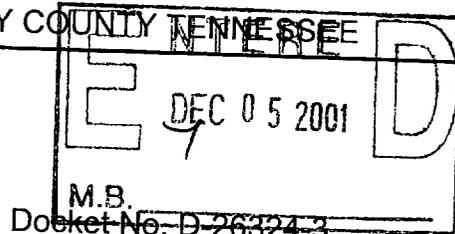


IN THE CHANCERY COURT OF SHELBY COUNTY TENNESSEE

DEBORAH LANE (PEELER) JONES,
Plaintiff,

v.

JAMES RANDALL PEELER, II,
Defendant.



ORDER ON PETITION TO RELEASE BOND, ETC.

This cause came on to be heard before this Court upon the Petition of the Plaintiff to Release Current Bond, Petition to Cite for Contempt, Require Additional Bond, and for Injunction, and this Court having reviewed the pleadings in this cause, having heard the testimony of the Plaintiff, and being fully advised in the premises finds and determines as follows:

1. That the Defendant, James Randall Peeler, II, was personally served with process of the Court on November 7, 2001. That the Defendant, James Randall Peeler, II, was called in open Court and that the Defendant, James Randall Peeler, II, failed to answer, respond, or otherwise appear.
2. That the sum of \$8424.80 currently being held by the Shelby County Chancery Court Clerk's Office should be released to the Plaintiff, Deborah Lane (Peeler) Jones, as said amount was posted by the Defendant, James Randall Peeler, II, pursuant to an Order of this Court dated January 10, 2000, and the Defendant, James Randall Peeler, II, having been given credit for said sum by the Chancery Court of Desoto County in cause number 00-6-927 in an action to collect child support arrearages.
3. That the Defendant, James Randall Peeler, II, has willfully failed and refused to pay the sums ordered by this Court in support of his children, and that the Defendant, James Randall Peeler, II, is willfully and intentionally under-employed.
4. That the Defendant, James Randall Peeler, II, has one known substantial asset, a one-sixth (1/6) interest in a tract of land in Desoto County, Mississippi.
5. That the Defendant, James Randall Peeler, II, is in arrears in child support for the months of May 2001 through November 2001 (7 months) in the amount of \$7,000.00.

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6. That the Defendant, James Randall Peeler, II, is in arrears for non-payment of one-half of non-covered medical expenses in the amount of \$500.00.

7. The Defendant, James Randall Peeler, II, has failed to maintain life insurance on his life as ordered by the Court and the Plaintiff, Deborah Lane (Peeler) Jones has incurred expenses in the amount of \$1034.31 in payment of life insurance premiums on the Defendant's life (\$44.97 per month since January 2000 through November 2001).

8. The Defendant, James Randall Peeler, II, has exhibited a consistent pattern of financial neglect towards his children and the financial obligations ordered by this Court, The minor children of the parties are currently 16, 14, and 12 years of age, with at least six more years of support owed by the Defendant, James Randall Peeler, II. The Defendant, James Randall Peeler, II, should post a bond with the Office of the Shelby County Chancery Court Clerk in the amount of \$72,000.00 to secure the payment of future child support and other financial obligations.

9. The Plaintiff, Deborah Lane (Peeler) Jones should be awarded a judgment against the Defendant, James Randall Peeler, II, to defray attorney's fees in the amount of \$3000.00.

10. The cost of obtaining the abstract in the amount of \$190.00 on the Defendant's interest in the land located in Desoto County Mississippi shall be taxed as costs pursuant to Rule 54 of the Tennessee Rules of Civil Procedure.

11. The Defendant, James Randall Peeler, II, is found to be in willful contempt of this Court's Orders and should be held by the Shelby County Sheriff until such time as he purges himself of contempt by paying the sums ordered herein and posting the bond in the amount of \$72,000.00.

12. The Defendant, James Randall Peeler, II, should be divested of his one-sixth (1/6) interest in the Desoto County real estate, which should be vested in the Plaintiff, Deborah Lane (Peeler) Jones for the purpose of bringing a cause of action in Mississippi to partite/sell the property with the Plaintiff's proceeds (1/6 interest) to be paid into the registry of the Chancery Court of Shelby County Tennessee to secure payment of all past and future support obligations which may become due and owing. Once the

last child is emancipated, any funds remaining should be refunded to the Defendant, James Randall Peeler, II.

13. The Plaintiff, Deborah Lane (Peeler) Jones, should have a lien against the assets of the Defendant, James Randall Peeler, II, including but not limited to the Defendant's interest in the land located in Desoto County, Mississippi, and that a copy of this Order should be filed in the appropriate office of land records in Desoto County Mississippi to serve as Notice to potential purchases of the subject property.

