

IN THE MATTER OF  
THE MARRIAGE OF

CYNTHIA JUNE BLALOCK  
AND  
DAVID BYRON BLALOCK

AND IN THE INTEREST OF  
CELESTE JUNE BLALOCK,  
A CHILD

IN THE DISTRICT COURT

301ST JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

AGREED DECREE OF DIVORCE

BE IT REMEMBERED that on the 25<sup>th</sup> day of July, 1984, came on Petitioner, CYNTHIA JUNE BLALOCK, in person and by and through her attorney and announced ready for trial.

Respondent, DAVID BYRON BLALOCK, appeared in person and by and through his attorney and announced ready for trial.

The Court, having examined the pleadings and heard the evidence and argument of counsel, finds that all necessary residence qualifications and prerequisites of law have been legally satisfied, that this Court has jurisdiction of all the parties and the subject matter of this cause, and that the material allegations contained in Plaintiff's pleading are true. A jury was waived and all matters in controversy, including questions of fact and of law, were submitted to the Court. All persons entitled to citation were properly cited.

IT IS DECREED that CYNTHIA JUNE BLALOCK and DAVID BYRON BLALOCK be, and they hereby are, divorced.

The Court finds that the parties are not now expecting another child of the marriage and that Petitioner and Respondent are parents of the following child now under eighteen (18) years of age:

Name: CELESTE JUNE BLALOCK, female  
Birthplace: Conroe, Montgomery County, Texas  
Birthdate: September 8, 1982  
Present Residence: Parkerville Mobile Home Park,  
Route 1, Lot 29, Lancaster, Texas 75146

The Court, having considered the circumstances of the parents and of the child, finds that the following orders are to the best interest of the child:

IT IS DECREED that CYNTHIA JUNE BLALOCK be, and she hereby is, appointed Managing Conservator of CELESTE JUNE BLALOCK.

IT IS DECREED that the Managing Conservator shall have all the rights, privileges, duties and powers of a parent, to the exclusion of the other parent, subject to the rights, privileges, duties and powers granted to any Possessory Conservator named in this Decree.

IT IS DECREED that DAVID BYRON BLALOCK be, and he hereby is, appointed Possessory Conservator of CELESTE JUNE BLALOCK.

IT IS DECREED that the Possessory Conservator shall have possession of CELESTE JUNE BLALOCK as follows:

1. First and third weekends of each month, with the period of possession to begin at 6:00 o'clock p.m. on Friday and with the period of possession to end at 6:00 o'clock p.m. on the next following Sunday, beginning the 2nd day of January, 1984. The first weekend of a month begins on the first Friday of each month;
2. (a) Christmas vacation in even numbered years, with the period of possession to begin at 6:00 o'clock p.m. on the day school is recessed for vacation [school is defined as the school in which the child is enrolled, or the public school system in which the child resides if the child is not in school] and with the period of possession to end at 9:00 o'clock p.m. Christmas Eve, beginning the Christmas of the first even numbered year after the signing of this Decree;  
  
(b) Christmas vacation in odd numbered years, with the period of possession to begin at 9:00 o'clock p.m. on Christmas Eve and with the period of possession to end at 6:00 o'clock p.m. on the day before school resumes after Christmas vacation [school is defined in 2(a) hereinabove], beginning the Christmas of the first odd numbered year after the signing of this Decree;
3. Thanksgiving vacation in odd numbered years, with the period of possession to begin at 6:00 o'clock p.m. the Wednesday before Thanksgiving and with the period of possession to end at 6:00 p.m. on the next following Sunday, beginning the Thanksgiving of the first odd numbered year after the signing of this Decree;
4. Spring school vacation or Easter vacation, with the period of possession to begin at 6:00 o'clock p.m. the day school is recessed and with the period of possession to end at 6:00 o'clock p.m. on the Friday prior to the day school resumes at the end of said vacation period [school is defined in 2(a) hereinabove], beginning the first Easter after the signing of this Decree;
5. Memorial Day and Labor Day weekends, in odd numbered years, with the period of possession to begin at 6:00 o'clock p.m. the Friday of that holiday weekend and with the period of possession to end at 6:00 o'clock p.m. the next following Monday, beginning the first of such holidays to occur in the odd numbered year after the signing of this Decree;

