

IN THE CHANCERY COURT OF LAFAYETTE COUNTY, MISSISSIPPI

PHYLLIS MARIE CROWDER 2017 MAY -8 PM 12:36

PLAINTIFF

VERSUS

CHANCERY CLERK

CAUSE NO: 2016-422W

MATTHEW OLIVER REARDON

BY DC

GN

DEFENDANT

**ANSWER TO PETITION FOR EMERGENCY TEMPORARY RELIEF WITHOUT NOTICE,  
ANSWER TO PETITION FOR CITATION OF CONTEMPT AND DEFENDANT'S  
COUNTERCLAIM**

COMES NOW, your DEFENDANT, Matthew Oliver Reardon, by and through his attorney, Charles E Yow III Esq, and files his Answer to Petition for Citation of Contempt and Modification of Child Support and Other Relief and Counterclaim for Citation of Contempt, Modification of Custody, Modification of Child Support, and Other Relief and for cause would state unto the Court the following, to-wit:

1. The DEFENDANT admits the claims in paragraph 1 of Plaintiff's Petition for Emergency, Temporary Relief Without Notice.
2. The DEFENDANT admits the claims in paragraph 2 of Plaintiff's Petition for Emergency, Temporary Relief Without Notice.
3. The DEFENDANT admits the claims in paragraph 3 of Plaintiff's Petition for Emergency, Temporary Relief Without Notice.
4. The DEFENDANT denies the claims in paragraph 4 of Plaintiff's Petition for Emergency, Temporary Relief Without Notice.
5. The DEFENDANT denies the claims in paragraph 5 of Plaintiff's Petition for Emergency, Temporary Relief Without Notice.
6. The DEFENDANT denies the claim of willful contempt within paragraph 6 of Plaintiff's

Petition for Emergency, Temporary Relief Without Notice, and states that the PLAINTIFF is under the influence of illegal drugs, is mentally and emotionally unstable due to the fact that she has been diagnosed with Dissociative Identity Disorder and has willfully failed to comply with the requirement in Section 1 of the Child Custody, Visitation, and Child Support Agreement that she be under the care of a counsellor and take part in weekly counselling sessions.

7. The DEFENDANT denies the claims found in paragraph 7 of Plaintiff's Petition for Emergency, Temporary Relief Without Notice and states further that the PLAINTIFF is a danger to the minor child due to her failure to take medication and be under care of her psychiatrist.

8. The DEFENDANT denies the allegations in Paragraph 8 of Plaintiff's Petition for Emergency, Temporary Relief Without Notice that PLAINTIFF has supported her Petition with a signed affidavit and would state that counsel for the PLAINTIFF has filed a Petition for Emergency, Temporary Relief Without Notice and a Petition for Citation of Contempt both of which make false statements about the DEFENDANT and that said Petitions are not supported by a signed affidavit.

9. The DEFENDANT denies the allegations in Paragraph 9 of Plaintiff's Petition for Emergency, Temporary Relief Without Notice.

10. The DEFENDANT denies the allegations in Paragraph 10 of Plaintiff's Petition for Emergency, Temporary Relief Without Notice.

11. The DEFENDANT admits the allegations found in Paragraphs 1, 2 and 3 of Plaintiff's Petition for Citation of Contempt.

12. The DEFENDANT denies the allegations found in Paragraphs 4, 5 and 6 of Plaintiff's Petition for Citation of Contempt and would show unto the court that the PLAINTIFF is barred by the doctrine of clean hands as the PLAINTIFF has willfully and repeatedly violated the terms of the Child Custody, Visitation, and Child Support Agreement that she entered into with the DEFENDANT.

**NOW**, having answered the Plaintiff's Petition, your DEFENDANT, Matthew Oliver Reardon

appropriate by this Court to the DEFENDANT upon modification of the Order.

14. That the PLAINTIFF, having engaged in drug abuse, possible prostitution, and staying out at nights, has, in doing so, neglected the best interest of her daughter in pursuit of her own personal pleasures and lustful fulfillment.

15. That the PLAINTIFF has neglected to responsibly tend to the medical needs and provisions of his daughters against the wishes of the DEFENDANT and has thus put off taking advantage of or failed completely to take advantage of preventive medical treatments for which the DEFENDANT's medical insurance provides full coverage at no additional charge.