14. All costs of court should be and are hereby assessed against the Defendant, James Randall Peeler, II.

IT IS, THEREFORE, ORDERED, AJUDGED, AND DECREED as follows:

1. That the Shelby County Chancery Court Clerk shall be and is hereby ordered to release to the Plaintiff, Deborah Lane (Peeler) Jones, the sum of \$8424.80 currently being held by the Clerk's Office, representing a purge payment of \$3424.80 and a bond payment of \$5000.00 made by the Defendant, James Randall Peeler, II, pursuant to an Order of the Court dated January 10, 2000. The release of the bond money is for payment of child support arrearages accrued prior to May 2001.
2. That the Plaintiff, Deborah Lane (Peeler) Jones, shall be and is hereby awarded a judgment against the Defendant, James Randall Peeler, II, for child support arrearages from May 2001 through November, 2001 (7 months) in the amount of \$7000.00.
3. That the Plaintiff, Deborah Lane (Peeler) Jones, shall be and is hereby awarded a judgment against the Defendant, James Randall Peeler, II, for non-payment of one-half of non-covered medical expenses incurred on behalf of the minor children in the amount of \$500.00.
4. That the Plaintiff, Deborah Lane (Peeler) Jones, shall be and is hereby awarded a judgment against the Defendant, James Randall Peeler, II, for the payment of life insurance premiums by the Plaintiff on the Defendant's life from January 2000 through November 2001 in the amount of \$1034.31 (\$44.97 per month).

5. That the Plaintiff, Deborah Lane (Peeler) Jones, shall be and is hereby awarded a judgment against the Defendant, James Randall Peeler, II, in the amount of \$3000.00 to defray the cost/expense of attorney's fees incurred in bringing this matter back before the Court.

6. That the Plaintiff, Deborah Lane (Peeler) Jones, shall be and is hereby awarded a judgment against the Defendant, James Randall Peeler, II, in the amount of \$190.00 for the cost of obtaining the title abstract on the Mississippi property which cost shall be and is hereby taxed as cost pursuant to Rule 54.

7. That the Defendant, James Randall Peeler, II, shall be and is hereby found and declared to be in contempt of the Orders of this Court in that he has willfully failed and refused to pay child support and other financial obligations for the benefit of the minor children as ordered by this Court, although he has the ability and means to do so.

8. Due to the Defendant's consistent pattern of financial neglect towards the minor children, the Defendant, James Randall Peeler, II, shall be and is hereby ordered to post a bond with the Office of the Shelby County Chancery Court Clerk in the amount of \$72,000.00 to secure the payment of future child support and other financial obligations.

9. The Defendant, James Randall Peeler, II, having been found to be in contempt of the Orders of this Court, shall be and is hereby remanded to the custody of the Shelby County Sheriff to be held in the Shelby County Jail and an Instanter Attachment Pro Corpus shall issue for the body of the Defendant, James Randall Peeler, II, and the Sheriff of Shelby County is ordered to seize and hold the Defendant, James Randall Peeler, II, until the Defendant, James Randall Peeler, II, purges himself of contempt by paying \$11,724.31 and posting a bond in the amount of \$72,000.00 to secure the payment of future child support and other financial obligations.

10. That the undivided one-sixth (1/6) interest of the Defendant, James Randall Peeler, II, in the following described real estate located in Desoto County, Mississippi shall be and is hereby divested from the Defendant, James Randall Peeler, II, and vested in the Plaintiff, Deborah Lane (Peeler) Jones:

