

\_\_\_\_\_,  
Plaintiff,

-v-

**JUDGMENT OF ABSOLUTE DIVORCE**

\_\_\_\_\_,  
Defendant.

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THIS CAUSE was heard before the undersigned District Court Judge upon the Plaintiff's complaint for an absolute divorce based upon the party's one year separation; and from the record, the verified complaint, and other evidence presented, the Court makes the following:

**FINDINGS OF FACT**

1. The Plaintiff is a citizen and resident of \_\_\_\_\_ County, State of \_\_\_\_\_.
2. The Defendant is a citizen and resident of \_\_\_\_\_ County, State of \_\_\_\_\_.
3. The  Plaintiff and/or  Defendant was a resident of the State of North Carolina for more than 6 months prior to the institution of this action.
4. The Defendant was properly served with a copy of the Summons and Complaint on \_\_\_\_\_ (insert month/day/year) as required by Rule 4 of the NC Rules of Civil Procedure via:
  - Sheriff's Service
  - Certified Mail, return receipt requested (affidavit in court file)
  - Defendant sworn statement service
  - Other: \_\_\_\_\_
5. The parties were married on \_\_\_\_\_ (month/day/year of marriage) and lived together as husband and wife until on or about \_\_\_\_\_ (month/day/year of separation) when they separated.
6. The Plaintiff and Defendant have lived separate and apart from each other for more than one year preceding the institution of this action for absolute divorce and at no time have they resumed the marital relationship.
7. At least one of the parties intended for the separation to be permanent and they remained separated for more than one year prior to the institution of this action.
8. The Plaintiff or Defendant in an Answer (or in open court) requested the use of his or her maiden name or pre-marriage surname: \_\_\_\_\_.

9. The parties have \_\_\_\_\_ (number of children) minor children born to or adopted to the marriage, namely:

\_\_\_\_\_  
Full Name of Child                      Date of Birth                      Full Name of Child                      Date of Birth

\_\_\_\_\_  
Full Name of Child                      Date of Birth                      Full Name of Child                      Date of Birth

**CONCLUSIONS OF LAW**

- 1. This Court has jurisdiction over the parties and the subject matter.
- 2. The Plaintiff is entitled to an absolute divorce based on one year’s separation.

**WHEREFORE IT IS ORDERED, ADJUDGED & DECREED:**

- 1. The marriage between the Plaintiff and the Defendant is hereby dissolved and the Plaintiff is hereby granted an absolute divorce from the Defendant.
- 2. The  Plaintiff  Defendant is  entitled to resume the use of his/her maiden name or premarital surname,  is not entitled and the request is denied or  withdrawn.
- 3. The Separation and Property Settlement Agreement executed by the parties on \_\_\_\_\_  is incorporated herein,  is not incorporated herein and the request is denied or  withdrawn. A copy of the Agreement is  attached to this Order and/or  was filed with the Complaint.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
District Court Judge Presiding

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Judgment for Absolute Divorce has been served upon the Defendant by forwarding a copy thereof by first-class mail, postage prepaid, addressed to Defendant as follows:

Defendant’s Name: \_\_\_\_\_

Street/Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Plaintiff (Signature of Plaintiff)