly, and your spouse is living with you, include information about your spouse. If your spouse is not filing with you, do not include information about your spouse. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Employment

1. **Fill in your employment information.**

If you have more than one job, attach a separate page with information about additional employers.

Include part-time, seasonal, or self-employed work.

Occupation may include student or homemaker, if it applies

	Debtor 1	Debtor 2 or non-filing spouse
Employment status	■ Employed ☐ Not employed	☐ Employed ☐ Not employed
Occupation	Architect	
Employer's name	Adkisson & Associates, Architects, Inc.	
Employer's address	3322 West End Ave. Suite 103 Nashville, TN 37203	
How long employed there?	August 2006	

Part 2: Give Details About Monthly Income

Estimate monthly income as of the date you file this form. If you have nothing to report for any line, write $0 in the space. Include your non-filing spouse unless you are separated

If you or your non-filing spouse have more than one employer, combine the information for all employers for that person on the lines below. If you need more space, attach a separate sheet to this form.

		For Debtor 1	For Debtor 2 or non-filing spouse
2.	List monthly gross wages, salary, and commissions (before all payroll deductions). If not paid monthly, calculate what the monthly wage would be.	2. $ 7,500.00	$ N/A
3.	Estimate and list monthly overtime pay.	3. +$ 0.00	+$ N/A
4.	Calculate gross income. Add line 2 + line 3.	4. $ 7,500.00	$ N/A

82

Debtor 1 Fawn [redacted] Fenton Case number (if known)

		For Debtor 1	For Debtor 2 or non-filing spouse
Copy line 4 here	4.	$ 7,500.00	$ N/A
5. List all payroll deductions:			
5a. Tax, Medicare, and Social Security deductions	5a.	$ 1,654.96	$ N/A
5b. Mandatory contributions for retirement plans	5b	$ 0.00	$ N/A
5c. Voluntary contributions for retirement plans	5c.	$ 0.00	$ N/A
5d. Required repayments of retirement fund loans	5d.	$ 0.00	$ N/A
5e. Insurance	5e.	$ 0.00	$ N/A
5f. Domestic support obligations	5f.	$ 0.00	$ N/A
5g. Union dues	5g.	$ 0.00	$ N/A
5h. Other deductions. Specify:	5h.+	$ 0.00 +	$ N/A
6. Add the payroll deductions. Add lines 5a+5b+5c+5d+5e+5f+5g+5h.	6.	$ 1,654.96	$ N/A
7. Calculate total monthly take-home pay. Subtract line 6 from line 4.	7.	$ 5,845.04	$ N/A
8. List all other income regularly received:			
8a. Net income from rental property and from operating a business, profession, or farm. Attach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income.	8a.	$ 0.00	$ N/A
8b. Interest and dividends	8b.	$ 0.00	$ N/A
8c. Family support payments that you, a non-filing spouse, or a dependent regularly receive. Include alimony, spousal support, child support, maintenance, divorce settlement, and property settlement.	8c.	$ 0.00	$ N/A
8d. Unemployment compensation	8d.	$ 0.00	$ N/A
8e. Social Security	8e.	$ 0.00	$ N/A
8f. Other government assistance that you regularly receive. Include cash assistance and the value (if known) of any non-cash assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies. Specify:	8f.	$ 0.00	$ N/A
8g. Pension or retirement income	8g	$ 0.00	$ N/A
8h. Other monthly income. Specify:	8h.+	$ 0.00 +	$ N/A
9. Add all other income. Add lines 8a+8b+8c+8d+8e+8f+8g+8h.	9.	$ 0.00	$ N/A
10. Calculate monthly income. Add line 7 + line 9. Add the entries in line 10 for Debtor 1 and Debtor 2 or non-filing spouse.	10.	$ 5,845.04 +	$ N/A = $ 5,845.04

11. State all other regular contributions to the expenses that you list in *Schedule J*. Include contributions from an unmarried partner, members of your household, your dependents, your roommates, and other friends or relatives. Do not include any amounts already included in lines 2-10 or amounts that are not available to pay expenses listed in *Schedule J*. Specify: 11. +$ 0.00

