

IN THE CHANCERY COURT OF FORREST COUNTY
STATE OF MISSISSIPPI

WILLIAM MCGEE

PLAINTIFF

VERSUS

JAN 15 2015

CAUSE NO. 15-001667-10

CAROL NOBLES MCGEE

DEFENDANT

Jimmy C. Howard
Chancery Clerk
COMPLAINT FOR DIVORCE

COMES NOW the Plaintiff, WILLIAM MCGEE, and files this his Complaint for Divorce and in support thereof, Plaintiff would show unto the Court the following, to-wit:

1.

That the Plaintiff WILLIAM MCGEE is an adult resident citizen of Forrest County, Mississippi, and has been a bona fide resident citizen of said County and State for a period of more than six (6) months next preceding the commencement of this action.

2.

That the Defendant CAROL NOBLES MCGEE, is an adult resident citizen of Forrest County, Mississippi, and has been a resident citizen of said County and State for a period of more than six (6) months next preceding the commencement of this action, where she may be served with process of this Court at 72 Hollingsworth Road, Hattiesburg, Mississippi, in the time and manner prescribed by law.

3.

This Court has jurisdiction of the parties and of the subject matter of this cause of action.

4.

Plaintiff and Defendant herein are both members of the Caucasian race and were lawfully and legally married on the 5th day of March, 2009, in Forrest County, Mississippi; the parties resided

together as husband and wife in Forrest County, Mississippi until a full and final separation occurred between the parties on or about October 4, 2014; the parties have not cohabited as husband and wife since said separation.

5.

That there were no children born to the marriage of the parties and the Defendant is not now pregnant.

6.

The Plaintiff would show unto the Court that he has done everything within his power to make a success of the marriage of the parties; that he has been a good and dutiful husband, and has performed each and every obligation placed upon him by virtue of his marital vows; but notwithstanding this, the Defendant has given him just cause for divorce.

7.

The Plaintiff brings this original Complaint for Divorce against the Defendant and charges that the Defendant is guilty of habitual cruel and inhuman treatment as set forth in §93-5-1 of the *Mississippi Code of 1972*, as amended; alternatively, Plaintiff charges that irreconcilable differences, as set forth in §93-5-2 of the *Mississippi Code of 1972*, as amended, exist between the parties, which such differences have caused the bonds of matrimony existing between the parties to be irretrievably broken. The Plaintiff requests this Court grant to him a judgment of divorce on either of said grounds which is the sole and proximate cause of the separation of the parties herein.

8.

The Plaintiff would show unto the Court that several years prior to the marriage of the parties the Plaintiff purchased the marital home which is located near family members. The Plaintiff would

request that the Court award him ownership, use and possession of the marital home including any and all furnishings owned by the Defendant therein, as well as all fixed appliances and fixtures. The Plaintiff would request that the Court immediately order and direct the Defendant to vacate the premises.

9.

That the parties maintain use and ownership of the vehicles in their respective possession and each party indemnify the other from any indebtedness or liability for their respective vehicles.

10.

That further the Court determine an equitable division of the assets and debts accrued during the marriage of the parties herein.

11.

Plaintiff would show that a date certain should be set for a temporary hearing to establish temporary use and occupancy of the marital home and that the Court immediately order and direct the Defendant to vacate the premises. Further, that the Defendant should be enjoined from harassing the Plaintiff herein in any manner whatsoever, telephonically or otherwise, and only communicate with Plaintiff as may be specified by the Court and further that this Court will restrain Defendant from entering upon the real property owned by the Plaintiff and any and all other determinations that the Court deem just and equitable.

WHEREFORE PREMISES CONSIDERED, Plaintiff prays that this his Complaint be received and filed, and that process issue for Defendant in the manner as required by law, requiring Defendant to plead, answer or otherwise respond to this Complaint; upon a final hearing, Plaintiff prays that this Honorable Court will award unto Plaintiff a final, complete and absolute divorce of

and from the Defendant on the grounds of habitual cruel and inhuman treatment, or in the alternative, on the grounds of irreconcilable differences, thereby severing the bonds of matrimony heretofore existing between the parties as husband and wife, and award the following:

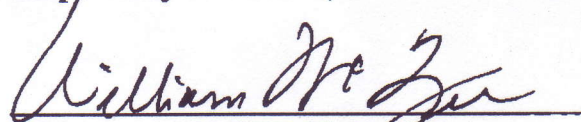
- a) Plaintiff to maintain ownership, use and possession of the marital home of the parties and all furnishings owned by the Plaintiff and all fixtures located therein;
- b) Enjoin the Defendant from harassing the Plaintiff herein in any manner whatsoever, telephonically or otherwise, and only communicate with Plaintiff as may be specified by the Court and further that this Court will restrain Defendant from entering upon the real property owned by the Plaintiff;
- c) A determination by the Court of an equitable division of the assets and debts of the marriage herein;
- d) Order and direct that each party shall indemnify the other of any indebtedness owed for their respective vehicles;
- e) Enter a Temporary Order to remain in full force and effect until the trial of this matter on the merits granting temporary relief requested in this Complaint;
- f) Award to Plaintiff all other relief requested in this his original Complaint and more specifically set forth hereinabove.