6. (a) Four (4) weeks in the Summer school vacation [school is defined in 2(a) hereinabove] of 1984, upon thirty (30) days' written notice to the Managing Conservator by the Possessory Conservator; and these four (4) weeks may be taken one (1) week at a time or two (2) weeks at a time; and the selection of a week or weeks shall be reasonable considering the plans, if any, which the Managing Conservator has made for the child;
- (b) If the Possessory Conservator elects to exercise his right to Spring school vacation or Easter school vacation in any given year except 1984, then for that year, four (4) weeks in the Summer school vacation [school is defined in 2(a) hereinabove] during the months of June and/or July and/or August upon thirty (30) days' written notice to the Managing Conservator by the Possessory Conservator; and these four (4) weeks can be taken one (1) week at a time or two (2) weeks at a time; and the selection of a week or weeks shall be reasonable considering the plans, if any, which the Managing Conservator has made for the child;
- (c) If the Possessory Conservator does not elect to exercise his right to Spring school vacation or Easter vacation in any given year, then for that year, five (5) weeks in the Summer school vacation [school is defined in 2(a) hereinabove] during the months of June and/or July and/or August upon thirty (30) days' written notice to the Managing Conservator by the Possessory Conservator; and these five (5) weeks can be taken one (1) week at a time or two (2) weeks at a time; and the selection of a week or weeks shall be reasonable considering the plans, if any, which the Managing Conservator has made for the child;
- (d) Under 6(a), 6(b) or 6(c) hereinabove, between the end of any period of possession by the Possessory Conservator and the beginning of any period of possession by the Possessory Conservator, the Managing Conservator shall be entitled to at least seven (7) consecutive days with the minor child at the residence of the Managing Conservator; and
- (e) Under 6(a), 6(b) or 6(c) hereinabove, the last period of possession by the Possessory Conservator shall end at least seven (7) days prior to the beginning of school when the minor child is of age to be enrolled in kindergarten through the twelfth (12th) grade.
7. (a) Regardless of any provision to the contrary, the Mother is always to have Mother's Day, with the period of possession to begin at 9:00 o'clock a.m. of Mother's Day and with the period of possession to end at 6:00 o'clock p.m. of Mother's Day, beginning the first Mother's Day after the signing of this Decree;
- (b) Regardless of any provision to the contrary, the Father is always to have Father's Day, with the period of possession to begin at 9:00 o'clock a.m. of Father's Day and with the period of possession to end at 6:00 o'clock p.m. of Father's Day, beginning the first Father's Day after the signing of this Decree;
8. Any weekend that the Possessory Conservator is in the area in which the child resides, upon three (3) days' prior written notice to the Managing Conservator, but not to exceed two (2) weekends per month unless otherwise agreed to by both of the parties, and with reasonable consideration for the plans, if any, which the Managing Conservator has made for the child.

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9. At all other times agreed to by both of the parties.

IT IS ORDERED that the Possessory Conservator or the parents of the Possessory Conservator shall return the child to the Managing Conservator immediately following each period of possession.

IT IS ORDERED that the Managing Conservator shall surrender the child to the Possessory Conservator or to the parents of the Possessory Conservator at the beginning of each period of possession.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Managing Conservator and the Possessory Conservator who intend a change of place of residence must give written notice of the intended date of change and new address and telephone number to the other Conservator of the child. The notice must be given on or before thirty (30) days before the Conservator changes the place of residence, or if the Conservator did not know or could not have known of the change of residence within the 30-day period, then on the first day that the Conservator knew or should have known of the change of residence.