8X01405PEE0707

The West half of section 33, township 3, range 7 west, containing 320 acres, more or less; and the north half of the SE ¼ of section 32, township 3, range 7 west, less and except 2 ½ acres in the southeast corner thereof, described as beginning at the middle point of the east line of said quarter section at the eighty acre corner and running thence north on quarter section line 2 ½ chains, thence S 83° W 20.32 chains to middle of the eighty acre line, thence east on eighty acre line 20.17 chains to the beginning, and being the same 2 ½ acres conveyed by Charles Guy and G.L. Lamb, to the estate of John T. Binkley, on Aug. 5, 1902, as shown by deed of record in Book 13, page 469, of the deed records of the said county and state. Also, there is conveyed herein 2 ½ acres in the northwest corner of the S ½ SE ¼ of said section 32, township 3, range 7 west, described as beginning at the middle point of the west line of said quarter section at the eighty acre corner and running thence south 2 ½ chains on the quarter section line, thence N 83° E 20.32 chains to middle of the eighty acre line, thence west on the eighty acre line 20.17 chains to the beginning, and being the same 2 ½ acres conveyed to Charles Guy on Sept. 15, 1902, by M.M. Binkley et al., as shown by deed of record in Book 12, page 23, of the deed records of said county and state. The acreage intended to be conveyed in the SE ¼ of said section 32 is 80 acres, more or less. The total acreage conveyed by this deed is 400 acres, more or less, and being lands owned and in possession of E.D. Lauderdale at the time of his death intestate, and which passed to his heirs at law, along with other lands, and which were conveyed to W.A. Lauderdale by the widow and daughter, the three being the only heirs at law left by the said E.D. Lauderdale, said deed being of date Feb. 8, 1939, and of record in Book 27, page 72, of the deed records of said county and state. The tracts of 2 ½ acres hereinabove described have never been recognized since the deeds conveying same, but it is purpose of the grantor herein to convey the acreage in said SE ¼ of section 32, as was in actual possession of his father, even though he did not have a good record title to same, for the reason that he acquired same by adverse

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possession and therefore considered the south line of the 80 acres conveyed herein to be established as indicated by the deeds involved.

(As Recorded in Book 38 Page 135)

Less and Except the Following Three (3) parcels:

A) Description of a 12.00 acre lot out of the Peeler tract located in part of the Southwest Quarter of Section 33; Township 3 South; Range 7 West; DeSoto County, Mississippi. Beginning at the Northwest Corner of the Southwest Quarter of Section 33; Township 3 South; Range 7 West; thence Eastwardly along the centerline of Slocum Road a distance of 1571.10 feet to the point of beginning of the following lot; thence S 89 degrees 51' E along said centerline a distance of 625.0 feet to a point, said point is 448.0 feet West of the Peeler East line which is also the East Line of the Southwest Quarter of Said Section; thence S 4 degrees 28' E a distance of 837.0 feet to a point; thence N 89 degrees 51' W a distance of 625.0 feet to a point; thence N 4 degrees 28' W a distance of 837.0 feet to the point of beginning containing 12.00 acres more or less. All bearings are magnetic.

(As Recorded in Book 234 Page 169)

B) Beginning at the S.W. corner of the N.W. Quarter of Section 33; T-3-S; R-7-W; thence North 00 degrees 45 minutes West a distance of 1332.21 feet to a point; thence North 89 degrees 44 minutes 15 seconds East a distance of 354.05 feet to a point; thence South 00 degrees 45 minutes East a distance of 1332.20 feet to a point in the centerline of Slocum Road; thence South 89 degrees 44 minutes 12 seconds West along centerline of said road a distance of 354.05 feet to the point of the beginning and containing 10.81 acres. All bearings are referenced to true north as determined by solar observation.

(As Recorded in Book 260 Page 337)

C) DESCRIPTION OF A 5.00 ACRE LOT OUT OF THE PEELER TRACT LOCATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 7 WEST, DESOTO COUNTY, MISSISSIPPI.

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Beginning at the Northwest Corner of the Southwest Quarter of Section 33, Township 3 South, Range 7 West; thence North 89 degrees 44 minutes 12 seconds East along the center line of Slocum Road a distance of 287.62 feet to a point; thence South 00 degrees 15 minutes 48 seconds East a distance of 25.0 feet to an iron pin set, said point being the point of beginning of the following lot; thence North 89 degrees 44 minutes 12 seconds East parallel to Slocum Road a distance of 413.00 feet to an iron pin set, said point being 25 feet from center line; thence South 00 degrees 15 minutes 48 seconds East a distance of 528.00 feet to an iron pin set; thence South 89 degrees 44 minutes 12 seconds West a distance of 413.00 feet to an iron pin set; thence North 00 degrees 15 minutes 48 seconds West a distance of 528.00 feet to the point of beginning, containing 5.00 acres, more or less. All bearings are referenced to true North as determined by solar observation.

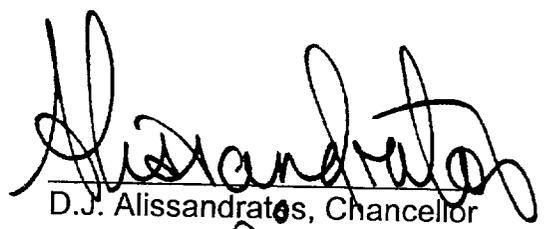
(As Recorded in Book 387, Page 373)

(Tax ID No. 3078-3300.0-00002.00)

11. The Plaintiff, Deborah Lane (Peeler) Jones, shall be and is hereby ordered to institute a cause of action to partite/sell (the 1/6 interest) the above described real estate located in Desoto County, Mississippi and to deposit the proceeds from any such action or sale into the registry of the Office of the Chancery Court Clerk of Shelby County, Tennessee to secure payment of all past and future child support and other financial obligations of the Defendant, James Randall Peeler, II, which may become due and owing. Once the youngest child is emancipated, and the Defendant, James Randall Peeler, II, no longer has a duty to pay child support, any funds remaining in the registry of the Clerk's Office shall be refunded to the Defendant, James Randall Peeler, II.