12. Add the amount in the last column of line 10 to the amount in line 11. The result is the combined monthly income. Write that amount on the *Summary of Schedules* and *Statistical Summary of Certain Liabilities* and Related *Data*, if it applies 12. $ 5,845.04 Combined monthly income

13. Do you expect an increase or decrease within the year after you file this form?
- ■ No.
- ☐ Yes. Explain:

83

Fill in this information to identify your case:

Debtor 1 Fawn [redacted] Fenton

Debtor 2 (Spouse, if filing)

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number (If known)

Check if this is:
- ☐ An amended filing
- ☐ A supplement showing postpetition chapter 13 expenses as of the following date: MM / DD / YYYY

Official Form 106J
Schedule J: Your Expenses

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach another sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Describe Your Household

1. **Is this a joint case?**
   - ■ No. Go to line 2.
   - ☐ Yes. Does Debtor 2 live in a separate household?
     - ☐ No
     - ☐ Yes. Debtor 2 must file Official Form 106J-2, *Expenses for Separate Household* of Debtor 2.

2. **Do you have dependents?** ■ No ☐ Yes

Do not list Debtor 1 and Debtor 2.

Do not state the dependents names.

Fill out this information for each dependent.....

Dependent's relationship to Debtor 1 or Debtor 2	Dependent's age	Does dependent live with you?
		☐ No ☐ Yes
		☐ No ☐ Yes
		☐ No ☐ Yes
		☐ No ☐ Yes

3. **Do your expenses include expenses of people other than yourself and your dependents?** ■ No ☐ Yes

Part 2: Estimate Your Ongoing Monthly Expenses

Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed. If this is a supplemental *Schedule J*, check the box at the top of the form and fill in the applicable date.

Include expenses paid for with non-cash government assistance if you know the value of such assistance and have included it on *Schedule I: Your Income* (Official Form 106I.)

		Your expenses
4.	**The rental or home ownership expenses for your residence.** Include first mortgage payments and any rent for the ground or lot.	4. $ 1,229.00
	If not included in line 4:	
4a.	Real estate taxes	4a. $ 0.00
4b.	Property, homeowner's, or renter's insurance	4b $ 15.00
4c.	Home maintenance, repair, and upkeep expenses	4c. $ 0.00
4d.	Homeowner's association or condominium dues	4d $ 0.00
5	**Additional mortgage payments for your residence,** such as home equity loans	5. $ 0.00

Debtor 1 Fawn [redacted] Fenton Case number (if known)

6.	**Utilities:**		
6a.	Electricity, heat, natural gas	6a. $	90.00
6b	Water, sewer, garbage collection	6b $	0.00
6c.	Telephone, cell phone, internet, satellite, and cable services	6c $	100.00
6d.	Other. Specify:	6d. $	0.00
7	**Food and housekeeping supplies**	7 $	500.00
8.	**Childcare and children's education costs**	8. $	0.00
9.	**Clothing, laundry, and dry cleaning**	9. $	89.00
10.	**Personal care products and services**	10. $	50.00
11.	**Medical and dental expenses**	11. $	10.00
12.	**Transportation.** Include gas, maintenance, bus or train fare. Do not include car payments.	12. $	150.00
13.	**Entertainment, clubs, recreation, newspapers, magazines, and books**	13. $	50.00
14.	**Charitable contributions and religious donations**	14. $	25.00
15.	**Insurance.** Do not include insurance deducted from your pay or included in lines 4 or 20.		
15a.	Life insurance	15a. $	0.00
15b.	Health insurance	15b. $	0.00
15c.	Vehicle insurance	15c. $	200.00
15d.	Other insurance. Specify:	15d $	0.00
16.	**Taxes.** Do not include taxes deducted from your pay or included in lines 4 or 20. Specify:	16. $	0.00
17.	**Installment or lease payments:**		
17a.	Car payments for Vehicle 1	17a. $	0.00
17b.	Car payments for Vehicle 2	17b. $	0.00
17c.	Other. Specify: Storage	17c. $	117.00
17d.	Other. Specify:	17d. $	0.00
18.	**Your payments of alimony, maintenance, and support that you did not report as deducted from your pay on line 5, *Schedule I, Your Income* (Official Form 106I).**	18. $	0.00
19.	**Other payments you make to support others who do not live with you.** Specify:	19. $	0.00
20.	**Other real property expenses not included in lines 4 or 5 of this form or on *Schedule I: Your Income*.**		
20a.	Mortgages on other property	20a. $	0.00
20b	Real estate taxes	20b $	0.00
20c.	Property, homeowner's, or renter's insurance	20c. $	0.00
20d	Maintenance, repair, and upkeep expenses	20d. $	0.00
20e.	Homeowner's association or condominium dues	20e. $	0.00
21.	**Other: Specify:** Pet Supplies - 1 Dog & 2 Bunnies & Fish	21. +$	400.00
22.	**Calculate your monthly expenses**		
22a.	Add lines 4 through 21.		$ 3,025.00
22b.	Copy line 22 (monthly expenses for Debtor 2), if any, from Official Form 106J-2		$
22c.	Add line 22a and 22b. The result is your monthly expenses.		$ 3,025.00
23.	**Calculate your monthly net income.**		
23a.	Copy line 12 *(your combined monthly income)* from Schedule I.	23a $	5,845.04
23b.	Copy your monthly expenses from line 22c above.	23b. -$	3,025.00
23c.	Subtract your monthly expenses from your monthly income. The result is your *monthly net income*.	23c. $	2,820.04

