



**IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.**

**Dated: November 15, 2004**

**ROBERT E. NUGENT  
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF KANSAS**

<b>IN RE:</b>	)	
	)	
<b>ROBERT S. TYLER,</b>	)	<b>Case No. 03-16317</b>
	)	<b>Chapter 7</b>
<b>Debtor.</b>	)	
_____	)	
	)	
<b>PAMELA TULUMELLO,</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>Adversary No. 03-5396</b>
	)	
<b>ROBERT S. TYLER,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**JUDGMENT ON DECISION**

Plaintiff Pamela Tulumello filed this adversary proceeding pursuant to 11 U.S.C. § 523(a)(5) to determine the dischargeability of attorneys fees assessed against her ex-husband, debtor Robert S. Tyler, in a post-divorce child custody proceeding in Arizona state court.

There are no genuine issues of material fact and plaintiff is entitled to judgment as a matter of law. Under the Tenth Circuit Court of Appeals binding precedent, *Jones v. Jones (In re Jones)*, 9 F.3d 878 (10th Cir. 1993), the attorney fees of \$7,750 awarded against debtor are support under § 523(a)(5) and excepted from debtor's discharge.

Plaintiff's motion for summary judgment is GRANTED.

IT IS SO ORDERED.

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