

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

DISTRICT COURT DIVISION

ONslow COUNTY

FILE NUMBER ____ -CvD- ____

_____,)
 Plaintiff,)
 vs.)
 _____)
 Defendant.)

REQUEST FOR CLERK OF COURT
 TO HEAR ABSOLUTE DIVORCE
 (per G.S. 50-10)

I, the undersigned plaintiff or attorney of record for the plaintiff, pursuant to G.S. 50-10 and Onslow County Local Rules for Domestic Cases, assert:

1. The only claim requested in the complaint filed herein is a request for absolute divorce, or absolute divorce and the resumption of a former name by the plaintiff.

2. The defendant has been duly served and: has not filed a pleading herein and the time to do so has expired; has filed an answer admitting the allegations of the complaint; or has filed a waiver of the right to file an answer. (check one)

3. The defendant is not an infant or incompetent person, and if in the military is not entitled to a stay of these proceedings.

4. I understand that upon this request that the Onslow County Clerk of Superior Court, or her designee, may review this case within approximately two business days and if appropriate enter an order without a formal hearing or my being present granting the requested relief using AOC-CV-710, a form judgment provided by the Administrative Office of the Courts for this purpose.

This the _____ day of _____, 20____.

 Attorney of Record for Plaintiff

 PLAINTIFF

(Note: If plaintiff signs, signature must be notarized.)

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE _____ DAY OF _____, 20__.

 NOTARY PUBLIC

My commission expires: _____

(For Legal Reference Only -Do Not File This Page With Court)

Authority in Provisions of N.C.G.S. § 50-10
Re Clerk Entering Absolute Divorce Judgment

(e) The clerk of superior court, upon request of the plaintiff, may enter judgment in cases in which the plaintiff's only claim against the defendant is for absolute divorce, or absolute divorce and the resumption of a former name, and the defendant has been defaulted for failure to appear, the defendant has answered admitting the allegations of the complaint, or the defendant has filed a waiver of the right to answer, and the defendant is not an infant or incompetent person.