

**IN THE SUPERIOR COURT OF HOUSTON COUNTY STATE
OF GEORGIA**

_____,)
Plaintiff,)
v.) Civil Action No. _____
_____,)
Defendant.)

COMPLAINT FOR DIVORCE

Plaintiff, _____ [Name], comes
before this Court and shows this Court as follows:

1.

Subject Matter Jurisdiction (Check a or b)

- a) Plaintiff is a resident of Houston County, Georgia, and has been a resident of Georgia for at least six months prior to the filing of this action.
- b) Plaintiff is not a resident of the State of Georgia, but Plaintiff's spouse has been a resident of the State of Georgia and the county of _____ for at least six (6) months prior to my filing this action.

2.

Venue (Check and complete the appropriate box)

- a) Defendant is a resident of Houston County, Georgia, and has signed an acknowledgement of service affidavit of waiver of venue and personal jurisdiction form, and a consent to trial form.

b) Defendant is a resident of Houston County, Georgia and may be served at his/her residence/work address of:

c) The Defendant is a resident of _____ County, Georgia but Defendant and I lived together in Houston County at the time we separated. Defendant has only moved from Houston County within the past six months from that date of this filing, and I am a resident of Houston County. Defendant may be served at his/her residence/work address:

d) The Defendant is a resident of Georgia, but his/her whereabouts are unknown to me. I have shown this within my Affidavit of Due Diligence attached hereto and incorporated by reference. The Defendant shall be served by publication as is provided by law in the case of those who cannot be found within the State pursuant to O.C.G.A. § 9-11-4(f)(1). The clerk shall mail a copy of the Notice, Order for Service by Publication, and Petition for Divorce to the last known address of Defendant, which is

within 15 days of the filing of the Order for Service by Publication.

Defendant is not a resident of the State of Georgia, but I am a resident of Houston County, Georgia and (Check box 1 or 2):

1) The Defendant was formerly a resident of the State of Georgia and presently is a resident of the State of _____. Defendant may be served pursuant to the Long Arm Statute, O.C.G.A. §9-10-91(5). Defendant may be served at the following address:

_____.

2) The Defendant's whereabouts are unknown to me as shown by my Affidavit of Due Diligence, attached hereto and incorporated by reference, marked Exhibit A. The Respondent shall be served by publication as is provided by law in the case of those who cannot be found within the State pursuant to O.C.G.A. § 9-10-91(5).

3.

Date of Marriage (Check a or b)

- a) Plaintiff and Defendant were lawfully married on _____ [Date].
- b) Plaintiff and Defendant are common law married, having entered into a common law marriage before January 1, 1997 as of _____ [Date].

Note: Common law marriage was abolished in Georgia on January 1, 1997.

4.

Date of Separation

- The Defendant and I separated on _____ [Date], and have remained in a bona fide state of separation since that date.

5.

Grounds for Divorce

(Check one or more grounds that you *can* prove)

Plaintiff is entitled to a divorce from the Defendant upon the following statutory grounds:

The marriage is **irretrievably broken** and there is no hope of reconciliation, under O.C.G.A. § 19-5-3(13). [*This is the no-fault divorce provision.*]

Cruel Treatment. My spouse committed the following acts of cruel treatment to me such that I am afraid he/she will hurt me in the future:

Adultery. My spouse has had sexual intercourse outside of our marriage.

Desertion. On or about _____ (date), my spouse, without just cause or reason, intentionally abandoned and deserted me for a period of *at least* one (1) year as follows:

Intermarriage. My spouse and I are related as follows: _____

Mental incapacity. I did not have the mental capacity to enter into a marriage when we married because _____

Impotency. I was unaware that my spouse was impotent at the time of our marriage.

Force, menace, duress, fraud in obtaining the marriage. I entered this marriage against my will as a result of _____

_____.

Pregnancy of the wife at the time of the marriage unknown to the husband. I was unaware that my spouse was pregnant by another man at the time of our marriage.

Conviction of party for an offense involving moral turpitude. On or about _____, my spouse was sentenced to serve at least two (2) years in the penitentiary for the following: _____

Habitual intoxication. My spouse is repeatedly intoxicated.

My spouse has been adjudged mentally ill by a court of competent

jurisdiction. My spouse has been confined in an institution for the mentally ill for a period of at least two (2) years immediately preceding this action. My spouse's mental illness has been determined to be incurable by competent examiners, and I have attached

a certified statement confirming the opinion that my spouse is hopelessly and incurably mentally ill.

Habitual Drug Addiction. My spouse is addicted to drugs as follows: _____

6.

Alimony (Check a, b or c)

a) I am seeking temporary alimony. I did not engage in adultery, desertion, cruel treatment, or other fault grounds for divorce.

b) I am seeking temporary and permanent alimony which will last until I remarry, or until my former spouse or I should become deceased. I did not engage in adultery, desertion, cruel treatment, or other fault grounds for divorce.

c) I hereby expressly waive alimony for the past, present, and future.

7.

Marital Property (Check a, b or c)

a) Defendant and I have no marital property to divide.

b) Defendant and I have divided our marital property to our mutual satisfaction.

c) Defendant and I have the following marital property that I have checked, and I am seeking an equitable division of this property:

A house located at _____

_____.

Pension(s): Mine: _____ My spouse: _____

Motor Vehicles (List the make, model & year):

Furniture (List or attach a list):

Bank accounts and investments (List or attach a list)

Other:

8.

Joint Debts (Check a or b)

- a) Defendant and I have no unpaid or outstanding joint debts.
- b) Defendant and I have the following unpaid or outstanding debts. I have indicated which party should be responsible for each debt. The responsible party will indemnify and hold harmless the non-responsible party for any collection on these obligations:

Creditor	Amount	Responsible Party

9.
Name Restoration

- My/my wife's former name is (*FULL first, middle, and last*) _____
_____, and I request that it be restored to me/her.

10.
Minor Children

- There are no minor children born of the marriage and the wife is not pregnant now.

WHEREFORE, Plaintiff respectfully requests:

- a) That the parties herein be totally divorced;
- b) That the Court grant Plaintiff ownership of the above-requested property;
- c) That the Plaintiff have such other and further relief as this Court deems equitable and just.

Respectfully submitted, this _____ day of _____, 20_____.

Plaintiff *pro se* [Sign]

Plaintiff's Address
Telephone number: _____
Email: _____

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v.)	Civil Action No. _____
)	
Defendant.)	
)	

VERIFICATION

Personally appeared before me the undersigned who on oath states that the facts set forth in this Complaint are true and correct to the best of his or her knowledge and belief.

_____,
Plaintiff *pro se* [Sign in presence of
notary public]

Sworn and subscribed before me
This _____ day of _____, 20____.

Notary Public, State of Georgia

My Commission Expires _____