16. That the PLAINTIFF should be denied any award of attorney's fees for her attorney because the DEFENDANT is, indeed, not in willful or deliberate violation of the prior judgment or decree pursuant to *Dunaway v. Busbin*, 498 So.2d 1218, 1222 (Miss. 1986) (emphasis added); *Newell v. Hinton*, 556 So.2d 1037, 1044 (Miss. 1990), and is in direct violation of the Clean Hands Doctrine

17. That due to the PLAINTIFF's contemptuous nature and actions, your DEFENDANT here has been forced to bring this action. Accordingly, your DEFENDANT requests that pursuant to *Newell v. Hinton*, 556 So.2d 1037, 1043 (Miss. 1990) and *Stauffer v. Stauffer*, 379 So.2d 922, 924 (Miss. 1980), it is proper for the DEFENDANT to be awarded attorney's fees.

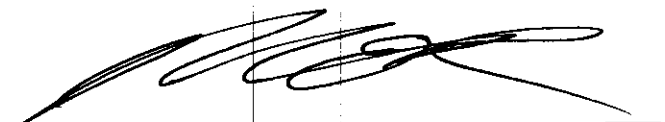
**WHEREFORE, PREMISES CONSIDERED**, Movant prays that this his answer to Petition for Citation of Contempt and Other Relief and Counterclaim for Citation of Contempt, Modification of Custody, and Other Relief be received and filed, and that upon final hearing the Movant be awarded the following, to-wit:

- A. That the PLAINTIFF be found in willful and contumacious contempt by this Court;
- B. That the PLAINTIFF be ordered to immediately purge herself of contempt;

- C. That the Court modify the custody Order entered in this cause, ordering the PLAINTIFF to relinquish custody of the minor child to the DEFENDANT, ordering child support obligations, whatever they may be determined to be, be paid by the PLAINTIFF, and ordering that the PLAINTIFF be responsible for half of all costs associated with any extracurricular activities the minor child may participate in;
- D. That the previous Order of the Court be modified to restrict the PLAINTIFF's interference in the DEFENDANT's parenting of the minor children and to provide that should the PLAINTIFF continue to interfere with the DEFENDANT's rights and continue to be physically and mentally abusive to such minor child, the PLAINTIFF shall forfeit any unrestricted or unsupervised visitations which the Court might find fit to grant the PLAINTIFF upon modification of the custody Order.
- E. That the PLAINTIFF be denied any award of attorney's fees for her attorney of record because the DEFENDANT is, indeed, not in willful or deliberate violation of the prior judgment or decree due to unclean hands by willful or deliberate violation of the prior judgement or decree herself.
- F. That the DEFENDANT be awarded his reasonable attorney's fees for his attorney of record.

Movant prays for such other, further, and more general relief as in the premises may appear meet and proper.

Respectfully submitted this the 8<sup>h</sup> day of May, 2017.



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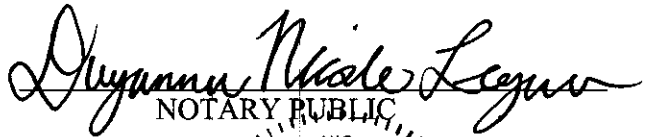
MATTHEW OLIVER REARDON, DEFENDANT  
OXFORD, MS 38655  
(662)736-8398

STATE OF MISSISSIPPI  
COUNTY OF LAFAYETTE

Before me, the undersigned authority in and for the aforesaid county and state, personally appeared the within named MATTHEW OLIVER REARDON, who stated that he signed the above and foregoing instrument on the day and date therein mentioned, and that the facts and things contained therein are true and correct as therein stated.

  
MATTHEW OLIVER REARDON

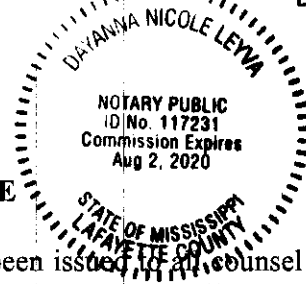
SWORN TO AND SUBSCRIBED before me, this the 8 day of MAY, 2017.

  
NOTARY PUBLIC

My Commission Expires:

Aug 2, 2020

**CERTIFICATE OF SERVICE**



I hereby certify that the above and foregoing notice has been issued to all counsel of record, by email transmission and by placing a copy of the same in the United States mail, postage prepaid and properly addressed to:

MONA T. PITTMAN, ESQ.  
P.O. BOX 2958  
OXFORD, MS 38655

this 8 day of MAY, 2017.

  
MATTHEW OLIVER REARDON