

BEFORE THE SALINE COUNTY CIRCUIT CLERK
DOMESTIC RELATIONS, 4TH DIVISION
No. 63CV-15-327-4

2015 MAY 18 PM 12:34

BY: EA
PLAINTIFF

KATHERINE ROBERTS
(Respondent)

VS.

GARY R. ROBERTS
(Movant)

DEFENDANT

ORDER

On this day comes, before this Court, the Motion by Movant/Father, Gary R. Roberts, requesting that this Court modify custody by awarding the father custody of the parties' remaining minor children, Katherine E. Roberts and Sarah J. Roberts; requesting suspension of any further child support obligations owed by Movant/Father; and requesting that the visitation privileges once awarded and enjoyed by Movant/Father now be awarded to Respondent/Mother, Katherine Roberts; and this Court, based on the premises herein, including the signed agreement and factual stipulations, of the parties, the practical considerations, and having been sufficiently advised of all matters of law and fact, hereby finds and Orders the following:

1. This Court has and exercises personal and subject matter jurisdiction over this matter and the parties, herein.

2. Movant is Gary Bud R. Roberts, of 112 S. 2nd Street, Benton, Arkansas 72015. Respondent resides at 1524 Barnsley Drive, Murfreesboro, Tennessee 37128.
3. The Divorce Decree, registered herein and entered (by the Kitsap County, Washington, Superior Court) on 6-18-2007, awarded custody to the Respondent/Mother, of the parties' minor children, Bruce L. Roberts (DOB 4-12-95), Katherine E. Roberts (DOB 4-24-98), and Sarah J. Roberts (DOB 1-28-2003); subject to award to Movant/Father of visitation privileges, set forth in the Decree.
4. Respondent/Mother and said minor children resided in Bryant, Saline County, Arkansas (at 409 Pinnacle, Bryant, Arkansas), as of 6-18-2007. The minor children resided at that address until 4-30-2015, when they moved into the home of Movant/Father (at 112 S. 2nd St., Benton, Arkansas).
5. As of 6-18-2007, when the Decree was entered, Movant/Father likewise resided in Saline County, Arkansas (at 112 S. 2nd St., Benton, Arkansas) where he continues to reside.

6. From the date the Decree was entered, through May of 2015, Movant/Father has paid the Decreed child support (\$1,200.00 per month) every month, and the parties agree that he is therefore up to date on all past child support obligations.
7. On or about 4-30-2015, Respondent/Mother moved to her current address, 1524 Barnsley Drive, Murfreesboro, Tennessee 37128. At that time, by agreement of the parties, the minor children moved into the Movant/Father's household of 112 S. 2nd St., and into the physical custody of Movant/Father.
8. The parties agree that the Movant/Father shall now have custody of the remaining minor children.
9. This Court hereby Orders that custody of the minor children shall be, and is hereby, awarded to the Movant/Father; that Movant/Father shall not be required to pay further ongoing child support to Respondent/Mother; and that the visitation rights once bestowed upon Movant/Father shall now be, and are hereby, awarded to Respondent/Mother.
10. The Court acknowledges, as stipulated by the parties, the following circumstances, as they relate to the best interests of the minor children:

Presently, the parties' son, Bruce Roberts, is 20 years old, and attends Arkansas Tech University (in Russellville, Arkansas), where he maintains honor roll grades and Dean's List status.

11. The Court acknowledges, as stipulated fact, that the parties' daughter, Katherine Roberts, also an honor roll student, is 17 years old; is set to enter her senior year at Bryant High School in the upcoming academic year, and aspires to attend college in-state (ie, in Arkansas).
12. The Court further acknowledges, as stipulated fact, that the parties' youngest child, Sarah Roberts, is now 12 years old, and performs well in her studies at Bethell Middle School.
13. The Court's further considerations include those of the children's scholastic continuity; social continuity among the children with respect to their peers; the siblings' physical proximity to and among one another; the requirements of Movant/Father's health insurance provider through his employment with the Arkansas Alcoholic Beverage Control division (which provider is requiring proof of custody prior to including the children on Movant/Father's health plan); and other relevant considerations.

IT IS THEREFORE HEREBY ORDERED that the Motion shall be, and is hereby, granted; that the Father is awarded custody of the minor children; that the Father's further child support obligations are suspended after May of 2015; and that the Mother is awarded the same visitation privileges awarded the Father in the original Decree

IT IS SO ORDERED.

Robert Herzfeld

Honorable Robert Herzfeld

5-18-15

Date

Approved:

Gary Bud R. Roberts
Gary Bud R. Roberts
Movant/Father

Katherine D. Roberts
Katherine D. Roberts
Respondent/Mother

SUBSCRIBED AND SWORN TO BEFORE ME, THIS:

DATE: 5.18.15

Amanda D. Best
NOTARY PUBLIC (signature)

-seal-

My Commission Expires:

8.25.21

AMANDA D BEST
NOTARY PUBLIC
SALINE COUNTY, ARKANSAS
COMM. EXP 8-25-2021
COMMISSION NO. 12384516

SUBSCRIBED AND SWORN TO BEFORE ME, THIS

DATE: 05/13/15

Carolina Recasens
NOTARY PUBLIC (signature)

My Commission Expires:

