

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY LAW DIVISION**

APOLLO NIDA,)	
)	
Petitioner,)	
)	CIVIL ACTION
)	FILE NO:
v.)	
)	
PHAEDRA PARKS NIDA a/k/a)	
PHAEDRA C. PARKS,)	
)	
Respondent.)	

COMPLAINT FOR DIVORCE

COMES NOW, Petitioner APOLLO NIDA (hereinafter referred to as "Petitioner"), by and through the undersigned counsels and hereby files this *Complaint for Divorce* against Respondent PHAEDRA PARKS NIDA a/k/a PHAEDRA C. PARKS (hereinafter referred to as "Respondent"), and states the following in support:

JURISDICTION, PARTIES, AND VENUE

1.

The Petitioner is subject to the jurisdiction of this Court by virtue of having brought the Complaint herein. The Respondent has been a resident of the State of Georgia for at least six (6) months before the filing of this action for divorce.

2.

Respondent, PHAEDRA PARKS NIDA a/k/a PHAEDRA C. PARKS, is a resident of Fulton County and can be served with process at her place of residence or employment, if Respondent does not acknowledge service. Respondent is subject to the personal jurisdiction of this Court.

3.

Venue is proper in this Court and the Court has subject matter jurisdiction of this case as it is an action for divorce.

COUNT ONE: GROUNDS FOR DIVORCE

4.

Petitioner and Respondent (“the parties”) were lawfully married on November 1, 2009.

5.

The parties separated on or around June 2014 and have continued to live in a bona fide state of separation since then.

6.

The Petitioner is entitled to a divorce from Respondent on the statutory ground that the parties’ marriage is irretrievably broken as defined pursuant to O.C.G.A. § 19-5-3(13), and upon such other grounds that may be proved at trial. Petitioner and Respondent can no longer live together as Husband and Wife and there is no hope of reconciliation.

Petitioner reserves the right to amend his statutory grounds for divorce.

COUNT TWO: CHILD CUSTODY AND VISITATION

7.

Petitioner reasserts the aforementioned paragraphs as if fully stated herein.

8.

Petitioner and Respondent have two minor children born of the marriage.

9.

Pursuant to O.C.G.A. § 19-9-69, Petitioner provides the following information concerning the minor children:

- (a) The minor children currently reside with the Respondent;
- (b) Since the birth of the minor children, they have resided with both the Petitioner and Respondent in the marital home;
- (c) The Petitioner has not participated in any other actions concerning the custody of and visitation with the minor children;
- (d) The Petitioner knows of no proceeding that could affect the current proceeding, including proceedings for enforcement and proceedings related to family violence, protective orders, termination of parental rights, and adoptions;

- (e) Petitioner knows of no person who is not a party to this proceeding that has physical custody of the children or claims of legal custody or physical custody of, or visitation with, the minor children.

10.

Petitioner requests joint legal custody of the minor children pursuant to O.C.G.A. §19-9-1, *et seq*, with an established parenting plan that will be in the best interests of the children.

11.

This Court has jurisdiction to establish support for the minor children pursuant to O.C.G.A. §19-6-15.

**COUNT THREE: EQUITABLE DIVISION OF
REAL PROPERTY & PERSONAL PROPERTY**

12.

Petitioner reasserts the aforementioned paragraphs as if fully stated herein.

13.

The parties acquired real property during the course of the marriage for the use and benefit of the parties and the Petitioner is entitled to, and requests, an equitable division of the real property.

14.

The parties have acquired marital assets, personal properties, and household furnishings during the course of the marriage and the Petitioner is entitled to, and requests, an equitable division of all personal properties and assets accordingly.

15.

By the filing of this divorce action, Respondent is placed on notice that she is bound by the provisions of O.C.G.A. §19-5-7 which provides in part as follows:

“After a petition for divorce has been filed, no transfer of property by either party, except a bona fide transfer in payment of preexisting debts, shall pass title so as to avoid the vesting thereof according to the final verdict of the jury in the case...”

COUNT FOUR: EQUITABLE DIVISION OF MARITAL DEBTS

16.

Petitioner reasserts the aforementioned paragraphs as if fully stated herein.

17.

The parties have accumulated marital debt during the course of the marriage and the Petitioner requests an equitable division of said debts.

COUNT FIVE: ATTORNEY'S FEES AND LITIGATION EXPENSES

18.

Petitioner reasserts the aforementioned paragraphs as if fully stated herein.

19.

It has been necessary for Petitioner to hire an attorney to bring this action of divorce against Respondent. Petitioner requests that this Court enters a temporary and final order requiring Respondent to pay Petitioner's attorney's fees and litigation expenses pursuant to O.C.G.A. §§9-11-4, 19-6-2, 9-15-14, and any other applicable statutes.

WHEREFORE, Petitioner requests the following relief:

- (1.) That Summons issue and Respondent be served with process;
- (2.) That Petitioner be awarded a total divorce from Respondent, that is, a divorce *a vinculo matrimonii*, upon legal principles;
- (3.) That Petitioner be awarded temporary and permanent joint legal custody of the minor children, with an established parenting plan;
- (4.) That Petitioner be awarded equitable division of the real property and personal properties acquired during the marriage;
- (5.) That Petitioner be awarded equitable division of all marital assets and debts acquired during the marriage;
- (6.) That Respondent be ordered to pay Petitioner's attorney's fees and expenses of litigation pursuant to O.C.G.A. §19-6-2, on both a temporary and permanent basis;
- (7.) That any Settlement Agreement entered into by the parties be incorporated into this Court's Final Judgment and Decree of Divorce;

Complaint for Divorce

Apollo Nida v. Phaedra Parks Nida a/k/a Phaedra C. Parks

Fulton County Superior Court

Page 4 of 5

- (8.) That a Rule Nisi issue requiring the Respondent to show cause why the relief demanded by the Petitioner should not be granted;
- (9.) That a Standing Order be entered in this action and strictly enforced against the Respondent;
- (10.) That Petitioner have such additional relief as the Court may consider equitable or appropriate; and
- (11.) That process issue as provided by law.

Respectfully submitted this 1st day of December, 2016.



ONYEMA ANENE FARREY
Georgia Bar No.: 910413
ANENE FARREY & ASSOCIATES, LLC
1995 North Park Place, SE, Ste. 420
Atlanta, Georgia 30339
Phone: (678) 948-8489
Fax: (404) 410-6875



TESSIE D. EDWARDS
Georgia Bar No. 142424
LAW OFFICE OF TESSIE D. EDWARDS, PC
50 Hurt Plaza, Ste. 1520, Box 25
Atlanta, Georgia 30303
Phone: (404) 330-8833
Fax: (844) 246-4104

Complaint for Divorce

Apollo Nida v. Phaedra Parks Nida a/k/a Phaedra C. Parks
Fulton County Superior Court

VERIFICATION

Before me the undersigned, duly authorized by law to administer oaths, personally appeared APOLLO NIDA, who first being duly sworn, on oath deposes and states that the facts in the attached document are true and correct and are within his personal knowledge and he has the capacity to make this affidavit.

This 1st day of December, 2016.



APOLLO NIDA

Sworn to and subscribed before me

This 1st day of December, 2016

Onyema Anet
NOTARY PUBLIC
My commission expires: February 3, 2019