

STATE OF NORTH CAROLINA
COUNTY OF _____

) IN THE GENERAL COURT OF JUSTICE
) DISTRICT COURT DIVISION

) File No: _____ CVD _____

_____ ,

Plaintiff,

) COMPLAINT FOR
) ABSOLUTE DIVORCE

vs.

_____ ,

Defendant.

The Plaintiff, complaining of the Defendant, alleges and says:

1. The Plaintiff is a citizen and resident of _____ County, North Carolina, and has been so for more than six months prior to the commencement of this action.

2. The Defendant is a citizen and resident of _____ (name of county and state).

3. The Plaintiff and Defendant are Husband and Wife, having lawfully intermarried on _____ (date of marriage) in _____ (county and state where you were married).

4. There were (check one)

no children born of the marriage of the parties.

children born of the marriage of the parties to wit: (enter full legal names and date of birth for each child)

_____.

5. The parties separated from each other on or about _____ (*date of separation*).
6. The Plaintiff and the Defendant have remained separate and apart, not in the relationship of Husband and Wife for more than one year prior to the commencement of this action and at no time have they resumed the marital relationship which formerly existed between them.
7. The Plaintiff, acknowledges that he/she is not demanding of or making claims for alimony or equitable distribution, and, that he/she acknowledges that unless such claims are made by either of the parties prior to a Judgment for Absolute Divorce being entered on this complaint, the parties are forever waiving and discharging any claim for alimony and/or equitable distribution by obtaining an absolute divorce.
8. (*Check if applicable*) The parties entered into a Separation Agreement & Property Settlement (SAPS), attached hereto and incorporated herein as fully set forth here verbatim (*attach a complete copy*) that the Plaintiff desires to have incorporated into the divorce judgment.
9. (*Check if applicable*) The Plaintiff desires to resume the use of her maiden name which was _____ (*enter full legal maiden name*).

WHEREFORE, the Plaintiff prays the Court as follows:

JURISDICTIONAL
(N.C. Gen. Stat. § 1-75.4)

1. That the Court assume and exercise jurisdiction over the parties and the subject matter of this action;
2. That the Court allow this verified Complaint to be taken as an Affidavit in support of the Plaintiff's claims;

© 2009 Rice Law, PLLC – <http://www.RiceFamilyLaw.com>

Document is provided as a *pro bono publico* service. Use does not create or indicate an attorney-client relationship and does not indicate that the Firm has ever had any contact with the Plaintiff. Use by Plaintiff is an express acknowledgement that Plaintiff understands the Defendant may contract with Rice Law, PLLC as a client for the purpose of filing Answer & Counterclaim(s) and otherwise opposing this Complaint. Plaintiff is encouraged to meet with a licensed attorney and discuss their situation before using this document which may forever cut off certain rights.

SPOUSAL
(N.C. GEN. STAT. § 50-6)

3. That the bonds of matrimony heretofore existing between the Plaintiff and the Defendant be dissolved, and that the Plaintiff be granted an Absolute Divorce from Defendant, *A VINCULO MATRIMONII*;
4. (*Check if applicable*) That the Separation Agreement & Property Settlement (SAPS), attached hereto and incorporated herein be incorporated into and made part of the divorce judgment.
5. (*Check if applicable*) That the Plaintiff, be allowed to resume the use of her maiden name to wit: _____
(*enter full legal maiden name*).

GENERAL DEMAND

6. For such other and further relief as to the Court seems just and proper.

This the _____ day of _____, _____.

Name of Plaintiff

Street Address of Plaintiff

City, State & Zip Code of Plaintiff

Telephone Number of Plaintiff

By: _____

Signature of Plaintiff

Pro Se

VERIFICATION & CERTIFICATION

_____ (*Plaintiff's Name*), being first duly sworn, deposes and says that he/she is the Plaintiff in the above entitled action; that he/she has read the foregoing COMPLAINT FOR ABSOLUTE DIVORCE and knows the contents thereof; that the same is true to his/her own personal knowledge, save and except those matters and things herein alleged upon information and belief, and as to those matters he/she believes the same to be true.

_____ (SEAL)
PLAINTIFF'S SIGNATURE

Sworn to and subscribed before me,
this the _____ day of _____.

- [] I have personal knowledge of the identity of the principal; or
- [] I have seen satisfactory evidence of the principal's identity by a current state or federal identification bearing the photographic image of the individual's face and either the signature or a physical description of the individual.

Notary Public
My commission expires: _____

Print Notary's Name

© 2009 Rice Law, PLLC – <http://www.RiceFamilyLaw.com>
Document is provided as a *pro bono publico* service. Use does not create or indicate an attorney-client relationship and does not indicate that the Firm has ever had any contact with the Plaintiff. Use by Plaintiff is an express acknowledgement that Plaintiff understands the Defendant may contract with Rice Law, PLLC as a client for the purpose of filing Answer & Counterclaim(s) and otherwise opposing this Complaint. Plaintiff is encouraged to meet with a licensed attorney and discuss their situation before using this document which may forever cut off certain rights.