

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

DISTRICT COURT DIVISION

_____ COUNTY

_____-CVD-_____

_____,)
 Plaintiff,)
 v.)
 _____,)
 Defendant.)

**MOTION FOR
 SUPPLEMENTAL PLEADING**

NOW COMES the Plaintiff, pursuant to Rule 15(d) of the Rules of Civil Procedure, and says as follows:

1. Since the filing of the claims for relief in this matter the parties have separated and each party now may assert a claim against the other for the equitable distribution of marital and divisible property and debt. It is in the interest of justice that these issues be resolved with the other claims arising out of the marriage of these parties in this pending litigation.
2. It is appropriate that the Court grant the Plaintiff permission to amend the complaint to include the supplemental claim set forth below, and provide that the Defendant may file a responsive pleading including a counterclaim for the equitable distribution of marital and divisible property and debt on or before thirty days from the service of the supplemental complaint.
3. The following claim for relief is to be inserted into the complaint:

CLAIM FOR RELIEF

1. Plaintiff and Defendant were married on _____, _____.
2. Plaintiff and Defendant separated on _____, _____.
3. During the course of the marriage the parties acquired certain assets and liabilities which constitute marital and divisible property and debt within the meaning of N.C.G.S. § 50-20, *et seq.*

4. Plaintiff is entitled to an equitable distribution of the marital and divisible property and debt.
5. Plaintiff is entitled to a disproportionate share of the marital and divisible property, and it is appropriate that the Court grant an uneven distribution in favor of the Plaintiff.

WHEREFORE, for Plaintiff's _____ CLAIM FOR RELIEF, Plaintiff prays the Court as follows:

1. For an equitable distribution of the marital and divisible property and debt.
2. For an uneven distribution of the assets in favor of the Plaintiff.
3. For such other and further relief as the Court deems just and proper.

THIS the _____ day of _____, 20__.

Name

Attorney for the Plaintiff

Address

Telephone Number