24. **Do you expect an increase or decrease in your expenses within the year after you file this form?**
For example, do you expect to finish paying for your car loan within the year or do you expect your mortgage payment to increase or decrease because of a modification to the terms of your mortgage?

■ No
☐ Yes. Explain here:

85

Fill in this information to identify your case:

Debtor 1 **Fawn [redacted] Fenton**
First Name Middle Name Last Name

Debtor 2
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: MIDDLE DISTRICT OF TENNESSEE

Case number
(if known)

☐ Check if this is an amended filing

Official Form 106Dec

Declaration About an Individual Debtor's Schedules

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to $250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

[redacted] Sign Below

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

■ No

☐ Yes. Name of person _____ Attach *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119)

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.

X **/s/ Fawn Tiffany Fenton**
Fawn [redacted] Fenton
Signature of Debtor 1

Date **April 26, 2019**

X _____
Signature of Debtor 2

Date _____

86

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Debtor 1 Fawn [redacted] Fenton Case number (if known)

14 **Within 2 years before you filed for bankruptcy, did you give any gifts or contributions with a total value of more than $600 to any charity?**

■ No
☐ Yes. Fill in the details for each gift or contribution.

Gifts or contributions to charities that total more than $600 Charity's Name Address (Number, Street, City, State and ZIP Code)	Describe what you contributed	Dates you contributed	Value

Part 6: List Certain Losses

15 **Within 1 year before you filed for bankruptcy or since you filed for bankruptcy, did you lose anything because of theft, fire, other disaster, or gambling?**

■ No
☐ Yes. Fill in the details.

Describe the property you lost and how the loss occurred	Describe any insurance coverage for the loss Include the amount that insurance has paid. List pending insurance claims on line 33 of *Schedule A/B: Property*.	Date of your loss	Value of property lost

Part 7: List Certain Payments or Transfers

16. **Within 1 year before you filed for bankruptcy, did you or anyone else acting on your behalf pay or transfer any property to anyone you consulted about seeking bankruptcy or preparing a bankruptcy petition?**
Include any attorneys, bankruptcy petition preparers, or credit counseling agencies for services required in your bankruptcy.

☐ No
■ Yes. Fill in the details.

Person Who Was Paid Address Email or website address Person Who Made the Payment, if Not You	Description and value of any property transferred	Date payment or transfer was made	Amount of payment
DebtorCC, Inc.	Credit Counseling	04/01/2019	$15.00

17 **Within 1 year before you filed for bankruptcy, did you or anyone else acting on your behalf pay or transfer any property to anyone who promised to help you deal with your creditors or to make payments to your creditors?**
Do not include any payment or transfer that you listed on line 16.

