

IN THE SUPERIOR COURT OF BIBB COUNTY
STATE OF GEORGIA

Plaintiff

Vs.

Civil Action No. _____

Defendant

PETITION FOR ANNULMENT

I, _____, representing myself, state that:

1. **Subject Matter Jurisdiction:** I am the Petitioner in this action, and (Check (a) or (b))

- a) I have been a resident of the State of Georgia for more than six (6) months prior to filing this action.
- b) I am not a resident of the State of Georgia, but the Defendant has been a resident of the State of Georgia and a resident of _____ County for a least six (6) months prior to my filing of this action.

2. **Venue and Service:**

The Defendant's name is _____

(Check (a), (b), (c), or (d))

a) The Defendant is a resident of _____ County and is subject to the jurisdiction of this Court. (Check (1), (2), or (3))

1) The Defendant has consented to the jurisdiction of this Court and has acknowledged service or process and jurisdiction of this Court.

2) The Defendant may be served at Defendant's residence address of _____

3) The Defendant may be served at Defendant's work address of _____

The Defendant works in _____ County and shall be served by second original.

b) The Defendant is a resident of _____ County, State of Georgia, but Defendant and I lived together in _____ County at the time we separated, Defendant has only moved from _____ County within the past six months from the date of this filing, and I am a resident of _____ County. The Defendant shall be served by second original at his home/work address of _____.

c) The Defendant is a resident of _____ County, State of Georgia, and I live in _____ County. The Defendant has consented to the jurisdiction of this Court and has acknowledged service of process and jurisdiction of this Court.

d) The Defendant is not a resident of the State of Georgia, but I am a resident of _____ County and (Check (1), (2), (3), or (4)):

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 by second original pursuant to the Long Arm Statute, O.C.G.A. 9-10-91(5). (Check a or b)

a) The Defendant may be served at Defendant's residence address of _____.

b) The Defendant may be served at Defendant's work address of _____. The Defendant works in _____ County and shall be served by second original.

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 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(e).

3) The Defendant has never resided in the State of Georgia and currently resides in the State of _____. 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(e).

4) The Defendant has consented to the jurisdiction of this Court and has acknowledged service or process and jurisdiction of this Court.

3. **Date or Purported Marriage (Check a or b):**

a) The Defendant and I entered into a purported marriage on _____

b) The Defendant and I have lived together in a purported common law marriage before January 1, 1997 as of _____.

4. **Date of Separation**

The Defendant and I separated on _____ and have since that date continuously lived in a state of separation.

5. There are **no** children of this marriage.

6. **Jointly Owned Property: (Check (a), (b), (c), or (d))**

a) Defendant and I have no jointly owned property.

b) Defendant and I have already divided our jointly owned property to our mutual satisfaction.

c) Defendant and I have the following jointly owned property that I have checked, and I am asking this Court to equitably divided this property:

- _____ house located at _____.
- _____ pension (mine-_____, spouse's-_____)
- _____ motor vehicle (model/year _____)
- _____ furniture (_____)
- _____ bank accounts and investments (_____)
- _____ other (_____)

d) The issue of the division of jointly owned property cannot be decided in this action because Georgia does not have personal jurisdiction over spouse.

7. **Joint Debts (Check a or b):**

a) Defendant and I have no outstanding joint debts

b) Defendant and I have the following outstanding joint debts and he/she should be (solely liable for payment of these debts/ jointly liable for payment of these debts/responsible for payment of the debts that I checked.)

Creditor	Balance
— _____	_____
— _____	_____
— _____	_____

c) The issue of the division of joint debts cannot be decided in this action because Georgia does not have personal jurisdiction over the Defendant.

8. **Temporary Alimony**

- a) I am seeking an award of temporary alimony.
- b) I am not seeking an award of temporary alimony.
- c) The issue of temporary alimony cannot be decided in this action because Georgia does not have personal jurisdiction over my spouse.

9. **Restore Former Name**

My former name is _____ and I request that it be restore to me.

