

CAUSE NO. 2012-

3649-4

IN THE MATTER OF  
THE MARRIAGE OF

TINA ANN SIMPSON  
AND  
JOE TRUETT SIMPSON

IN THE DISTRICT COURT  
170 TH JUDICIAL DISTRICT  
MCLENNAN COUNTY, TEXAS

FILED  
2012 SEP 24 PM 4:12  
KAREN C. MATKIN  
DISTRICT CLERK  
MCLENNAN CO. TX.

ORIGINAL PETITION FOR DIVORCE

1. *Discovery Level*

Discovery in this case is intended to be conducted under level 2 of Rule 190 of the Texas Rules of Civil Procedure.

2. *Objection to Assignment of Case to Associate Judge*

Petitioner objects to the assignment of this matter to an associate judge for a trial on the merits or presiding at a jury trial.

3. *Parties*

This suit is brought by TINA ANN SIMPSON, Petitioner, who resides at [REDACTED]

[REDACTED] The last three numbers of TINA ANN SIMPSON's Social Security number are [REDACTED]

JOE TRUETT SIMPSON is Respondent.

4. *Domicile*

Petitioner has been a domiciliary of Texas for the preceding six-month period and a resident of this county for the preceding ninety-day period.

5. *Service*

Service may be had on Respondent at [REDACTED]

6. *Protective Order Statement*

No protective order under title 4 of the Texas Family Code is in effect, and no application for a protective order is pending with regard to the parties to this suit.



7. *Dates of Marriage and Separation*

The parties were married on or about August 19, 1978 in McLennan County, Texas.

8. *Grounds for Divorce*

The marriage has become insupportable because of discord or conflict of personalities between Petitioner and Respondent that destroys the legitimate ends of the marriage relationship and prevents any reasonable expectation of reconciliation.

9. *Children of the Marriage*

There is no child under eighteen years of age or otherwise entitled to support who was born or adopted of this marriage, and none is expected.

10. *Division of Community Property*

Petitioner believes Petitioner and Respondent will enter into an agreement for the division of their estate. If such an agreement is made, Petitioner requests the Court to approve the agreement and divide their estate in a manner consistent with the agreement. If such an agreement is not made, Petitioner requests the Court to divide their estate in a manner that the Court deems just and right, as provided by law.

11. *Separate Property*

Petitioner owns certain separate property that is not part of the community estate of the parties, and Petitioner requests the Court to confirm that separate property as Petitioner's separate property and estate.

12. *Request for Temporary Orders and Injunction*

Attached hereto as Exhibit "A" and incorporated herein for all purposes is the First Amended McLennan County Standing Order Regarding Children, Property and Conduct of the Parties promulgated by the McLennan County District Courts which is in full force and effect.


13. *Prayer*


Petitioner prays that citation and notice issue as required by law and that the Court grant a divorce and all other relief requested in this petition.

Petitioner prays for general relief.

Respectfully submitted,

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Vance Dunnam  
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Attorney for Petitioner

FILED  
MAY 16 PM 12:06  
KATHLEEN CLARK  
DISTRICT CLERK  
MCLENNAN COUNTY  
DEPUTY

**First Amended McLennan County Standing Order Regarding Children,  
Property and Conduct of the Parties**

NO PARTY TO THIS LAWSUIT HAS REQUESTED THIS ORDER. Rather, this order is a standing order of the McLennan County District Courts that applies in every divorce suit and every suit affecting the parent-child relationship filed in McLennan County, *except cases initiated by the Attorney General of Texas or Child Protective Services*. The District Courts of McLennan County have adopted this order because the parties and their children should be protected and their property preserved while the lawsuit is pending before the Court. THEREFORE, IT IS ORDERED:

1. **NO DISRUPTION OF CHILDREN.** Both parties are ORDERED to refrain from doing the following acts concerning any children who are subjects of this case:
  - 1.1 Removing the children from the state of Texas, acting directly or in concert with others, without the written agreement of both parties or an order of this Court.
  - 1.2 Disrupting or withdrawing the children from the school or day-care facility where the children are presently enrolled without the written agreement of both parents or an order of this Court.
  - 1.3 Hiding or secreting the children from the other parent.
  - 1.4 Changing the children's current place of abode without the written agreement of both parents or an order of this Court.
  - 1.5 Disturbing the peace of the children.
  - 1.6 Making disparaging remarks regarding the other party or the other party's family in the presence or within the hearing of the child or children.
2. **CONDUCT OF THE PARTIES DURING THE CASE.** Both parties are ORDERED to refrain from doing the following acts:
  - 2.1 Using vulgar, profane, obscene, or indecent language, or a coarse or offensive manner, while communicating with the other party, whether in person, by telephone, or in writing. (Including text messaging or electronic communications.)
  - 2.2 Threatening the other party in person, by telephone, or in writing to take unlawful action against any person.
  - 2.3 Placing one or more telephone calls, at an unreasonable hour, in an offensive or repetitious manner, without a legitimate purpose of communication, or anonymously.
  - 2.4 Opening, diverting or withholding or interfering with the delivery of mail addressed to the other party.
  - 2.5 Causing bodily injury to the other party or, if applicable, to a child of either party.

