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VIRGINIA:

IN THE CIRCUIT COURT OF LOUISA COUNTY

THOMAS ALEXANDER GARRETT, JR.,

Plaintiff

Vs.

CASE NO: CL19000417

FLANNA SHERIDAN GARRETT,

Defendant

PLAINTIFF'S ANSWER TO DEFENDANT'S COUNTERCLAIM

COMES NOW your Plaintiff Thomas Alexander Garrett, Jr., and for his Answer to Defendant, Flanna Sheridan Garrett's Counterclaim, states as follows:

1) Your Plaintiff admits the allegations contained in paragraphs 1, 4 and 24 of Defendant's Counterclaim.

3) Your Plaintiff denies the allegations contained in paragraphs 2, 3, 5, 6, 7, 8, 11, 12, 13, 15, 16, 17, 21, 23, 26 and 28 of Defendant's Counterclaim and calls for strict proof thereof.

4) As to paragraph 9 of Defendant's Counterclaim, your Plaintiff denies a Mother's Day incident as described in Defendant's previous paragraphs 5 through 8 which Plaintiff previously denied, but admits he began Alcoholics Anonymous in late May or early June 2018.

5) As to paragraph 10, your Plaintiff admits he has maintained his sobriety, but denies the balance of the paragraph.

6) Your Plaintiff admits the first full sentence and denies the second full sentence of paragraph 14 of Defendant's Counterclaim.

7) As to paragraph 18 of Defendant's Counterclaim, your Plaintiff admits the beginning of the first sentence inasmuch as he attempted to asphyxiate himself at some point in 2017 (he is not sure it was August), and Plaintiff admits the last full sentence of paragraph 18. Plaintiff denies the remaining allegations contained in paragraph 18 of Defendant's Counterclaim.

8) Your Plaintiff denies the first full sentence of paragraph 19 of Defendant's Counterclaim. Plaintiff admits the remaining allegations contained in paragraph 19 of Defendant's Counterclaim.

9) Your Plaintiff admits the first two full sentences of paragraph 20 of Defendant's Counterclaim. Plaintiff denies the remaining allegations contained in paragraph 20 of Defendant's Counterclaim.

10) Your Plaintiff denies the allegations contained in paragraph 22 of Defendant's Counterclaim. Plaintiff admits that he insulted Wife in course of arguments and affirmatively states Wife insulted him using a level of colorful language that is unbecoming to someone in her situation during the course of the self same arguments.

11) As to paragraph 25 of Defendant's Counterclaim, Plaintiff denies he found irrefutable proof of Wife's infidelity and Plaintiff denies he leveled

unsupported allegations of Wife's infidelity at truck stops. Plaintiff admits he took pictures of Wife's old journals and began texting them to Wife's phone.


12) As to paragraph 27 of Defendant's Counterclaim, Plaintiff admits in response to Wife's unprovoked repeated statements to him that she hated him and he was disgusting, Plaintiff said let's get a divorce. Further, Plaintiff admits that he said they could live separate and apart under the same roof and Wife could continue to live under the same roof with Husband pending a one year period of separation, but Plaintiff affirmatively states that the parties never separated and continued to live together as a family, to hold themselves out as husband and wife and to travel together.

13) Plaintiff denies the allegations contained in paragraph 29 of Defendant's Counterclaim and affirmatively states Wife was frequently verbally and physically violent throughout the marriage and she flew into rages without any warning, justification or provocation.

14) Plaintiff intends to rely on the affirmative defense of recrimination due to Wife's violence, physically and verbally, towards Plaintiff throughout the marriage.

WHEREFORE your Plaintiff respectfully requests that the Defendant's Counterclaim be dismissed; that he be awarded his costs and fees expended in this suit; and for such other and further relief as this Court may find warranted.

RESPECTFULLY SUBMITTED,
THOMAS ALEXANDER GARRETT, JR.



By counsel

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Mailing Certificate

I hereby certify that on this the 13th day of March 2020, I mailed a true and correct copy of the foregoing instrument to:

Jason P. Seiden
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Michie Hamlett
310 4th Street, NE
Charlottesville, VA 22902



Jere M. H. Willis, III

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