■ No
☐ Yes. Fill in the details.

Person Who Was Paid Address	Description and value of any property transferred	Date payment or transfer was made	Amount of payment

18. **Within 2 years before you filed for bankruptcy, did you sell, trade, or otherwise transfer any property to anyone, other than property transferred in the ordinary course of your business or financial affairs?**
Include both outright transfers and transfers made as security (such as the granting of a security interest or mortgage on your property). Do not include gifts and transfers that you have already listed on this statement.

☐ No
■ Yes. Fill in the details.

Person Who Received Transfer Address Person's relationship to you	Description and value of property transferred	Describe any property or payments received or debts paid in exchange	Date transfer was made
Jeffrey Fenton 1986 Sunny Side Drive Brentwood, TN 37027	2003 Buick LeSabre	None	January 2019

19 **Within 10 years before you filed for bankruptcy, did you transfer any property to a self-settled trust or similar device of which you are a**

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Debtor 1 Fawn [redacted] Fenton Case number (if known)

beneficiary? (These are often called *asset-protection devices*.)

■ No
☐ Yes. Fill in the details.

Name of trust	Description and value of the property transferred	Date Transfer was made

Part 8: List of Certain Financial Accounts, Instruments, Safe Deposit Boxes, and Storage Units

20. **Within 1 year before you filed for bankruptcy, were any financial accounts or instruments held in your name, or for your benefit, closed, sold, moved, or transferred?**
Include checking, savings, money market, or other financial accounts; certificates of deposit; shares in banks, credit unions, brokerage houses, pension funds, cooperatives, associations, and other financial institutions.

■ No
☐ Yes. Fill in the details.

Name of Financial Institution and Address (Number, Street, City, State and ZIP Code)	Last 4 digits of account number	Type of account or instrument	Date account was closed, sold, moved, or transferred	Last balance before closing or transfer

21. **Do you now have, or did you have within 1 year before you filed for bankruptcy, any safe deposit box or other depository for securities, cash, or other valuables?**

■ No
☐ Yes. Fill in the details.

Name of Financial Institution Address (Number, Street, City, State and ZIP Code)	Who else had access to it? Address (Number, Street, City, State and ZIP Code)	Describe the contents	Do you still have it?

22. **Have you stored property in a storage unit or place other than your home within 1 year before you filed for bankruptcy?**

☐ No
■ Yes. Fill in the details.

Name of Storage Facility Address (Number, Street, City, State and ZIP Code)	Who else has or had access to it? Address (Number, Street, City, State and ZIP Code)	Describe the contents	Do you still have it?
Mallory Station Storage 309 Mallory Station Rd Franklin, TN 37067	Fawn [redacted] Fenton [redacted] Brentwood, TN 37027	Books, Luggage, Pet Supplies, Christmas decorations	☐ No ■ Yes

Part 9: Identify Property You Hold or Control for Someone Else

23. **Do you hold or control any property that someone else owns? Include any property you borrowed from, are storing for, or hold in trust for someone.**

■ No
☐ Yes. Fill in the details.

Owner's Name Address (Number, Street, City, State and ZIP Code)	Where is the property? (Number, Street, City, State and ZIP Code)	Describe the property	Value

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Debtor 1 Fawn [redacted] Fenton Case number (if known)

Part 10: Give Details About Environmental Information

For the purpose of Part 10, the following definitions apply:

- *Environmental law* means any federal, state, or local statute or regulation concerning pollution, contamination, releases of hazardous or toxic substances, wastes, or material into the air, land, soil, surface water, groundwater, or other medium, including statutes or regulations controlling the cleanup of these substances, wastes, or material.
- *Site* means any location, facility, or property as defined under any environmental law, whether you now own, operate, or utilize it or used to own, operate, or utilize it, including disposal sites.
- *Hazardous material* means anything an environmental law defines as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, contaminant, or similar term.

Report all notices, releases, and proceedings that you know about, regardless of when they occurred.

24. Has any governmental unit notified you that you may be liable or potentially liable under or in violation of an environmental law?

■ No
☐ Yes. Fill in the details.

