

A spouse may be entitled to a divorce based on the defendant's "habitual" and "excessive" use of "opium, morphine or other like drugs." Miss Code Ann. § 93-5-1 (2004). In Mississippi, "habitual" means customarily and frequently as opposed to occasional use while "excessive" means that the user is so addicted that he cannot control his appetite for drugs. "Other like drug" also requires that the drug produce an effect similar to that of opium or morphine making the user act irresponsibly. The use of illegal drugs and the misuse of prescription drugs both qualify as grounds for divorce. However, the use of the drug must continue at the time the complaint for divorce is filed. If the use or addiction is resolved prior to filing, a divorce will not be awarded on this grounds.

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