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| NORTH CAROLINA \_\_\_\_\_\_\_\_ COUNTY  \_\_\_\_\_\_\_\_,                        PLAINTIFF,                        V. \_\_\_\_\_\_\_\_\_\_\_\_\_\_                        DEFENDANT. |     )))))))))  | IN THE GENERAL COURT OF JUSTICEDISTRICT COURT DIVISION \_\_\_ CVD \_\_\_\_  **AFFIDAVIT OF SERVICE BY PUBLICATION** |

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| NOW COMES the affiant, \_\_\_\_\_\_\_\_\_, being duly sworn deposes and says: |

            Service of Process by publication has been completed on Defendant, \_\_\_\_\_\_\_\_\_.  This affidavit is filed pursuant to the requirements of Rule 4(j1) and Rule 4(j2)(3) of the North Carolina Rules of Civil Procedure.

1.                  Publication of Notice of Service of Process was done pursuant to the requirements of N.C.G.S Â§1-75.10(2) as shown by a copy of the attached publisher's affidavit, marked Exhibit A.  The original affidavit has previously been filed with this court.

2.                  The \_\_\_\_\_\_\_\_\_\_\_ is the newspaper most likely to give actual notice to the party served, and is qualified for legal advertising in accordance with N.C.G.S. 1-597 and NC.G.S. 1-598.

3.                  A copy of the Notice of Service of Process was mailed to the party to be served at the last known post office addresses, namely:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

4.                  The use of service by publication was warranted for the following reasons:

a.      Plaintiff spoke directly with Defendant and sent a certified mail to the address where she owned property in \_\_\_\_\_\_\_ at \_\_\_\_\_\_\_.  Defendant indicated that she would shortly be leaving the state, but that she had authorized another individual at the residence to act as her agent for purposes of service.

b.      This certified mail was attempted to be delivered multiple in \_\_\_\_\_\_ and \_\_\_\_\_\_\_\_ but was always left unclaimed, as noted in Exhibit B.

c.       Plaintiff again communicated with Defendant, who now indicated that she had moved to \_\_\_\_\_\_\_\_, Illinois.  Defendant verbally gave Plaintiff her new address at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Defendant's family lives in \_\_\_\_\_\_\_\_\_\_\_, Illinois.

d.      Plaintiff first attempted to serve Defendant via Federal Express.  Federal Express delivered and served the Complaint on or about \_\_\_\_\_\_\_\_\_, but did not obtain Defendant's signature, as noted in Exhibit C.

e.      Plaintiff again sent a certified mail to Defendant's address in \_\_\_\_\_\_ at \_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_ Illinois.  The post office attempted to deliver this letter multiple times in \_\_\_\_\_\_\_, but returning as unclaimed each time, as noted in Exhibit D.

f.        Plaintiff again contacted Defendant and Defendant confirmed the proper address as her residence at \_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_, Illinois.  Defendant sent out another certified mail to this address in \_\_\_\_\_\_\_\_ 20\_\_ and delivery was attempted multiple times.  Each time, the certified mail was left as unclaimed as noted in Exhibit E.

5.                  The information regarding the location of the person served used in determining the area in which service by publication was printed is as follows:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

6.                  Plaintiff has used due diligence in attempting to serve Defendant with registered or certified mail and is authorized to serve Defendant by publication pursuant to the North Carolina Rules of Civil Procedure.

            This is the \_\_\_\_ day of\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorneys for the Plaintiff

Attorney Address

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this document has been served by depositing a copy in the US Mail in a properly addressed, postpaid envelope to:

[Name]

[Address]

This is the \_\_\_\_ day of\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorneys for the Plaintiff

Attorney Address