Name of site Address (Number, Street, City, State and ZIP Code)	Governmental unit Address (Number, Street, City, State and ZIP Code)	Environmental law, if you know it	Date of notice

25. Have you notified any governmental unit of any release of hazardous material?

■ No
☐ Yes. Fill in the details.

Name of site Address (Number, Street, City, State and ZIP Code)	Governmental unit Address (Number, Street, City, State and ZIP Code)	Environmental law, if you know it	Date of notice

26. Have you been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

■ No
☐ Yes. Fill in the details.

Case Title Case Number	Court or agency Name Address (Number, Street, City, State and ZIP Code)	Nature of the case	Status of the case

Part 11: Give Details About Your Business or Connections to Any Business

27. Within 4 years before you filed for bankruptcy, did you own a business or have any of the following connections to any business?

☐ A sole proprietor or self-employed in a trade, profession, or other activity, either full-time or part-time
☐ A member of a limited liability company (LLC) or limited liability partnership (LLP)
☐ A partner in a partnership
☐ An officer, director, or managing executive of a corporation
☐ An owner of at least 5% of the voting or equity securities of a corporation

■ No. None of the above applies. Go to Part 12.
☐ Yes. Check all that apply above and fill in the details below for each business.

Business Name Address (Number, Street, City, State and ZIP Code)	Describe the nature of the business Name of accountant or bookkeeper	Employer identification number Do not include Social Security number or ITIN. Dates business existed

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Debtor 1 Fawn [redacted] Fenton Case number (if known)

28. **Within 2 years before you filed for bankruptcy, did you give a financial statement to anyone about your business? Include all financial institutions, creditors, or other parties.**

■ No
☐ Yes. Fill in the details below.

Name Address (Number, Street, City, State and ZIP Code)	Date Issued

Part 12: Sign Below

I have read the answers on this *Statement of Financial Affairs* and any attachments, and I declare under penalty of perjury that the answers are true and correct. I understand that making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to $250,000, or imprisonment for up to 20 years, or both.
18 U.S.C. §§ 152, 1341, 1519, and 3571.

/s/ Fawn Tiffany Fenton
Fawn [redacted] Fenton
Signature of Debtor 1

Signature of Debtor 2

Date April 26, 2019

Date

Did you attach additional pages to *Your Statement of Financial Affairs for Individuals Filing for Bankruptcy* (Official Form 107)?
■ No
☐ Yes

Did you pay or agree to pay someone who is not an attorney to help you fill out bankruptcy forms?
■ No
☐ Yes Name of Person _____. Attach the *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).

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Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)

This notice is for you if:

You are an individual filing for bankruptcy, and

Your debts are primarily consumer debts. *Consumer debts* are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."

The types of bankruptcy that are available to individuals

Individuals who meet the qualifications may file under one of four different chapters of Bankruptcy Code:

Chapter 7 - Liquidation

Chapter 11 - Reorganization

Chapter 12 - Voluntary repayment plan for family farmers or fishermen

Chapter 13 - Voluntary repayment plan for individuals with regular income

You should have an attorney review your decision to file for bankruptcy and the choice of chapter.

Chapter 7: Liquidation

	$245	filing fee
	$75	administrative fee
+	$15	trustee surcharge
	$335	total fee

Chapter 7 is for individuals who have financial difficulty preventing them from paying their debts and who are willing to allow their nonexempt property to be used to pay their creditors. The primary purpose of filing under chapter 7 is to have your debts discharged. The bankruptcy discharge relieves you after bankruptcy from having to pay many of your pre-bankruptcy debts. Exceptions exist for particular debts, and liens on property may still be enforced after discharge. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

However, if the court finds that you have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge.

You should know that even if you file chapter 7 and you receive a discharge, some debts are not discharged under the law. Therefore, you may still be responsible to pay:

most taxes;

most student loans;

domestic support and property settlement obligations;

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most fines, penalties, forfeitures, and criminal restitution obligations; and

certain debts that are not listed in your bankruptcy papers.

