

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

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

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**COMPLAINT FOR DIVORCE**

Plaintiff, \_\_\_\_\_, 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 a, b, c, d, e, or f)

- a) Defendant is a resident of Houston County, Georgia, and has acknowledged service of the Complaint and Summons and has waived further service of process.

b) Defendant is a resident of \_\_\_\_\_ County, \_\_\_\_\_ (State) and has signed an ACKNOWLEDGEMENT OF SERVICE AFFIDAVIT OF WAIVER OF VENUE AND PERSONAL JURISDICTION.

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

\_\_\_\_\_.

d) 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:

\_\_\_\_\_.

e) The Defendant is a resident of Georgia, but his/her whereabouts are unknown to me as shown by my Affidavit of Due Diligence attached hereto and incorporated by reference, marked Exhibit A. 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.

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

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:

\_\_\_\_\_.

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 \_\_\_\_\_ 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 statutory grounds that:

- 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:

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- Adultery.** My spouse has had sexual intercourse outside the 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 year as follows:

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

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

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**Impotency.** My spouse was impotent at the time of our marriage, and I was not aware of this.

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

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**Pregnancy of the wife at the time of the marriage unknown to the husband.** I did not know that my spouse was pregnant by another man when we got married.

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

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**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 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 that it is this person's opinion that my spouse is hopelessly and incurably mentally ill.

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

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6.

**Alimony (Check a, b or c)**

- a) I am seeking temporary alimony which will last until the date of the final decree of divorce. 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 die. 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.
- b) Defendant and I have already 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

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Pension(s): Mine \_\_\_\_\_ My spouse's \_\_\_\_\_.

Motor vehicles (list make, model & year):

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Furniture (list or attach list):

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Bank accounts and investments (list or attach list)

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Other:

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8.

**Joint Debts (Check a or b)**

- a) Defendant and I have no joint outstanding debts.
- b) Defendant and I have the following 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 former name is \_\_\_\_\_, and I request that it be restored to me.

10.

**Minor Children**

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

WHEREFORE, Plaintiff respectfully requests:

- a) That the parties herein be totally divorced;
- b) That the Court grant Plaintiff ownership of the above-requested items of 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]**

\_\_\_\_\_  
 \_\_\_\_\_  
 Address & telephone number



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**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