

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
District Court Division

Name Of Plaintiff

VERSUS

Name Of Defendant

**JUDGMENT FOR
ABSOLUTE DIVORCE
BEFORE THE CLERK**

G.S. 50-10(e)

NOTE TO CLERK: This form is drafted for granting absolute divorce when plaintiff's verified complaint alleges all of the required facts and the plaintiff proves service of the summons and complaint, and notice of hearing, if required. If plaintiff's complaint is not verified or if the complaint does not allege all of the facts necessary, the clerk should not enter a judgment.

FINDINGS

This case was heard by the undersigned Clerk of Superior Court upon the Plaintiff's complaint for an Absolute Divorce. From the verified complaint and other evidence presented, the Court finds the following facts:

1. The defendant was properly served with the Summons and Complaint in this action as provided by the Rules of Civil Procedure.
2. The defendant
 - a. failed to make an appearance.
 - b. admitted all of the plaintiff's allegations in the answer.
 - c. filed a written waiver of the right to answer.
3. The defendant is not an infant or incompetent.
4. a. The defendant was served with notice of this hearing as required by the Rules of Civil Procedure.
 - b. The defendant was not served with notice of this hearing because defendant failed to make an appearance.
 - defendant filed a written waiver of the right to receive notice of any hearings.
5. The plaintiff defendant is a resident of _____ County, North Carolina and has been a resident of the State of North Carolina for more than six (6) months immediately preceding the commencement of this action.
6. The plaintiff and defendant were married on or about (give date) _____.
7. On the date this complaint was filed, the parties had lived separate and apart for more than one year; that at the time of separation the plaintiff defendant had intent to remain continuously separate and apart from the defendant plaintiff; and the parties have lived continuously separate and apart since their separation without resuming the marital relationship.
8. The plaintiff has requested to use the plaintiff's former name of (give name) _____.

CONCLUSIONS

Based upon the foregoing findings of fact, the Court concludes as a matter of law that it has jurisdiction over the subject matter and the parties and that the plaintiff is entitled to an Absolute Divorce based on one year's separation.

ORDER

Therefore, it is ordered that:

1. The bonds of matrimony which have existed between the parties are dissolved and the plaintiff is granted an Absolute Divorce from the defendant.
2. The plaintiff is allowed to resume the plaintiff's former name set forth above.

Date

Signature

Assistant CSC

Clerk Of Superior Court