

BowTieLawyer

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Arrested & Divorced; Just Say No!

Everyone knows that Adultery is a fault ground for divorce in Mississippi. **Adultery** is defined as sexual intercourse with a person of the opposite sex, not your spouse. It also must be uncondoned, which means legally forgiven by the other spouse, and it cannot have been committed in collusion with the other spouse just to gain a divorce. MCA § 93-5-1

However, **Adultery is also a crime!**



Don't monkey around...

§ 97-29-1. Adultery and fornication; unlawful cohabitation

If any man and woman shall unlawfully cohabit, whether in adultery or fornication, they shall be fined in any sum not more than five hundred dollars each, and imprisoned in the county jail not more than six months; and it shall not be necessary, to constitute the offense, that the parties shall dwell together publicly as husband and wife, but it may be proved by circumstances which show habitual sexual intercourse.

So in addition to having a divorce granted against the offending party they could also be arrested and prosecuted and face a \$500.00 fine and/or up to 6 months in the county jail. And that may not even be the worst of it with the potential for an Alienation of Affection lawsuit out there. (It's actionable to sue someone for the breakdown of your marriage, a blog for another day).

In the words of Nancy Reagan, "Just Say No!"

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