



IN THE CIRCUIT COURT OF MACON COUNTY, MISSOURI

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NOA 2-11-
45 pp.

MACON COUNTY CIRCUIT COURT DIV.

MAR 18 2010

KIMBERLY J. MARCH
Circuit Clerk & Ex-Officio Recorder

(Date File Stamp)

Division I	Case Number: 41V019200101	
Circuit/No. 41	Judge: James P. Williams	Date Heard: December 14, 2009
Number of Tapes Enclosed: 1	Notice of Appeal Filing Date: February 11, 2010	
To: Office of the State Courts Administrator Central Transcribing Service 2112 Industrial Drive P.O. Box 104480 Jefferson City, MO 65110	Appellate District: Western	Date Transcript Ordered: March 18, 2010
	Appellate Cause No.: (If Known) WD72175	
	Date Transcript Due: May 12, 2010	Amount of Deposit Received: \$ 135.00
	Number of Copies Needed: 2 (Excluding Original)	Date Deposit Received: March 11, 2010

Order Form for Transcripts from Sound Recording

Complete Style of Case Dennie L. Carothers vs. Pamela Carothers	Reason for Request: <input checked="" type="checkbox"/> Case on Appeal <input type="checkbox"/> Guilty Plea and/or Sentencing A/B Felony <input type="checkbox"/> Preliminary Hearing <input type="checkbox"/> Requested by Judge	Tape Speed <input type="checkbox"/> 2.4 <input type="checkbox"/> 1.2 <input type="checkbox"/> Other
Case No.: 41V019200101	Case tried by: <input checked="" type="checkbox"/> Judge <input type="checkbox"/> Jury <input checked="" type="checkbox"/> Include opening/closing Statements <input type="checkbox"/> Include Voir Dire of Jury	
Please Attach <input checked="" type="checkbox"/> Log sheets <input type="checkbox"/> Copy of depositions read into court record <input type="checkbox"/> Exhibit list if available <input type="checkbox"/> List of veniremen on jury trial <input type="checkbox"/> Copy of the order if appellant files as indigent <input checked="" type="checkbox"/> Copy of the judgment		
Case Parties and Attorneys of Record (Full names and Addresses)		
Appellant's Attorney Seth Shumaker Address 716 South Baltimore Kirksville, MO 63501 Telephone (area code) (660) 665-7700 Appellant Pamela Carothers Address 4723 Highway Y, Clark, MO, 65243	Respondent's Attorney James McConnell Address 127 East Walnut, P.O. Box 137 Shelbina, MO 63468 Telephone (area code) (573) 588-2115 Respondent Dennie Carothers Address RR #3, Box 70, 1299 shelby	
Comments, Special Instructions: Print Person Completing Form Ann Henry Date March 18, 2010 Telephone (660) 385-3531	Return Transcript To: Name Ann Henry Address 101 East Washington, Ste. 2, Bldg. 2 Macon, MO 63552 Telephone (660) 385-3531	

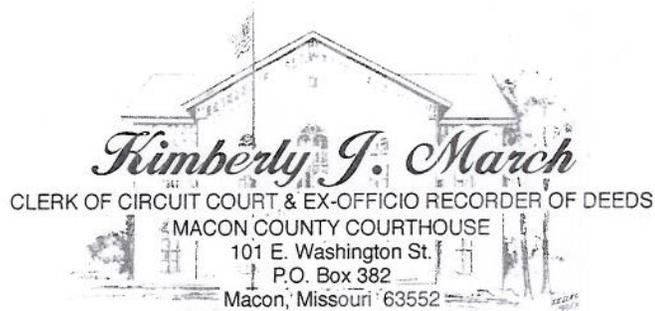
Description	DENNIE L. CAROTHERS V PAMELA CAROTHERS 41V019200101 JUDGE JAMES P WILLIAMS PA JAMES DAVID MCCONNELL	
Date	12/14/2009	Location MACWC00007

