



## AlaFile E-Notice

47-DR-2020-900543.00

To: MARTELL LAVOR HOLT  
3 ASBURY DRIVE SE  
HUNTSVILLE, AL, 35801

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# NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA

MELODY SHARI HOLT V. MARTELL LAVOR HOLT  
47-DR-2020-900543.00

The following complaint was FILED on 6/29/2020 3:30:55 PM

Notice Date: 6/29/2020 3:30:55 PM

DEBRA KIZER  
CIRCUIT COURT CLERK  
MADISON COUNTY, ALABAMA  
MADISON COUNTY, ALABAMA  
100 NORTHSIDE SQUARE  
HUNTSVILLE, AL, 35801

256-532-3390

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	<b>SUMMONS</b> <b>- CIVIL -</b>	<b>Court Case Number</b> <b>47-DR-2020-900543.00</b>
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**IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA**  
**MELODY SHARI HOLT V. MARTELL LAVOR HOLT**

**NOTICE TO:** MARTELL LAVOR HOLT, 3 ASBURY DRIVE SE, HUNTSVILLE, AL 35801

\_\_\_\_\_  
*(Name and Address of Defendant)*

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), CALEB WINSLOW BALLEW

\_\_\_\_\_  
*[Name(s) of Attorney(s)]*

WHOSE ADDRESS(ES) IS/ARE: 115 North Side Square, HUNTSVILLE, AL 35801

\_\_\_\_\_  
*[Address(es) of Plaintiff(s) or Attorney(s)]*

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:**

You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

Service by certified mail of this Summons is initiated upon the written request of MELODY SHARI HOLT  
 pursuant to the Alabama Rules of the Civil Procedure. *[Name(s)]*

06/29/2020  
*(Date)*

/s/ DEBRA KIZER  
*(Signature of Clerk)*

By: \_\_\_\_\_  
*(Name)*

Certified Mail is hereby requested.

/s/ CALEB WINSLOW BALLEW  
*(Plaintiff's/Attorney's Signature)*

**RETURN ON SERVICE**

Return receipt of certified mail received in this office on \_\_\_\_\_  
*(Date)*

I certify that I personally delivered a copy of this Summons and Complaint or other document to \_\_\_\_\_

\_\_\_\_\_ in \_\_\_\_\_ County,  
*(Name of Person Served)* *(Name of County)*

Alabama on \_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Address of Server)*

\_\_\_\_\_  
*(Type of Process Server)*

\_\_\_\_\_  
*(Server's Signature)*

\_\_\_\_\_  
*(Server's Printed Name)*

\_\_\_\_\_  
*(Phone Number of Server)*



**IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA**

MELODY SHARI HOLT, )  
Plaintiff, )  
 )  
VS. )  
 )  
MARTELL LAVOR HOLT, )  
Defendant. )

Case No.: DR-2020-\_\_\_\_\_

**COMPLAINT FOR DIVORCE**

COMES NOW, the Plaintiff, Melody Shari Holt, by and through counsel, and files this complaint for divorce against the Defendant, Martell Lavor Holt, stating as follows in support:

1. The parties are over the age of nineteen (19) years and of sound mind. The Plaintiff is currently residing in Georgia and the Defendant is residing in Alabama. The parties last resided together in Madison County, Alabama as a married couple.
2. The parties were married on July 19, 2008. The parties separated on or about April 4, 2020 and have lived separately since that time.
3. The parties are wholly incompatible and there is such an irretrievable breakdown in the marriage such that the parties are not able to live together as husband and wife, and reconciliation is not practical.
4. There are four (4) minor children born of the marriage, namely M. S. Holt (DOB: 01/28/2012); M. L. Holt II (DOB: 12/11/2012); M. S. Holt (DOB: 02/07/2016) and M. S. Holt (DOB: 12/19/2019) (collectively "minor children"). Plaintiff avers that it is in the best interests of the minor children for the parties to share joint legal and joint physical custody of the minor children. The Plaintiff avers that the parties have shared true joint legal and physical custody of the minor children since the parties' separation and that the children are adjusted to such schedule. Both parties participate in and play an active role in home-schooling the

minor children and there are no issues in transporting and exchanging the minor children for custody.

