

_____ County

In The General Court Of Justice
District Court Division

Name And Address Of Petitioner

VERSUS

Name And Address Of Respondent

ORDER
 GRANTING DENYING
SETTING ASIDE AFFIDAVIT OF PARENTAGE
OR
PRIOR ORDER OF PATERNITY

G.S. 49-14(h); 110-132(a1)(a2)

A hearing was held on (date) _____ to address petitioner's Motion and Notice of Hearing to Set Aside Order of Paternity/Affidavit of Parentage filed on (date) _____. All parties were present, represented, or received proper notice of the hearing. Based on the record and the evidence presented, the Court makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The petitioner served the Respondent with his/her Motion and Notice of Hearing to Set Aside Order of Paternity/Affidavit of Parentage on (date) _____.
2. a. The Order of Paternity was entered on (date) _____.
 b. The Affidavit of Parentage was signed on (date) _____.
3. The Order of Paternity Affidavit of Parentage was entered or signed as the result of fraud, duress, mutual mistake, or excusable neglect in that:

4. Pursuant to G.S. 8-50.1, genetic testing was ordered by this Court on (date) _____.
5. The genetic test results establish the following:
 - i. The probability of the petitioner's parentage is less than eighty-five percent (85%).
 - ii. The probability of the petitioner's parentage is between eighty-five percent (85%) and ninety-seven percent (97%).
 - iii. The probability of the petitioner's parentage is ninety-seven percent (97%) or higher.
6. Other Findings:

(Over)

CONCLUSIONS OF LAW

1. This matter is properly before the Court and the Court has jurisdiction over the parties and the subject matter.
2. Genetic testing does does not establish that the petitioner is the biological father of the child(ren) named in petitioner's Motion to Set Aside Order of Paternity/Affidavit of Parentage.
3. Other Conclusions:

ORDER

It is **ORDERED** that:

1. The petitioner's Motion to Set Aside Order of Paternity/Affidavit of Parentage is **granted**.
2. The **petitioner** **respondent** pay the costs of the expenses for genetic testing.
3. The **petitioner** **respondent** pay the appropriate fee required by the State Registrar to amend the birth certificate of the child(ren) named in petitioner's Motion to Set Aside Order of Paternity/Affidavit of Parentage.

Note: You must send the fee required by the State Registrar (Vital Records) to have the birth certificate(s) of the child(ren) named in your motion amended. The contact information for Vital Records is below:

NC Vital Records
1903 Mail Service Center
Raleigh, NC 27699-1903
919.733.3000

4. The Clerk of Superior Court shall notify the State Registrar of this court's order pursuant to G.S. 130A-118(b)(2).
5. The petitioner's Motion to Set Aside Order of Paternity/Affidavit of Parentage is **denied**.

<i>Date</i>	<i>Name Of Presiding Judge (Type Or Print)</i>	<i>Signature Of Presiding Judge</i>
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(Note to Clerk: Use AOC-CV-672 (Notice of Non-Paternity Determination) to notify the State Registrar of the court's order.)