Plaintiff further prays that this Court cite Defendant to be and appear before this Court on a day and hour, as soon as available and possible with this Court, for the purpose of granting unto Plaintiff the special and temporary relief set forth herein above and for other reasons to be provided at a hearing of this cause.

Plaintiff prays that this Court will grant to him such other relief, either general or special, to

which he is entitled to receive in the premises.

Respectfully Submitted,

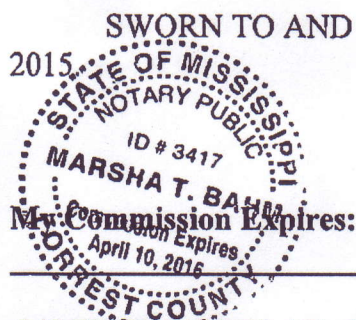

WILLIAM MCGEE, Plaintiff

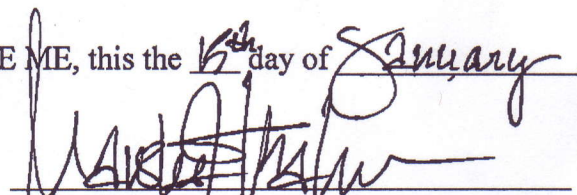
STATE OF MISSISSIPPI

COUNTY OF FORREST

PERSONALLY APPEARED BEFORE ME, the undersigned authority, in and for the jurisdiction aforesaid, the within named, WILLIAM MCGEE, who having been duly sworn, states on oath that the matters and facts set forth in the above and foregoing Complaint are true and correct as therein stated and that this Complaint is not filed by collusion with the Defendant for the purpose of obtaining a divorce.


WILLIAM MCGEE



SWORN TO AND SUBSCRIBED BEFORE ME, this the 6th day of January,

NOTARY PUBLIC

JAMES K. DUKES, JR. (MSB#6213)
Attorney for Plaintiff
Dukes, Dukes, and Wood
Post Office Box 2055
Hattiesburg, Mississippi 39403-2055
Telephone: (601) 544-4121
Facsimile: (601) 544-4425
jdukesjr@jdukeslaw.com

COVER SHEET
Civil Case Filing Form
(To be completed by Attorney/Party
Prior to Filing of Pleading)

Mississippi Supreme Court
Administrative Office of Courts

Form AOC/01
(Revised 1/1/2001)

Court Identification

Docket Number

18 CH

County # Judicial Court ID
District (CH, CI, CO)

011515

Month Date Year

Case Year

2015

Docket Number

00166

Gnw

Local Docket ID

Case Number if filed prior to 1/1/94

This area to be completed by clerk

IN THE CHANCERY COURT OF FORREST COUNTY

Short Style of Case: WILLIAM MCGEE VS CAROL NOBLES MCGEE

Party Filing Initial Pleading: Type/Print Name JAMES K. DUKES, JR.

MS Bar No. 6213

Check (✓) if Not an Attorney

Check (✓) if Pro Hac Vice

Signature [Signature]

Compensatory Damages Sought: \$

Punitive Damages Sought: \$

Is Child Support contemplated as an issue in this suit?

Yes ☒ No ☐

If "yes" is checked, please submit a completed Child Support
Information Sheet with Final Decree/Judgment

PLAINTIFF - PARTY(IES) INITIALLY BRINGING SUIT SHOULD BE ENTERED FIRST (FIRST NAME IN SHORT STYLE) - ENTER ADDITIONAL PLAINTIFFS ON SEPARATE FORM

Individual MCGEE

WILLIAM

Last Name

First Name

Maiden Name, if Applicable

Middle Init.

Jr/Sr/III/IV

Address of Plaintiff 72 Hollingsworth Road Hattiesburg, MS 39401

Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of

Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:

D/B/A / Agency

Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below:

D/B/A:

DEFENDANT - NAME OF DEFENDANT (FIRST NAME IN SHORT STYLE) - ENTER ADDITIONAL DEFENDANTS ON SEPARATE FORM

Individual MCGEE

CAROL

Last Name

First Name

Maiden Name, if Applicable

Middle Init.

