

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

DISTRICT COURT DIVISION

\_\_\_\_\_ COUNTY

\_\_\_\_\_-CVD-\_\_\_\_\_

\_\_\_\_\_, )  
 Plaintiff, )  
 v. )  
 \_\_\_\_\_, )  
 Defendant. )

**MOTION FOR A TEMPORARY  
 RESTRAINING ORDER  
 AND PRELIMINARY  
 INJUNCTION**

NOW COMES the plaintiff and moves the Court pursuant to N.C.G.S. § 50-20(i) and Rule 65 of the Rules of Civil Procedure for a Temporary Restraining Order. In support of this motion, Plaintiff respectfully shows the Court:

1. Both parties have claims for equitable distribution pending in the above referenced matter.

2. The parties own the following property which is subject to equitable distribution:

*[List applicable property.]*

3. *[Allege the specific facts and circumstances which support the conclusion that immediate and irreparable injury, loss or damage will result to the applicant before the adverse party or that party's attorney can be heard in opposition.]*

4. The undersigned attorney has given (or has attempted to give) the adverse party notice that the attorney would be seeking a Temporary Restraining Order. *[If notice has not or cannot be given, or if injury would result if notice is given, set forth the reasons why notice should not be required.]*

5. As a result of the actions of the \_\_\_\_\_ as herein alleged and those actions which the \_\_\_\_\_ has threatened to undertake in the future, \_\_\_\_\_ will suffer immediate and irreparable injury, loss or damages before notice can be served and a hearing may be held unless a Temporary Restraining Order is entered. The Court should enter a Temporary Restraining Order pursuant to N.C.G.S. § 50-20(i) and Rule 65 of the Rules of Civil Procedure prohibiting Defendant from secreting, wasting or destroying marital or divisible property.
6. The Court has discretion to set a minimal bond in this matter.

WHEREFORE, Plaintiff respectfully prays for the following relief:

1. That the Court order \_\_\_\_\_ not to sell, encumber, transfer, alienate, secrete or otherwise dispose of any marital or divisible property pending a hearing in this matter.
2. That the Court order the \_\_\_\_\_ to bring before the Court evidence of accounts, deposits, investments, stocks and bonds currently held that were acquired during his marriage to \_\_\_\_\_.
3. That the Court order a hearing upon \_\_\_\_\_'s motion for a Preliminary Injunction within 10 days of the entry of this Order.
4. That the Court enter a Preliminary Injunction to prevent \_\_\_\_\_ from selling, encumbering, transferring, alienating, secreting or otherwise disposing of any marital or divisible property.

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

By: \_\_\_\_\_  
\_\_\_\_\_  
Attorney for Plaintiff  
\_\_\_\_\_  
\_\_\_\_\_, North Carolina \_\_\_\_\_  
Telephone: (\_\_\_\_) \_\_\_\_ - \_\_\_\_