Time	Speaker	Note
1:22:07 PM	JUDGE	OPENING
1:24:17 PM	Petitioner/Plaintiff Attorney	
1:24:20 PM	Judge	
1:24:52 PM	PA	
1:24:53 PM	Judge	OFF RECORD
1:27:39 PM	Judge	BACK ON RECORD
1:28:01 PM	PA	
1:28:26 PM	Judge	
1:28:28 PM	PA	
1:28:40 PM	Judge	
1:28:43 PM	PA	
1:28:51 PM	Judge	
1:28:53 PM	PA	
1:29:12 PM	Judge	
1:29:19 PM	PA	
1:29:26 PM	RESPONDENT	
1:29:27 PM	Judge	
1:29:31 PM	PA	
1:29:33 PM	Judge	
1:30:01 PM	Judge	
1:30:07 PM	RESPONDENT	
1:30:10 PM	Judge	
1:30:19 PM	PA	
1:30:21 PM	Judge	
1:30:32 PM	Judge	SWEARING W #1 DENNIE CAROTHERS
1:30:48 PM	PA	DX OF W#1
1:32:19 PM	PA	EX #1
1:32:25 PM	Judge	
1:32:27 PM	RESPONDENT	
1:32:30 PM	Judge	
1:32:33 PM	RESPONDENT	
1:32:35 PM	Judge	
1:32:37 PM	RESPONDENT	
1:32:40 PM	Judge	
1:32:41 PM	RESPONDENT	
1:32:46 PM	Judge	
1:32:50 PM	RESPONDENT	
1:33:04 PM	Judge	
1:33:14 PM	PA	
1:33:30 PM	Judge	
1:33:50 PM	PA	
1:33:56 PM	Judge	

Time	Speaker	Note
1:33:59 PM	PA	
1:34:02 PM	Judge	GOING OVER
1:34:17 PM	PA	
1:34:19 PM	Judge	
1:34:24 PM	PA	
1:34:26 PM	Judge	SUB PARAGRAPH
1:34:40 PM	PA	
1:34:42 PM	Judge	
1:34:44 PM	RESPONDENT	
1:34:49 PM	Judge	
1:34:58 PM	RESPONDENT	
1:35:03 PM	Judge	
1:35:30 PM	RESPONDENT	
1:35:34 PM	Judge	
1:35:36 PM	RESPONDENT	
1:35:39 PM	Judge	#1 ADMITTED
1:35:45 PM	PA	CONT DX OF W#1
1:36:52 PM	PA	
1:37:00 PM	Judge	
1:37:02 PM	RESPONDENT	
1:37:10 PM	RESPONDENT	
1:37:11 PM	Judge	
1:37:14 PM	Judge	
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1:37:28 PM	Judge	
1:37:29 PM	RESPONDENT	
1:37:34 PM	RESPONDENT	
1:37:37 PM	PA	
1:37:44 PM	PA	
1:38:19 PM	PA	CONTS DX OF W#1
1:39:19 PM	PA	OFFER # 3
1:39:24 PM	Judge	
1:39:46 PM	RESPONDENT	
1:39:51 PM	Judge	
1:39:52 PM	Judge	
1:39:54 PM	PA	
1:39:56 PM	RESPONDENT	
1:39:59 PM	Judge	
1:40:09 PM	RESPONDENT	
1:40:11 PM	Judge	
1:40:14 PM	RESPONDENT	
1:40:15 PM	Judge	
1:40:17 PM	RESPONDENT	