IT IS ORDERED that the Possessory Conservator shall have the following rights, duties and powers during the period of possession: the duty of care, control, protection and reasonable discipline of the child; the duty to provide the children with clothing, food and shelter; the power to consent to medical and surgical treatment during an emergency involving an immediate danger to the health and safety of the child.

IT IS ORDERED that DAVID BYRON BLALOCK, Respondent, shall pay the order of CYNTHIA JUNE BLALOCK, Petitioner, child support for the support of CELESTE JUNE BLALOCK, the sum of \$150.00 per month, with the first payment being due and payable on the 1<sup>st</sup> day of August, 1984, and a like payment being due and payable on the 1st day of each month thereafter until further order of this Court.

IT IS ORDERED that DAVID BYRON BLALOCK, Respondent, pay a \$36.00 collection fee payable to the order of the Dallas County Child Support Office, Room 111, Old Red Courthouse, Dallas, Texas, 75202, on or before the 1st day of August, 1984, and \$36.00 on or before the 1st day of each August thereafter until CELESTE JUNE BLALOCK shall reach eighteen (18) years of age or is otherwise emancipated. Ave

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IT IS ORDERED that DAVID BYRON BLALOCK, Respondent, pay the monthly child support fee through the Dallas County Child Support Office, Room 111, Old Red Courthouse, Dallas, Texas 75202, which will be promptly thereafter remitted to CYNTHIA JUNE BLALOCK for the support of CELESTE JUNE BLALOCK.

II.

The Court finds that Petitioner and Respondent have entered into an agreement for the division of their estate and that the agreement is just and right.

IT IS DECREED that the estate of the parties be divided as follows:

Petitioner is awarded the following as Petitioner's sole and separate property, and Respondent is hereby divested of all right, title and interest in and to such property:

1. All household furniture, furnishings, fixtures, goods, appliances and equipment in the possession of or subject to the control of Petitioner.
2. The following furniture, furnishings, fixtures, goods, appliances and equipment in the possession of or subject to the control of Petitioner:
  - (a) One Bedroom Suite, consisting of a bed, a triple dresser and a night stand;
  - (b) One Hope Chest;
  - (c) One Baby Chest;
  - (d) Any clothing, jewelry or personal effects;
  - (e) One-half (1/2) of all of the Dishes, Glasses, Pots and Pans;
  - (f) One Washer and one Dryer on or before August 1, 1984, but same can remain with Respondent until August 1, 1984.
3. All clothing, jewelry and other personal effects in the possession of or subject to the control of Petitioner.
4. Any and all sums of cash in the possession of or subject to the control of Petitioner, including money on account in banks, savings institutions, or other financial institutions, which accounts stand in Petitioner's name or from which Petitioner has the right to withdraw funds or which are subject to Petitioner's control.
5. Any and all sums, whether matured or unmatured, accrued or unaccrued, vested or otherwise, together with all increases thereof, the proceeds therefrom, and any other rights related to any profit-sharing plan, retirement plan, pension plan, or like benefit program existing by reason of Petitioner's past, present or future employment.
6. Any and all insurance, pensions, retirement benefits, and other benefits arising out of Petitioner's membership in her union.
7. Any and all policies of life insurance insuring the life of Petitioner.

8. Any and all stocks, bonds and securities registered in the name of Petitioner, together with all dividends, splits, and other rights and privileges in connection therewith.
9. The 1979 Monte Carlo automobile, vehicle identification number 1237A9R467138.