3. **PRESERVATION OF PROPERTY.** *If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:*

- 3.1 Destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of one or both of the parties.
- 3.2 Misrepresenting or refusing to disclose to the other party or to the Court, on proper request, the existence, amount, or location of any property of one or both of the parties.
- 3.3 Damaging or destroying the tangible property of one or both of the parties, including any document that represents or embodies anything of value.
- 3.4 Tampering with the tangible property of one or both of the parties, including any document that represents or embodies anything of value, and causing pecuniary loss to the other party.
- 3.5 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of either party, whether personal property or real estate property, and whether separate or community, except as specifically authorized by this order.
- 3.6 Incurring any indebtedness, other than legal expenses in connection with this suit, except as specifically authorized by this order.
- 3.7 Making withdrawals from any checking or savings account in any financial institution for any purpose, except as specifically authorized by this order.
- 3.8 Spending any sum of cash in either party's possession or subject to either party's control for any purpose, except as specifically authorized by this order.
- 3.9 Withdrawing or borrowing in any manner for any purpose from any retirement, profit-sharing, pension, death, or other employee benefit plan or employee savings plan or from any individual retirement account or Keogh account, except as specifically authorized by this order.
- 3.10 Signing or endorsing the other party's name on any negotiable instrument, check, or draft, such as tax refunds, insurance payments, and dividends, or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party.
- 3.11 Taking any action to terminate or limit credit or charge cards in the name of the other party.
- 3.12 Taking any action to obtain credit in the name of the other party.
- 3.13 Entering, operating, or exercising control over the motor vehicle in the possession of the other party.
- 3.14 Discontinuing or reducing the withholding for federal income taxes on wages or salary while this suit is pending.
- 3.15 Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, or other contractual services, such as security, pest control, landscaping, or yard maintenance at the other party's residence or in any manner attempting to withdraw any deposits for service in connection with such services.


4. **SPECIFIC AUTHORIZATIONS IN DIVORCE CASE.** *If this is a divorce case, both parties to the marriage are specifically authorized to do the following:*
- 4.1 To engage in acts reasonable and necessary to the conduct of that party's usual business and occupation.
  - 4.2 To make expenditures and incur indebtedness for reasonable attorney's fees and expenses in connection with this suit.
  - 4.3 To make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation and medical care.
  - 4.4 To make withdrawals from accounts in financial institutions only for the purposes authorized by this order.
5. **PERSONAL AND BUSINESS RECORDS IN DIVORCE CASE.** *If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:*
- 5.1 Concealing, destroying, disposing of, or altering any family records, property records, financial records, business records or any records of income, debts, or other obligations.
  - 5.2 Falsifying any writing or record relating to the property of either party.
- "Records," as used in this section, include e-mail or other digital or electronic data, whether stored on a computer hard drive, diskette or other electronic storage device.
6. **INSURANCE IN DIVORCE CASE.** *If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:*
- 6.1 Withdrawing or borrowing in any manner all or any part of the cash surrender value of life insurance policies on the life of either party or the children of the parties, except as specifically authorized by this order.
  - 6.2 Changing or in any manner altering the beneficiary designation on any life insurance on the life of either party or the parties' children.
  - 6.3 Canceling, altering, or in any manner affecting any casualty, automobile, or health insurance policies insuring the parties' property or persons, including the parties' minor children.
7. **SERVICE AND APPLICATION OF THIS ORDER.**
- 7.1 The Petitioner shall attach a copy of this order to the original petition and to each copy of the petition. At the time the petition is filed, if the Petitioner has failed to attach a copy of this order to the petition and any copy of the petition, the Clerk shall ensure that a copy of this order is attached to the petition and every copy of the petition presented.

7.2 This order is effective upon the filing of the original petition and shall remain in full force and effect as a temporary restraining order for fourteen (14) days after the date of filing of the original petition. If no party contests this order by presenting evidence at a hearing on or before fourteen days after the date of the filing of the original petition, this order shall continue in full force and effect as a temporary injunction until further order of the Court. This entire order will terminate and will no longer be effective once the Court signs a final order.

8. **EFFECT OF OTHER COURT ORDERS.** If any part of this order is different from any part of a protective order that has already been entered or is later entered, the protective order provisions prevail. Any part of this order not changed by some later order remains in full force and effect until the Court signs a final decree.
9. **PARTIES ENCOURAGED TO MEDIATE.** The parties are encouraged to settle their disputes amicably without Court intervention. The parties are encouraged to use alternative dispute resolution methods, such as mediation, to resolve the conflicts that may arise in this lawsuit.


This McLennan County Standing Order Regarding Children, Property and Conduct of the Parties shall become effective on May 19, 2008.

  
JUDGE RALPH T. STROTHER  
19<sup>th</sup> District Court

  
JUDGE MATT JOHNSON  
54<sup>th</sup> District Court

  
JUDGE ALAN MAXFIELD  
74<sup>th</sup> District Court

  
JUDGE JIM MEYER  
170<sup>th</sup> District Court

  
JUDGE VICKI MENARD  
414<sup>th</sup> District Court



ORIGINAL FILED  
2012 OCT -1 PM 2:46  
KAREN C. MATKIN  
DISTRICT CLERK  
MCLENNAN CO. TX.  
DEPUTY  
Kathleen J. [Signature]  
Power to Original Petition for

**TINA ANN SIMPSON  
AND  
JOE TRUETT SIMPSON**

IN THE DISTRICT COURT  
170TH JUDICIAL DISTRICT  
MCLENNAN COUNTY, TEXAS

1 - 1 PM 2:46  
KAREN C. MATKIN  
DISTRICT CLERK  
MCLENNAN CO. TX.  
*Karen Matkin*  
tion for

100

nt prays that Petitioner take nothing and that Respondent be granted all relief  
Original Answer.  
nt prays for general relief.

Respectfully submitted,

## 2. *Objection to Assignment of Case to Associate Judge*

### 3. Prayer

Respondent prays for general relief.

**PRATER & RIDLEY**  
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By: CAROL E. PRATER  
for State Bar No. 16233000  
Attorney for Respondent





### **Certificate of Service**

I certify that a true copy of the above was served on each attorney of record or party in accordance with the Texas Rules of Civil Procedure on October 1, 2012.

*for*   
CAROL E. PRATER  
Attorney for Respondent

TMZ