

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

DISTRICT COURT DIVISION

\_\_\_\_\_ COUNTY

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

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

**ANSWERS AND**  
**AFFIRMATIVE DEFENSES**  
 [SAMPLES]

**ANSWERS**

1. Paragraph \_\_ is denied.
2. Defendant admits he and Plaintiff married on \_\_\_\_\_; the remaining allegations of Paragraph \_\_ are denied.
3. Paragraph \_\_\_ is not an allegation to which a response is required and is thereby deemed denied pursuant to Rule 8(d) of the North Carolina Rules of Civil Procedure.
4. Paragraph \_\_\_ is denied and Defendant further denies that proof of this allegation would entitle Plaintiff to a greater than equal share of the parties' marital and divisible property.
5. To require Defendant to answer the allegations of Paragraph \_\_\_ would tend to incriminate him in violation of his rights under the state and federal constitutions so that those allegations are therefore deemed denied.

**AFFIRMATIVE DEFENSES**

Pursuant to Rule 8(c) of the North Carolina Rules of Civil Procedure, Defendant states the following as affirmative defenses to Plaintiff's claims:

1. Plaintiff and Defendant executed a valid separation and property settlement agreement on \_\_\_\_\_ which remains in effect so that Plaintiff is barred from pursuing any claim for equitable distribution as provided by the terms of that agreement.

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

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Plaintiff

\_\_\_\_\_, North Carolina \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_