

IN THE SUPREME COURT OF MISSISSIPPI

IN THE COURT OF APPEALS OF THE STATE OF MISSISSIPPI

**COPY**  
**FILED**

NO. 2007-CA-01052

FEB 26 2008

DAVID MAXWELL PACE-PRO SE

APPELLANT/DEFENDANT  
OFFICE OF THE CLERK  
SUPREME COURT  
COURT OF APPEALS

v.

SALLY DAVIDSON PACE

APPELLEE/ PLAINTIFF

ADDITION OF COPY OF JUDGMENT FROM JACKSON COUNTY CHANCERY  
COURT FILED MAY 31, 2007. AND UPDATED TABLE OF CONTENTS FOR  
ABOVE APPEAL

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IN THE CHANCERY COURT OF JACKSON COUNTY, MISSISSIPPI

SALLY PACE

VERSUS

DAVID MAXWELL PACE

**FILED**  
M8692 PG. 330-333  
MAY 31 2007

PLAINTIFF

TERRY MILLER, CLERK  
By *Simon H. Miller*

CAUSE NO.: 2003-0391-NH

DEFENDANT

**JUDGMENT OF DIVORCE**

**THIS CAUSE**, having come on to be heard this date on the Complaint for Divorce filed herein by the Plaintiff and the Counterclaim for Divorce filed herein by the Defendant, and the Court having heard testimony in open Court and being otherwise advised in the premises, does hereby **FIND, ORDER, ADJUDGE and DECREE** as follows, to-wit:

I.

That the Court has jurisdiction of the parties and subject matter hereto. This matter was set for March 14, 2007 by Agreed Order of Continuance entered on November 17, 2006. The Defendant failed to appear for the hearing. Counsel for Defendant was present and made a motion *ore tenus* for continuance based the Defendant's representations to her that he was unavailable, because another son who lives with him had a medical emergency and he had to stay with this son at the hospital. Plaintiff objected to the continuance and the Court instructed Counsel for the Defendant to provide a statement for his son's doctor verifying the emergency. However, this statement from the doctor was not forthcoming, and the Plaintiff testified that she had called the Defendant's place of work while waiting for the documentation and the Defendant came to the phone. The Defendant's request for continuance was therefore hereby denied.

II.

That the parties were married on April 30, 2002 in Mobile County, Alabama, and separated for the last a final time during the month of September, 2002.

III.

That there was one child born of the union of these parties, namely, DAVID CRUISE PACE whose date of birth is November 13, 1998. The Plaintiff has had another child since the separation of the parties: STORMY LANGLEY, d/o/b July 7, 2005. The evidence presented was that the child is not the child of the Defendant, but is the child of WILLIAM LANGLEY, who is already listed as the father of the child on her birth certificate. The Court therefore finds that STORMY LANGLEY is not the child of the Defendant DAVID MAXWELL PACE. Plaintiff is not pregnant at this time.


IV.

That the Plaintiff is are entitled to and are hereby granted a divorce on the grounds of HABITUAL CRUEL and INHUMAN TREATMENT.

V.

That SALLY PACE is hereby awarded paramount care, custody and control of the parties' minor child with the Defendant, DAVID MAXWELL PACE, being awarded visitation as set forth in the Temporary Order dated July 29, 2005, to-wit:

a. That the Father shall have visitation with the minor child the first (1<sup>st</sup>) and third (3<sup>rd</sup>) weekend of each month beginning at 6:00 p.m. Friday and ending at 6:00 p.m. Sunday.

b. The Father shall have summer visitation with the minor child beginning at 6:00 p.m. on June 1 and ending on June 8 or each and every year and from July 27 until 6:00 p.m. 

to August 3 or each and every year. *and an additional two weeks with one additional week in June and one additional week in July for a total of four weeks.*

The Father shall have visitation with the minor child each and every Father's Day weekend from 6:00 p.m. on Friday until Sunday at 6:00 p.m.

d. The Mother shall have visitation with the minor child each and every

Mother's Day.

e. The Father shall have visitation with the minor child for Thanksgiving holidays in even years beginning the Wednesday before Thanksgiving at 6:00 p.m. and ending the following Sunday at 6:00 p.m.

f. The Father shall have visitation with the minor child for Christmas holidays in odd years beginning at 6:00 p.m. the day school lets out until 2:00 p.m. Christmas day, in even years the Father shall have visitation on the from Christmas day at 2:00 p.m. until January 1 at 6:00 p.m.

g. The Father shall have visitation with the minor child for Easter holiday in even years from 6:00 p.m. the day school lets out until Easter Sunday at 6:00 p.m.

h. The Father shall have telephonic visitation each and every Tuesday and Thursday from 7:00 p.m. until 7:15 p.m. The Mother shall have the child available for such calls.

i. Holiday visitation will preempt the Father's regular scheduled visitation. Holiday visitation will preempt the Mother's period of custody.

#### VI.

The parties shall meet halfway for exchange of the child for visitation. The parties shall designate a mutually agreed upon meeting place in Mobile, Alabama.

#### VII.

That the Plaintiff is awarded child support from the Defendant in the amount of \$300.00 per month beginning April 1, 2007. That an Order for Withholding shall be entered immediately

VIII.

That the Plaintiff shall keep the Defendant informed of any and all school and extra curricular activities of the parties minor child.

IX.

That both parties are hereby enjoined from intimidating or harassing the other.

X.

That each party shall be responsible for their own attorney's fees.

XI.

That so long as the child of the parties remain a minor, both parties shall notify the Court and the other party in writing of any change of address or phone number within five (5) days.

SO ORDERED this the 31 day of May, 2007.

D. Neil  
CHANCELLOR

Approved as to Content and Form:

Wendy Martin (as to form only)  
WENDY MARTIN, Attorney for the Defendant

Prepared and presented by:

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## XII. PROOF OF SERVICE

I, The undersigned certify that I have on this day 19th day of February 2008 caused to be served by United States Postage prepaid a copy to the foregoing persons

Sally Davidson Langley  
31 Clara Streng Ford  
Waynesborough MS 39367

Wendy Martin  
1113 Jackson Ave.  
Pascagoula MS 39568

Paulette Turner  
1126 Jackson Ave. #102  
Pascagoula MS 39568

Judge Neil Harris  
P.O. Box 998  
Pascagoula Ms 39568



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David Maxwell Pace-pro se