Time	Speaker	Note
1:40:19 PM	Judge	#3 ADMITTED
1:40:35 PM	PA	CONTS DX OF W#1
1:41:25 PM	PA	OFFER #4
1:41:32 PM	Judge	
1:41:48 PM	RESPONDENT	
1:41:59 PM	PA	
1:42:01 PM	RESPONDENT, PA	
1:42:06 PM	PA	
1:42:08 PM	RESPONDENT	OBJECT
1:42:15 PM	RESPONDENT	
1:42:24 PM	Judge	
1:42:46 PM	RESPONDENT	
1:42:49 PM	Judge	
1:43:00 PM	RESPONDENT	
1:43:02 PM	Judge	
1:43:06 PM	RESPONDENT	
1:43:09 PM	Judge	
1:43:14 PM	Judge	
1:43:15 PM	RESPONDENT	
1:43:18 PM	PA	
1:43:20 PM	Judge	#4 ADMITTED
1:43:22 PM	PA	
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1:43:56 PM	PA	OFFER #5
1:44:06 PM	Judge	
1:44:09 PM	RESPONDENT	
1:44:10 PM	Judge	
1:44:13 PM	RESPONDENT	
1:44:24 PM	Judge	
1:44:25 PM	RESPONDENT	
1:44:27 PM	Judge	#5 ADMITTED
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1:46:06 PM	RES	
1:46:09 PM	Judge	
1:46:18 PM	PA	
1:46:19 PM	Judge	
1:46:23 PM	PA	
1:46:25 PM	Judge	
1:46:26 PM	PA	
1:46:29 PM	Judge	

Time	Speaker	Note
1:46:45 PM	RESPONDENT	
1:46:46 PM	Judge	#6 ADMITTED
1:46:52 PM	PA	#7 OFFER
1:47:27 PM	Judge	
1:47:49 PM	PA	
1:47:55 PM	Judge	#7 ADMITTED
1:48:01 PM	PA	
1:48:06 PM	RESPONDENT	
1:48:07 PM	Judge, RESPONDENT	
1:48:24 PM	PA	OFFER #8
1:48:37 PM	Judge.PA	
1:49:52 PM	Judge	
1:49:57 PM	PA	
1:49:59 PM	Judge	
1:50:01 PM	RESPONDENT	
1:50:02 PM	Judge	
1:50:09 PM	RESPONDENT	
1:50:23 PM	Judge	
1:50:29 PM	PA	
1:50:32 PM	Judge	#8 ADMITTED
1:50:45 PM	PA	CONTS DX OF W#1
1:51:40 PM	PA	OFFER #9
1:51:45 PM	Judge	
1:51:48 PM	PA	
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1:51:59 PM	Judge	
1:52:07 PM	Judge	
1:52:08 PM	RESPONDENT	
1:52:13 PM	Judge	
1:54:41 PM	Judge	BACK ON THE RECORD
1:55:13 PM	RESPONDENT	
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1:55:41 PM	Judge	
1:55:44 PM	RESPONDENT	
1:55:47 PM	Judge	#9 ADMITTED
1:55:50 PM	RESPONDENT	
1:55:57 PM	Judge	
1:56:06 PM	PA	CONTS DX OF W#1
2:02:07 PM	Judge	
2:02:23 PM	RES	
2:02:27 PM	Judge	



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March 18, 2010

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2112 Industrial Drive – P.O. Box 104480
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Re: Case No. 41V019200101 – Carothers vs. Carothers
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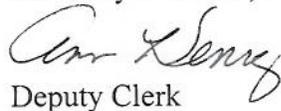
Dear Lori:

Enclosed are Order Form for Transcripts from Sound Recording, log sheets, copy of Judgment and CD. The log does not show the clerk's name and I'm not sure who did record the hearing as we were not handling civil at that time.

If you need anything else, please let me know.

Thanks.

Kimberly J. March, Circuit Clerk

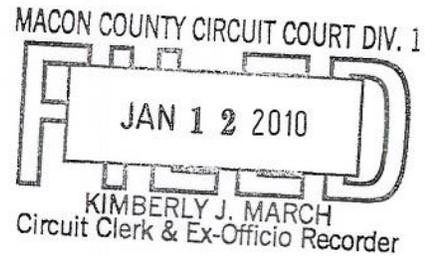

Deputy Clerk

Enclosures

IN THE CIRCUIT COURT OF MACON COUNTY, MISSOURI
DIVISION I

In re The Marriage of:
Dennie L. Carothers and
Pamela Carothers

Dennie L. Carothers,
Petitioner



vs.

