

STATE OF NORTH CAROLINA
COUNTY OF _____

) IN THE GENERAL COURT OF JUSTICE
) DISTRICT COURT DIVISION

) File No: _____CVD_____

_____,

Plaintiff,

) JUDGMENT OF
) ABSOLUTE DIVORCE

vs.

_____,

Defendant.

THIS CAUSE COMING ON TO BE HEARD, and being heard before the undersigned District Court Judge assigned to preside over the _____ Civil Session of the General Court of Justice, District Court Division for _____ County, North Carolina.

FROM THE RECORD, in this matter, it appears to the Court, and the Court finds:

1. This is an action for divorce on the grounds of one year's separation.
2. The Defendant has been properly served.
3. The Defendant (*check one*) has has not filed an Answer.
4. Neither party has filed with the Clerk of this Court a request for a jury trial prior to the call of this action for trial; and
5. This matter is properly before the Court for trial of the issue raised by the Plaintiff for Absolute Divorce.

FROM THE EVIDENCE in this matter, and by its greater weight, the Court makes the following

FINDINGS OF FACT:

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.

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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 with the intent to remain separate and apart and not in the relationship of Husband and Wife on or about _____ (*date of separation*).
6. The Plaintiff and 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.
7. There (*check all that apply*)
- is presently no other pending actions between the parties concerning Alimony, and Equitable Distribution of Marital Property.
 - exists other pending actions between the parties in Docket # _____ as filed in _____ County, North Carolina and such pending action should be reserved.
 - are counterclaims in this instant action that should be reserved.
8. (*check if applicable*) The Plaintiff and the Defendant entered into a Separation Agreement and Property Settlement dated the ____ day of

_____, 20____, a copy of which is attached to Plaintiff's Complaint, and made a part hereof by reference thereto, which the Plaintiff desires to have made a part of the Judgment of Divorce entered in this action.

9. (*Check if applicable*) The Plaintiff desires to resume the use of her maiden name which was _____
(*enter full legal maiden name*).

THEREFORE, based upon the above FINDINGS OF FACT, the Court draws the following:

CONCLUSIONS OF LAW:

1. The Court has jurisdiction over the parties and the subject matter of this action.
2. The Plaintiff is entitled to an Absolute Divorce based on one year's separation.
3. (*Check all that apply*)
 - There are no pending issues between the parties regarding alimony and equitable distribution
 - The issues of Alimony and Equitable Distribution of Marital Property should be reserved for further Orders.
 - The Plaintiff and the Defendant entered into a Separation Agreement and Property Settlement dated the ____ day of _____, 20____, a copy of which is attached to the Plaintiff's Complaint and made a part hereof by reference thereto, which should be made a part of the Judgment of Divorce.
4. (*Check if applicable*) Plaintiff is entitled to resume her maiden name.

WHEREFORE, BASED UPON THE FOREGOING FINDINGS OF FACT AND CONCLUSIONS OF LAW, IT IS ORDERED, ADJUDGED AND DECREED:

1. That the Plaintiff be and is hereby allowed an Absolute Divorce from the Defendant.
2. 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 the Defendant, A VINCULO MATRIMONII.
3. *(Check all that apply)*
 - That the issues of Alimony and Equitable Distribution of Marital Property as raised in Defendant's counterclaim(s) should be reserved for further Orders.
 - That the parties' Separation Agreement and Property Settlement dated the ____ day of _____, 20____, a copy of which is attached to the Plaintiff's Complaint, is hereby approved, adopted, and incorporated into this Judgment of Absolute Divorce by reference and its provisions are enforceable and modifiable as a Court Order.
4. *(Check if applicable)* That the Plaintiff be and hereby is allowed to resume the use of her maiden name to wit:
_____ *(enter full legal maiden name)*.
5. That the Clerk of Court tax the costs of this action to the Plaintiff.

This the ____ day of _____, _____.

DISTRICT COURT JUDGE PRESIDING

STATE OF NORTH CAROLINA
COUNTY OF _____

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

File No: _____ CVD _____

Plaintiff,

vs.

Defendant.

CERTIFICATE OF SERVICE

This is to certify that I have this day served _____
(*Defendant's Full Legal Name*), the opposing party in the foregoing matter, with a copy of
Judgment of Absolute Divorce by:

[] Hand delivering a copy hereof to the opposing party named below; or

[] Sending it to the said opposing party by confirmed telefacsimile transmittal for
receipt by 5:00 p.m. Eastern time on a regular business day, as evidenced by a telefacsimile
receipt confirmation attached hereto; or

[] Depositing in the United States Mail, a copy of same in a properly addressed
envelope with adequate postage thereon, in the manner prescribed by Rule 5 of the Rules of
Civil Procedure, addressed as follows:

_____ (*Defendant's Name*)
_____ (*Defendant's Street Address*)
_____ (*Defendant's City, State, Zip*)

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