5. The Plaintiff avers that neither party should have to pay child support to the other for the care of the minor children. The Plaintiff avers that no order is necessary based on each parties' income earning potential and shared, equal time each party will spend with the minor children.
6. Plaintiff avers that the parties have acquired joint interests in real property and are in need of an order equitably dividing all such marital and/or joint real property.
7. Plaintiff avers that the parties have acquired joint interests in personal property and are in need of an order equitably dividing all such marital and/or joint personal property.
8. Plaintiff avers that the parties have acquired joint business interests, assets, and property and are in need of an order equitably dividing all such marital and/or joint business interests, assets and property.
9. Plaintiff avers that the parties have marital and/or joint debts and are in need of an order equitably dividing all such martial and/or joint debt.
10. Plaintiff avers that the parties should be awarded all of their own individual and/or separate real and personal property, and that each party should be individually and separately responsible for the debts in their sole name.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff requests the following relief:

- A. That the Defendant will be made a party to this Complaint and that all due process to that end issue accordingly. That the Defendant be required to answer within the time allowed by law or that a judgment by default will be made and entered against Defendant.
- B. That this Court enter its Standing Pendente Lite Order **with children** for the preservation of assets, maintenance of monthly finances, and sharing

custody/visitation of the minor children, and providing for the support of the minor children;

- C. That this Honorable Court will enter a decree divorcing the parties, a vinculo matrimonii following a final hearing;
- D. That this Court award the parties joint legal and physical custody of the minor children to the parties jointly;
- E. That this Court order neither party to pay child support to the other;
- G. That this Court equitably divide all joint/marital real property, personal property, accounts, business interests and debts of the parties;
- H. That this Court order any other relief deemed necessary and/or appropriate under the circumstances presented;

Dated this the 29<sup>th</sup> day of June, 2020

/s/Caleb W. Ballew  
Caleb W. Ballew, Esq. (BAL052)  
Attorney for Plaintiff  
Martinson & Beason, P.C.  
115 North Side Square  
Huntsville, AL 35801  
Phone: (256) 533-1667  
[caleb@martinsonandbeason.com](mailto:caleb@martinsonandbeason.com)

**CERTIFICATE OF SERVICE**

I do hereby certify that on this the 29<sup>th</sup> day of June, 2020, a true and correct copy of the foregoing document has been served upon the Defendant via certified mail at the address below:

Martell Holt  
3 Asbury Drive SE  
Huntsville, Alabama 35801

/s/Caleb W. Ballew  
Caleb W. Ballew, Esq.

**SUMMONS**  
**- CIVIL -**

**Court Case Number**  
**47-DR-2020-900543.00**

**IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA**  
**MELODY SHARI HOLT V. MARTELL LAVOR HOLT**

**NOTICE TO:** MARTELL LAVOR HOLT, 3 ASBURY DRIVE SE, HUNTSVILLE, AL 35801

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\_\_\_\_\_  
*[Name(s) of Attorney(s)]*

WHOSE ADDRESS(ES) IS/ARE: 115 North Side Square, HUNTSVILLE, AL 35801

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*[Address(es) of Plaintiff(s) or Attorney(s)]*

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pursuant to the Alabama Rules of the Civil Procedure. *[Name(s)]*

06/29/2020

*(Date)*

/s/ DEBRA KIZER

*(Signature of Clerk)*

By: \_\_\_\_\_

*(Name)*

Certified Mail is hereby requested.

/s/ CALEB WINSLOW BALLEW

*(Plaintiff's/Attorney's Signature)*

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*(Date)*

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in \_\_\_\_\_

County,

\_\_\_\_\_  
*(Name of Person Served)*

\_\_\_\_\_  
*(Name of County)*

Alabama on \_\_\_\_\_

*(Date)*

\_\_\_\_\_  
*(Address of Server)*

\_\_\_\_\_  
*(Type of Process Server)*

\_\_\_\_\_  
*(Server's Signature)*

\_\_\_\_\_  
*(Server's Printed Name)*

\_\_\_\_\_  
*(Phone Number of Server)*

**47-DR-2020-900543.00**

MELODY SHARI HOLT V. MARTELL LAVOR HOLT

C001 - MELODY SHARI HOLT

*(Plaintiff)*

v.

D001 - MARTELL LAVOR HOLT

*(Defendant)*



**SERVICE RETURN COPY**