Electronically Filed - ST LOUIS COUNTY - January 04, 2024 - 03:49 PM

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI
FAMILY COURT DIVISION

In re the Marriage of:	)	
Sara Nicole Winbush,	)	
(n/k/a Sara Nicole Mosley)	)	Case No. 15SL-DR05925-02
Petitioner,	)	
and	)	
Jock Orlando Winbush,	)	Division No. 65
Respondent.	)	

RESPONDENT'S ANSWER TO PETITIONER'S MOTION TO MODIFY CHILD SUPPORT, CHILD CUSTODY AND/OR VISITATION AND FOR ATTORNEYS' FEES

Comes now Respondent, Jock Orlando Winbush, and for his Answer to Petitioner's Motion to Modify Child Support, Child Custody and/or Visitation and for Attorneys' Fees (hereinafter "Motion to Modify"), states to the Court as follows:

1. Respondent admits the allegations contained in paragraph 1 of Petitioner's Motion to Modify.

2. With respect to paragraph 2 of Petitioner's Motion to Modify, Respondent admits that pursuant to the Judgment, the parties were awarded joint legal and joint physical custody of the minor children, naming Petitioner as residential parent for mailing and educational purposes as averred in paragraph 2. Respondent denies each and every remaining averment contained in paragraph 2 of Petitioner's Motion to Modify.

3. Respondent admits the allegations contained in paragraph 3 of Petitioner's Motion to Modify.

Electronically Filed - ST LOUIS COUNTY - January 04, 2024 - 03:49 PM

4. Respondent admits the allegations contained in paragraph 4 of Petitioner's Motion to Modify.

5. Respondent admits the allegations contained in paragraph 5 of Petitioner's Motion to Modify.

6. With respect to paragraph 6(a) of Petitioner's Motion to Modify, Respondent admits that the State of Missouri is the home state for the children as averred in paragraph 6(a). Respondent denies each and every remaining averment contained in paragraph 6(a) of Petitioner's Motion to Modify. Further answering, Respondent states that Petitioner's Motion fails to comply with § 452.780.1 RSMo.

7. Respondent admits the allegations contained in paragraph 6(b) of Petitioner's Motion to Modify.

8. Respondent admits the allegations contained in paragraph 6(c) of Petitioner's Motion to Modify.

9. Respondent admits the allegations contained in paragraph 6(d) of Petitioner's Motion to Modify.

10. Respondent denies each and every averment contained in paragraph 7 of Petitioner's Motion to Modify.

11. Respondent denies each and every averment of Respondent's Motion to Modify not specifically admitted herein.

COUNT I – CHILD SUPPORT

12. Respondent restates his admissions and denials as set forth above in paragraphs 1 through 11 of this Answer.

Electronically Filed - ST LOUIS COUNTY - January 04, 2024 - 03:49 PM

13. Respondent denies each and every averment contained in paragraph 8 of Count I of Petitioner's Motion to Modify.

14. Respondent denies each and every averment contained in paragraph 9 of Count I of Petitioner's Motion to Modify.

15. Respondent denies each and every averment contained in paragraph 10 of Count I of Petitioner's Motion to Modify.

16. Respondent denies each and every averment of Count I of Respondent's Motion to Modify not specifically admitted herein.

COUNT II – CHILD CUSTODY

17. Respondent restates his admissions and denials as set forth above in paragraphs 1 through 16 of this Answer.

18. Respondent denies each and every averment contained in paragraph 11 of Count II of Petitioner's Motion to Modify.

19. Respondent denies each and every averment contained in paragraph 12 of Count II of Petitioner's Motion to Modify.

20. Respondent denies each and every averment contained in paragraph 13 of Count II of Petitioner's Motion to Modify.

21. Respondent denies each and every averment of Count II of Respondent's Motion to Modify not specifically admitted herein.

COUNT III – ATTORNEY'S FEES

22. Respondent restates his admissions and denials set forth above in paragraphs 1 through 21 of this Answer.

Electronically Filed - ST LOUIS COUNTY - January 04, 2024 - 03:49 PM

23. Respondent denies each and every averment contained in paragraph 14 of Count II of Petitioner's Motion to Modify.

24. Respondent denies each and every averment contained in paragraph 15 of Count II of Petitioner's Motion to Modify.

25. Respondent denies each and every averment of Count III of Respondent's Motion to Modify not specifically admitted herein.

Wherefore, having fully answered Petitioner's Motion to Modify, Respondent prays:

A. That said Motion be dismissed and held for naught; and

B. For such other and further relief as the Court deems just and proper under the circumstances.

The Marks Law Firm, L.L.C.

By: /s/Jonathan D. Marks

Jonathan D. Marks #47886
Attorney for Respondent
4 CityPlace Drive, Suite 497
Creve Coeur, Missouri 63141
314-993-6300
jdm@themarkslawfirm.com

Not an Official Court Document

Electronically Filed - ST LOUIS COUNTY - January 04, 2024 - 03:49 PM

State of Missouri)
) ss.
County of St. Louis)

Jock Orlando Winbush, of lawful age, being duly sworn on his oath, states that he is the Respondent in the above-titled matter and that the facts and averments stated therein are true according to his best knowledge and belief.

CANDICE M. HOFFMANN
Notary Public, Notary Seal
State of Missouri
St. Charles County
Commission # 11245669
My Commission Expires 09-28-2027

Jock Orlando Winbush

Subscribed and sworn to before me this 4 day of January 2024.

My Commission Expires:

Candice M. Hoffmann
Notary Public

Not an Official Court Document

Electronically Filed - ST LOUIS COUNTY - January 04, 2024 - 03:49 PM

CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2024 a copy of the foregoing was sent through the Missouri eFiling system to the registered attorneys of record and to all others by facsimile, hand delivery, electronic mail, or U.S. mail postage prepaid to their last known address.

By: /s/Jonathan D. Marks

Not an Official Court Document