Jr/Sr/III/IV

Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of

Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:

D/B/A / Agency

Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

Check (✓) if Business Defendant is being sued in the name of an entity other than the above, and enter below:

D/B/A:

ATTORNEY FOR THIS DEFENDANT:

Bar No.

or Name:

Pro Hac Vice (✓)

(If known)

In left hand column, check one (1) box that best describes
the nature of this suit. In right hand column check all
boxes which indicate secondary claims.

Business/Commercial

- ☐ Accounting (Business)
- ☐ Bankruptcy
- ☐ Business Dissolution - Corporation
- ☐ Business Dissolution - Partnership
- ☐ Debt Collection
- ☐ Employment
- ☐ Examination of Debtor
- ☐ Execution
- ☐ Foreign Judgment
- ☐ Garnishment
- ☐ Pension
- ☐ Receivership
- ☐ Replevin
- ☐ Stockholder Suit
- ☐ Other

Domestic Relations

- ☐ Child Custody/Visitation
- ☐ Child Support
- ☐ Contempt
- ☐ Divorce: Fault
- ☐ Divorce: Irreconcilable Differences
- ☐ Domestic Abuse
- ☐ Emancipation
- ☐ Modification
- ☐ Paternity
- ☐ Property Division
- ☐ Separate Maintenance
- ☐ Termination of Parental Rights
- ☐ UIFSA (formerly URESA)
- ☐ Other

Contract

- ☐ Breach of Contract
- ☐ Installment Contract
- ☐ Insurance
- ☐ Product Liability under Contract
- ☐ Specific Performance
- ☐ Other

Probate

- ☐ Accounting (Probate)
- ☐ Birth Certificate Correction
- ☐ Commitment
- ☐ Conservatorship
- ☐ Guardianship
- ☐ Heirship
- ☐ Intestate Estate
- ☐ Minor's Settlement
- ☐ Muniment of Title
- ☐ Name Change
- ☐ Power of Attorney
- ☐ Testate Estate
- ☐ Will Contest
- ☐ Other

Statutes/Rules

- ☐ Bond Validation
- ☐ Civil Forfeiture
- ☐ Declaratory Judgment
- ☐ ERISA
- ☐ Eminent Domain
- ☐ Extraordinary Writ
- ☐ Federal Statutes
- ☐ Injunction or Restraining Order
- ☐ Municipal Annexation
- ☐ Racketeering (RICO)
- ☐ Railroad
- ☐ Seaman
- ☐ Other

Appeals

- ☐ Administrative Agency
- ☐ County Court
- ☐ Hardship Petition (Driver License)
- ☐ Justice Court
- ☐ MS Employment Security Comm'n
- ☐ Municipal Court
- ☐ Oil & Gas Board
- ☐ Workers' Compensation
- ☐ Other

Children and Minors - Non-Domestic

- ☐ Adoption - Noncontested
- ☐ Consent to Abortion for Minor
- ☐ Removal of Minority
- ☐ Other

Torts - Personal Injury

- ☐ Bad Faith
- ☐ Fraud
- ☐ Loss of Consortium
- ☐ Malpractice - Legal
- ☐ Malpractice - Medical
- ☐ Negligence - General
- ☐ Negligence - Motor Vehicle
- ☐ Products Liability
- ☐ Wrongful Death
- ☐ Other

Mass Tort

- ☐ Asbestos
- ☐ Chemical Spill
- ☐ Dioxin
- ☐ Hand/Arm Vibration
- ☐ Hearing Loss
- ☐ Radioactive Materials
- ☐ Other

Real Property

- ☐ Adverse Possession
- ☐ Ejectment
- ☐ Eminent Domain
- ☐ Judicial Foreclosure
- ☐ Lien Assertion
- ☐ Partition
- ☐ Receiver Appointment
- ☐ Tax Sale: Confirmation/Cancellation
- ☐ Title, Boundary &/or Easement
- ☐ Other

Civil Rights

- ☐ Elections
- ☐ Habeas Corpus
- ☐ Post Conviction Relief
- ☐ Prisoner
- ☐ Other

1 General Docket, Chancery Court, 10th District Chancery Court

No. 18-2015-0016-G

CFN 28475

WILLIAM MCGEE
vs.

Counsel for Plaintiff
James K. Dukes, Jr.
Counsel for Defendant

CAROL NOBLES MCGEE
Probate

JUDGE Johnny Lee Williams

DATE

ORDERS, JUDGMENTS, ETC.

BK/PG

1/15/2015 Complaint for Divorce (fault)