12. The Plaintiff, Deborah Lane (Peeler) Jones, shall be and is hereby awarded a lien for the judgments awarded herein and the bond ordered herein against all assets of the Defendant, James Randall Peeler, II, including but not limited to the Defendant's interest in the real estate described herein.

13. Pursuant to TCA § 36-5-101, interest shall accrue on the judgments awarded herein at the rate of 12% per annum.
14. All costs of Court shall be and are hereby assessed against the Defendant, James Randall Peeler, II, for which let execution issue.


D.J. Alissandratos, Chancellor
Part III
Date: 5 Dec 2001

Approved:


Steven G. Roberts #10593
Attorney for Plaintiff
6263 Poplar Ave., Suite 1032
Memphis, TN 38119
(901) 683-3111

CERTIFICATE OF SERVICE

I, Steven G. Roberts, do hereby certify that a true and correct copy of the above foregoing Order on Petition to Release Bond, Etc. has been forwarded to James Randall Peeler, II, Defendant, 2169 Slocum Road, Hernando, MS 38632.

This the 5th day of December, 2001.


Steven G. Roberts

EX-01-05-930711

STATE OF TENNESSEE }
SHELBY COUNTY

I, **KENNY W. ARMSTRONG**, Clerk and Master of the Chancery Court of Shelby County,
Memphis, Tennessee

do hereby certify that the foregoing (8) Eight pages contain a full, true, and perfect transcript of the
Order On Petition To Release Bond, etc

in a certain cause pending in the said Court, wherein Deborah Lane (Peeler) Jones

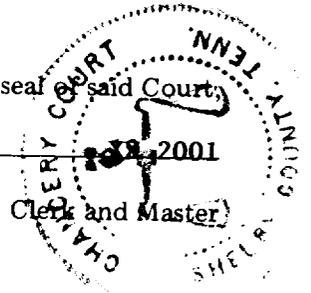
complainant, and James Randall Peeler, II

defendant, as the same appears of record and on file

in my office.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Court,
at office, this 5th day of December

Kenny W. Armstrong
Clerk and Master

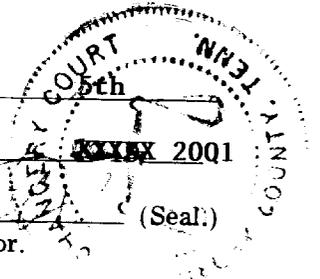


STATE OF TENNESSEE }
SHELBY COUNTY

I, **D. J. ALISSANDRATOS**, sole and presiding Chancellor of Part 3, of the Chancery Court of said County,
do hereby certify that **Kenny Armstrong**, whose genuine signature appears to the foregoing Certificate, is
now, and was at the time of signing the same, Clerk and Master of said Court, and that his attestation
is in due form, and by the proper officer, and that said Court is a Court of Record, and that full faith
and credit are due to all his official acts.

WITNESS my hand and private seal (having no seal of office) this 5th
day of December

D. J. Alissandratos
Chancellor. (Seal)



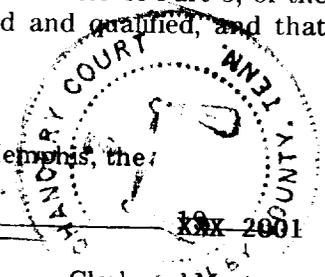
STATE OF TENNESSEE }
SHELBY COUNTY

I, **KENNY W. ARMSTRONG**, Clerk and Master of the Chancery Court of said County, do hereby certify
that the Hon. D.J. Alissandratos, whose genuine official signature appears to the above and hereto annexed
certificate, is and was at the time of signing the same, the sole and presiding Chancellor of Part 3, of the
Chancery Court, in and for the County and State aforesaid, duly commissioned and qualified, and that
all his official acts as such are entitled to full faith and credit.

WITNESS my hand and seal of Court, at office, in the City of Memphis, the

5th day of December

Kenny W. Armstrong
Clerk and Master.



EX 0405 PG 0712