

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

DISTRICT COURT DIVISION

_____ COUNTY

_____-CVD-_____

_____,
Plaintiff,)

v.)

_____,
Defendant.)

JUDGMENT OF DIVORCE

THIS CAUSE coming on to be heard before the undersigned Judge Presiding at _____ County District Court on Plaintiff's Motion for Summary Judgment and it appearing to the Court that Plaintiff has filed an action with a claim for an absolute divorce based on one year's separation, that Defendant has filed an answer admitting the allegations of Plaintiff's complaint related to divorce [*or Defendant has not answered and the time for answer has expired*] and that Defendant has been notified of the hearing of this matter and has not filed a response to Plaintiff's motion for summary judgment, and the Court having considered the verified Complaint and Defendant's Answer and having determined that no genuine issue of material fact remains and Plaintiff is entitled to an absolute divorce as a matter of law, the Court makes the following:

FINDINGS OF FACT

1. Plaintiff has been a resident of _____ County, North Carolina for more than six months next preceding the institution of this action.
2. Defendant is a resident of North Carolina.
3. Plaintiff and Defendant were married on _____, and thereafter lived together as husband and wife.
4. Plaintiff and Defendant separated on _____, with the intent of ending their marital relationship.
5. Since their separation, Plaintiff and Defendant have lived continuously separate and apart from each other and have at no time resumed their marital relationship.

6. The parties have _____ minor child(ren): _____, born _____, and _____, born _____.

-OR-

6. No children were born of the marriage.

-OR-

6. The child(ren) born of the marriage have all reached the age of majority.

[7. *Plaintiff desires to resume the use of her maiden name* _____.]

Based upon the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW

1. This Court has personal and subject matter jurisdiction of this matter.
2. There is no genuine issue of material fact existing in this matter and Plaintiff is entitled to an absolute divorce.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED, as follows:

1. That Plaintiff, _____, be and is hereby granted an absolute divorce from Defendant, _____, and that the bonds of matrimony heretofore existing between Plaintiff and Defendant be and they are hereby dissolved.
- [2. *That Plaintiff's name is hereby changed to* _____.]

This the _____ day of _____, 20__.

Judge Presiding