Respondent is awarded the following as Respondent's sole and separate property, and Petitioner is hereby divested of all right, title and interest in and to such property:

1. All household furniture, furnishings, fixtures, goods, appliances and equipment in the possession of or subject to the control of Respondent.
2. All clothing, jewelry and other personal effects in the possession of or subject to the control of Respondent.
3. Any and all sums of cash in the possession of or subject to the control of Respondent, including money on account in banks, savings institutions, or other financial institutions, which accounts stand in Respondent's name or from which Respondent has the right to withdraw funds or which are subject to Respondent's control.
4. Any and all sums, whether matured or unmatured, accrued or unaccrued, vested or otherwise, together with all increases thereof, the proceeds therefrom, and any other rights related to any profit-sharing plan, retirement plan, pension plan, or like benefit program existing by reason of Respondent's past, present or future employment.
5. Any and all insurance, pensions, retirement benefits, and other benefits arising out of Respondent's membership in his union.
6. Any and all policies of life insurance insuring the life of Respondent.
7. Any and all stocks, bonds and securities registered in the name of Respondent, together with all dividends, splits, and other rights and privileges in connection therewith.
8. The 1979 Ford pickup truck automobile, vehicle identification number \_\_\_\_\_.

IT IS DECREED that Petitioner shall pay, as a part of the division of the estate of the parties, the following debts and obligations and shall indemnify and hold Respondent harmless from any failure to so discharge such debts and obligations:

1. J.C. Penney's credit card, Acct. No. 412-595-895-1-1;
2. Montgomery Ward & Co. credit card, Acct. No. 776-980-056;
3. Any and all debts, charges, liabilities, and other obligations incurred by Petitioner from and after December 23, 1983, unless express provision is made herein to the contrary.

IT IS DECREED that Respondent shall pay, as a part of the division of the estate of the parties, the following debts and obligations and shall

indemnify and hold Petitioner harmless from any failure to so discharge such debts and obligations:

1. Dallas Teachers Credit Union, Acct. No. \_\_\_\_\_;
2. Sears, Roebuck & Co. credit card, Acct. No. 095320-60558-7;
3. Any and all debts, charges, liabilities, and other obligations incurred by Respondent from and after December 23, 1983, unless express provision is made herein to the contrary.

IT IS DECREED that DAVID BYRON BLALOCK shall pay all federal income taxes that are due and payable by either Petitioner or Respondent by reason of income earned by either party prior to the date of entry of this Decree of Divorce to the extent that such tax liability exceeds monies withheld from earnings prior to the entry of this Decree of Divorce. Each party shall bear his or her own liability for taxes on income earned after the date of entry of this Decree.

IT IS DECREED that should the parties' federal income tax return for 1984 or for any prior years result in a refund of taxes, Petitioner and Respondent shall divide such refund equally.

IT IS DECREED that CYNTHIA JUNE BLALOCK shall have the right to claim the dependency exemptions for the child of the marriage for the purpose of federal income taxes for 1984 and all subsequent years, which right is granted to CYNTHIA JUNE BLALOCK as part of the child support award contained in this Decree.

CYNTHIA JUNE BLALOCK, Social Security Number 457-31-5258, lives at Parkerville Mobile Home Park, Route 1, Lot 29, Lancaster, Texas 75146. DAVID BYRON BLALOCK, Social Security Number 453-96-4245, lives at P.O. Box 496, Coldspring, Texas 77331. CELESTE JUNE BLALOCK, who does not have a Social Security Number, lives at Parkerville Mobile Home Park, Route 1, Lot 29, Lancaster, Texas 75146.

IT IS DECREED that Petitioner and Respondent shall execute all instruments necessary to effect this Decree and that Petitioner and Respondent have all appropriate and necessary writs, execution and process, as many and as often as is necessary to accomplish the execution and final disposition of this judgment.

All costs of court expended in this cause are adjudged against the party by whom incurred, for which let execution issue.

IS IS DECREED that all relief requested in this cause and not expressly granted herein be, and hereby is, denied.

SIGNED this 25 day of July, 1984.

Josh Taylor  
JUDGE PRESIDING

Cynthia June Blalock  
CYNTHIA JUNE BLALOCK, Petitioner

David Byron Blalock  
DAVID BYRON BLALOCK, Respondent

30th JUDICIAL DISTRICT COURT SITTING FOR JUDGE  
JUDICIAL DISTRICT COURT DALLAS COUNTY, TEXAS 30

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