|  |  |  |
| --- | --- | --- |
| NORTH CAROLINA  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,                           PLAINTIFF,                           V.    \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,                           DEFENDANT. | )  )  )  )  )  )  )  )  ) | IN THE GENERAL COURT OF JUSTICE  DISTRICT COURT DIVISION  FILE NO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_      **COMPLAINT**  **(Equitable Distribution**  **and Absolute Divorce)** |

NOW COMES the Plaintiff, by and through counsel, complaining of Defendant, by alleging and saying:

**FIRST CLAIM FOR RELIEF**

**ABSOLUTE DIVORCE**

1.           Plaintiff is a citizen and resident the State of North Carolina and presently resides at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,North Carolina.

2.         Defendant is a citizen and resident of the State of North Carolina.

3.         Defendant has been resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, North Carolina, for at least six months preceding the commencement of this action.

4.         Plaintiff and Defendant were lawfully married to each other on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_and lived together as husband and wife until\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_when they separated, with intent to remain separate and apart permanently.

5.         There were two children born of the union and marriage of the Plaintiff and Defendant, to wit:  \_\_\_\_\_\_\_\_\_\_\_\_\_, born \_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_, born \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

6.         Defendant is not an infant, an incompetent, or a member of the armed services.

7.         Plaintiff\_\_\_\_\_s social security number is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

8.         Defendant\_\_\_\_\_s social security number is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**SECOND CLAIM FOR RELIEF**

**EQUITABLE DISTRIBUTION**

6.           Plaintiff realleges and incorporates herein by reference all of the allegations contained in the Jurisdictional Allegations in as if fully set forth herein.

7.         During the course of the marriage, the parties have acquired certain property which qualifies as "marital property" and "divisible property" as defined by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

8.         An unequal distribution of property in favor of Plaintiff would be fair and equitable in this case.

**WHEREFORE,   Plaintiff prays the Court for the following relief:**

1.         That the verified Complaint of Plaintiff be allowed and taken as an affidavit upon which the Court may base all of its Orders in this case.

2.         Dissolve the bonds of matrimony heretofore existing between Plaintiff and Defendant and grant Plaintiff an absolute divorce from Defendant;

3.         That the Court make an equitable distribution of the marital and divisible property in favor of the Plaintiff;

4.         That Plaintiff be granted such other and further relief as the Court may deem just and proper in this case.

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

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

Attorneys for the Plaintiff

STATE OF NORTH CAROLINA

COUNTY OF  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_ being fist duly sworn, does depose and say that he is the Plaintiff in the above entitled action; that he has read the foregoing document and knows the contents thereof; that the same is true of his own knowledge, expect to those matters and things states upon information and belief, and as to those he believes them to be true.

Sworn to and subscribed before me this the

\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

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

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

Sworn to and subscribed before me this the

\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

NOTARY PUBLIC

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

My Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_