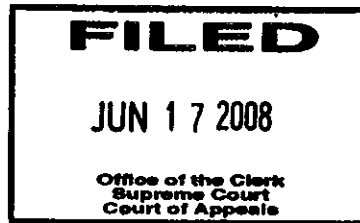


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APPELLEE BRIEF; TABLE OF CONTENT

Pace  
v  
Pace



2007-CP-1052

1) STATEMENT OF THE CASE; The appellant, David Maxwell Pace, wishes to change the grounds for divorce granted by Chancery Court Judge, Neil Harris, from "habitual cruel and inhumane treatment" to "adultery" on my part.

2) SUMMARY OF THE ARGUMENT; I, Sally Pace, the appellee, state that it was the treatment that I received from David Pace that lead me to file for divorce, not the relationship I entered into sixteen months after I filed for divorce.

3) ARGUMENT; The treatment I received from David Pace during our marriage was degrading, disrespectful, and verbally and emotionally abusive. It was this treatment that lead me to file for divorce. David Pace, the appellant, would not agree to a divorce and intentionally held up court proceedings time and again. It was sixteen months after I filed for divorce that I met a man and became intemant with him. We do have a child together and we are now married. Regardless, there was no chance for reconciliation between David Pace and I due to several attempts before I filed for divorce. David Pace had every opportunity to be in court on the day of the divorce, he was even given more time to get there and provide proof that he was at the hospital with his son as he claimed. David was at work at a tackle shop when I called during recess. This appeal is another attempt to interfere with my life and try to use the legal system to do so.

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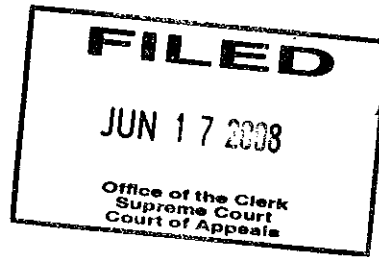
DAVID MAXWELL PACE

APPELLANT

V.

SALLY PACE

APPELLEE



I, Sally Pace, the Appellee, ask the Supreme Court of Mississippi to uphold the Decision of Chancery Court Judge, Neil Harris, to grant the divorce under the grounds Of Habitual cruel and inhumane treatment and not Adultery on my part.

It was the treatment I received from David Pace that lead me to file for divorce, not The relationship I entered sixteen months after filing.

I married David Pace on April 30, 2002. Prior to and during the marriage I lived in Mississippi while David resided in Alabama. We separated for the last and final time During the month of September, 2002. The marriage was an attempt to join together To provide for our child that was born prior to the marriage. David's lifestyle just could Not adjust to caring for a child. David remained in Alabama making a living by taking Wealthy people fishing which included parties and consuming alcohol. He did not find us A home so we could all be together so I remained in Mississippi. When business was Slow he would have us around. He wanted the best of both worlds. When I protested

Living this way, David retaliated by belittling me every chance he could. He also Would not help with bills and childcare and caused scenes at my place of work so I would have to depend on him. When I finally said I had had enough, David vowed To make my life as difficult as possible and to drag the divorce out. He continued to date Women but I felt no need to prove adultery as I was just glad to be away from him. As he promised , he prolonged the divorce for several years with accusations and Slandorous attempts. He refused to pay child support just to watch me struggle. David Owes close to \$12,000 in back child support to this day.

I held two jobs to support my children and rented a house on my own. From the time we Separated until September of 2004, all I did was work and take care of my children with No help from David. I didn't go on dates with anyone like he so blatantly did.

In September of 2004, I met a man that I became friends with. He met my children and They immediately liked each other. He began doing things with and for my children That a father would do. I fell in love with him as he made life easier and completed the Family my children and I were needing. I did become pregnant and have his child in 2005. Our intemant relationship was not flaunted. He did move in with us and we Lived as a family. My children were the happiest they had ever been. David's hope Was to keep me from going on with my life and finding happiness. He gladly let this Man provide for our son financially and emotionally. It is still that way today.

I tried to settle our divorce outside of court to get it over with but when I would Agree to something, David would come up with something else. Once I even agreed to Adultery but he still wouldn't agree to the divorce. I have no problem with agreeing

To adultery because I am proud of the man and the family I now have. My Children are the happiest that they have ever been. This appeal is just another attempt To prolong the process of going on with my life.

MS CODE 93-5-1 states that divorces from the bonds of matrimony may be decreed

To the injured party for any one of more than twelve causes,viz:

Seventh: Habitual cruel and inhumane treatment.

Those were the grounds that lead to the divorce, not adultery. Although, some may

Say that "you are married until you are divorced" That should go both ways. Not

Just on my part because I did not hide the fact I found somebody else. I add that

It was almost two years later that I did find someone else. It is not easy providing

For children financially, emotionally, and physically by yourself. My children deserved

A loving man in their lives. David was intent on that not happening, not even consider-

ing the children involved. Their welfare was not and is not a factor to him.

## PROOF OF SERVICE

I, Sally Pace Langley, the Appellee, certify that on this day, 23<sup>rd</sup> day of June 2008  
Caused to be served by United States Postage prepaid a copy to the foregoing  
Persons

David Maxwell Pace  
27421 Park Drive  
Orange Beach ,AL 36561

Wendy Martin  
1113 Jackson Ave.  
Pascagoula, MS 39568

Paulette Turner  
1126 Jackson Ave.  
Pascagoula, MS 39568

Judge Neil Harris  
P.O. Box 998  
Pascagoula, MS 39568

  
Sally Pace Langley-pro-se