Case No. 41V019200101

Pamela Carothers,
Respondent

JUDGMENT OF CONTEMPT

On the 14th day of December, 2009 Respondent appeared in person and waived counsel; Petitioner appeared in person and with attorney James McConnell. Whereupon evidence was adduced on the Motion for Contempt filed herein on account of the unpaid child support, unpaid medical expenses and auto expenses allegedly ordered to be paid by Respondent.

Now on this 12th day of January, 2010, the Court finds as follows:

1. That custody of the parties' three children was originally split with Petitioner having custody of Cameron and Respondent having custody of Bradley and Stephanie. That in an order modifying the original judgment the Court ordered Respondent to pay child support for the child in Petitioner's custody and Petitioner to pay child support for the two children in Respondent's custody. This Judgment was supported by Form 14's completed and adopted by the Court at that time and the Court then offset the respective amounts resulting in payments being made by Petitioner of \$161.00 per month.
2. That the two children in the custody of Respondent became emancipated and the child support attributable to them was terminated effective September 1, 1999 by Court order.
3. That the child support ordered to be paid by Respondent for the support of Cameron (which had been offset with Petitioner actually paying a net amount) continued in the sum of \$221.62 per month and was payable by Respondent to Petitioner thereafter.
4. That effective February 15, 2004 the Court modified the amount of child support due Petitioner by Respondent to \$109.00 per month.

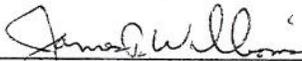
5. That the minor child Cameron reached the age of 18 at the end of April, 2007 and there is no evidence that he continued his education past secondary pursuant to the statute.
6. That Respondent made no child support payments between September 1, 1999 and February 15, 2004. That Respondent thereafter made payments as reflected by the records in the office of the Circuit Clerk in the aggregate amount of \$1,617.00. That no payments were made by Respondent after July 2005.
7. That Respondent is a judgment creditor of Petitioner in case 41V019600131 having received a judgment in the total amount of \$12,687.50 on December 29, 1999. That from 2005 to 2009 Respondent has requested writs of garnishment from the court in said case and moneys, as reflected by the case file, have been withheld from Petitioner's pay and paid to Respondent. The Court after calculating court costs and interest through the years since said judgment was entered and giving Petitioner credit for all amounts garnished finds that Petitioner still owes Respondent the sum of \$12,771.37 principal and accrued interest of \$264.60 after giving Petitioner credit for money currently in the registry of the Court.
8. The Court finds that during the pendency of this proceeding Petitioner had filed a lien request in this case with the clerk apparently directed at funds in the hands of the clerk having been garnished. There is on deposit the total sum of \$2,879.14 which is being held pending resolution of this matter.
9. The Court finds that Respondent is in arrears for unpaid child support in the amount of \$15,996.86 plus accrued interest of \$8,554.22 as of the date of the hearing herein.
10. The Court finds that Petitioner failed to provide sufficient proof that the medical bills allegedly paid by him were actually paid or by whom.
11. The Court finds that neither party had any obligation to provide Cameron with a motor vehicle.
12. The Court finds that during the periods of time Respondent was to pay child support she has had access to earnings and moneys that were not remitted to child support.

The Court therefore finds that Respondent has willfully and contumaciously refused to pay the child ordered in it's previous Judgments and finds that Respondent should be incarcerated according to the terms hereof.

Now Therefore it is Ordered, Adjudged and Decreed that Respondent is in contempt of the Judgments of this Court ordering her to pay child support and should be

incarcerated in the county jail until such contempt is purged. Respondent may purge such contempt by relinquishment of any right to the sum of \$2,879.14 being held in the clerk's registry and by filing a Satisfaction of Judgment for the judgment held by Respondent against Petitioner in case 41V019600131 on or before January 25, 2010 at 10:00 a.m. This Judgment shall be stayed until January 25, 2010 at 10:00 a.m.

It is Further Ordered, Adjudged and Decreed that a Warrant for Commitment be issued, incorporating this Judgment authorizing Respondent's incarceration. Expenses of any jail time shall be taxed as costs and paid by Respondent.



James P. Williams, Judge