You may also be required to pay debts arising from:

fraud or theft;

fraud or defalcation while acting in breach of fiduciary capacity;

intentional injuries that you inflicted; and

death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs.

If your debts are primarily consumer debts, the court can dismiss your chapter 7 case if it finds that you have enough income to repay creditors a certain amount. You must file *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A–1) if you are an individual filing for bankruptcy under chapter 7. This form will determine your current monthly income and compare whether your income is more than the median income that applies in your state.

If your income is not above the median for your state, you will not have to complete the other chapter 7 form, the *Chapter 7 Means Test Calculation* (Official Form 122A–2).

If your income is above the median for your state, you must file a second form —the *Chapter 7 Means Test Calculation* (Official Form 122A–2). The calculations on the form— sometimes called the *Means Test*—deduct from your income living expenses and payments on certain debts to determine any amount available to pay unsecured creditors. If your income is more than the median income for your state of residence and family size, depending on the results of the *Means Test*, the U.S. trustee, bankruptcy administrator, or creditors can file a motion to dismiss your case under § 707(b) of the Bankruptcy Code. If a motion is filed, the court will decide if your case should be dismissed. To avoid dismissal, you may choose to proceed under another chapter of the Bankruptcy Code.

If you are an individual filing for chapter 7 bankruptcy, the trustee may sell your property to pay your debts, subject to your right to exempt the property or a portion of the proceeds from the sale of the property. The property, and the proceeds from property that your bankruptcy trustee sells or liquidates that you are entitled to, is called *exempt property*. Exemptions may enable you to keep your home, a car, clothing, and household items or to receive some of the proceeds if the property is sold.

Exemptions are not automatic. To exempt property, you must list it on *Schedule C: The Property You Claim as Exempt* (Official Form 106C). If you do not list the property, the trustee may sell it and pay all of the proceeds to your creditors.

Chapter 11: Reorganization

	$1,167	filing fee
+	$550	administrative fee
	$1,717	total fee

Chapter 11 is often used for reorganizing a business, but is also available to individuals. The provisions of chapter 11 are too complicated to summarize briefly

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Read These Important Warnings

Because bankruptcy can have serious long-term financial and legal consequences, including loss of your property, you should hire an attorney and carefully consider all of your options before you file. Only an attorney can give you legal advice about what can happen as a result of filing for bankruptcy and what your options are. If you do file for bankruptcy, an attorney can help you fill out the forms properly and protect you, your family, your home, and your possessions.

Although the law allows you to represent yourself in bankruptcy court, you should understand that many people find it difficult to represent themselves successfully. The rules are technical, and a mistake or inaction may harm you. If you file without an attorney, you are still responsible for knowing and following all of the legal requirements.

You should not file for bankruptcy if you are not eligible to file or if you do not intend to file the necessary documents.

Bankruptcy fraud is a serious crime; you could be fined and imprisoned if you commit fraud in your bankruptcy case. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to $250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Chapter 12: Repayment plan for family farmers or fishermen

	$200	filing fee
+	$75	administrative fee
	$275	total fee

Similar to chapter 13, chapter 12 permits family farmers and fishermen to repay their debts over a period of time using future earnings and to discharge some debts that are not paid.

Chapter 13: Repayment plan for individuals with regular income

	$235	filing fee
+	$75	administrative fee
	$310	total fee

Chapter 13 is for individuals who have regular income and would like to pay all or part of their debts in installments over a period of time and to discharge some debts that are not paid. You are eligible for chapter 13 only if your debts are not more than certain dollar amounts set forth in 11 U S C. § 109

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, usually using your future earnings. If the court approves your plan, the court will allow you to repay your debts, as adjusted by the plan, within 3 years or 5 years, depending on your income and other factors.

After you make all the payments under your plan, many of your debts are discharged. The debts that are not discharged and that you may still be responsible to pay include:

- domestic support obligations,
- most student loans,
- certain taxes,
- debts for fraud or theft,
- debts for fraud or defalcation while acting in a fiduciary capacity,
- most criminal fines and restitution obligations,
- certain debts that are not listed in your bankruptcy papers,
- certain debts for acts that caused death or personal injury, and
- certain long-term secured debts