10. **Grounds for Annulment**

The grounds for annulment are as follows: (Check all that apply)

All of the following grounds require proof:

a) Intermarriage The Defendant and I are related as follows: (circle)

- father/daughter
- father/stepdaughter
- mother/son
- mother/stepson
- grandparent/grandchild
- aunt/nephew
- uncle/niece
- brother/sister

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

_____.

c) Under age I was under the age of 16 when I enter into the purported marriage with the Defendant. The Defendant and I entered into the purported marriage on _____. I am ___ years old and my date of birth is _____.

d) Bigamy The Defendant has a living spouse of an undissolved marriage as follows:

_____.

e) Force, menace, duress, in obtaining the purported marriage I entered into this marriage against my will as a result of _____

_____.

f) Fraud I was fraudulently induced to enter into the purposed marriage as follows:

_____.

FOR THESE REASONS, I request (Check all that apply)

- a) That a Rule Nisi be issued directing the Defendant to show cause why my prayers should not be granted;
- b) An award of the jointly owned property listed in paragraph 6;
- c) Defendant to pay the joint debts listed in paragraph 7;
- d) That all issues of division of property and debts be held in abeyance until such time as this court has personal jurisdiction over the Defendant;
- e) A change back to my former name _____;
- f) That the purported marriage between the parties be annulled a initio;
- g) Defendant be served with a copy of my Petition for Annulment; and
- h) Any other appropriate relief.

This _____ day of _____, 20_____.

Plaintiff, Pro Se (Signature)

Name: _____

Address: _____

Phone No.: _____

STATE OF GEORGIA

COUNTY OF BIBB

VERIFICATION

Personally appeared before the undersigned officer authorized by law to administer oaths, the deponent herein, who, an oath, deposes and says that the facts contained in the foregoing document are true and correct.

DEPONENT

Sworn to and subscribed before me

this ____ day of _____, 20_____.

Notary Public

AFFIDAVIT FOR PERSON FILING CASE WITH NO ATTORNEY
(All questions must be answered.)

Plaintiff

vs.

Civil Action No. _____

Defendant

PERSONALLY appeared before me the undersigned officer, _____
(Affiant)

who after being duly sworn deposes and states under oath the following:

- (1) That affiant has this date filed a suit for divorce or other complaint in this County and does not have an attorney at law representing affiant.
- (2) (a) Affiant further states that the following person prepared the Complaint and/or other papers.

Name of Person (and business name) who prepared papers

Address of such person and business

Telephone number of such person and business

- (b) Affiant state that said person who prepared the paper (was/was not) paid to prepare the papers. The total amount paid \$_____.
- (3) Affiant further states that there (is/is not) any further money due anyone for assisting in the preparation of said papers. If affiant owes money to the preparer the amount is \$_____.
- (4) Affiant has not paid or given anyone any other consideration of money for helping in preparing the paper, except the following, _____.
- (5) Did the preparer of the papers tell you what information, or give you advice regarding the information to put in any of your paper? (YES / NO)
- (6) Did the preparer give you any advice about how to file your papers? (YES / NO)
- (7) Did the preparer give you any advice about how to present your case to the judge? (YES / NO)
- (8) Are you willing to discuss this matter with a State Bar or Georgia investigator? (YES / NO)

I have answered all the about questions truthfully, under criminal penalties of perjury.

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

Affiant

Address

Notary Public
My Commission Expires _____

City State Zip

Phone No. (required): _____

SUPERIOR COURT OF BIBB COUNTY
PARTIES INFORMATION SHEET
TO BE FILED WITH COMPLAINT/PETITION

Plaintiff's Contact Information:

Plaintiff's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone Number: _____

Cell Phone Number: _____

Email Address: _____

Defendant's Contact Information:

Defendant's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone Number: _____

Cell Phone Number: _____

Email Address: _____

IN THE SUPERIOR COURT OF BIBB COUNTY

Plaintiff

Vs.

Civil Action No. _____

Defendant

ACKNOWLEDGEMENT OF SERVICE

Due and legal service of the complaint and summons in this foregoing case is hereby acknowledged; copies of the complaint, and summons when issued, and all other service is hereby waived.

This _____ day of _____, 20_____.

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

Defendant

Notary Public, State of _____
My Commission expires _____

WAIVER OF NOTICE OF HEARING AND JURY TRIAL

By consent of the parties thereto, the above case may be tried by the Court any time after the appearance day of said case; both parties hereby waives their right to a jury trial.

This _____ day of _____, 20_____.

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

Plaintiff

Notary Public, State of _____
My Commission expires _____

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

Defendant

Notary Public, State of _____
My Commission expires _____

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

Plaintiff

vs.

Civil Action File No. _____

Defendant

SETTLEMENT AGREEMENT

This is an agreement by and between _____ hereinafter referred to as “Wife”) and _____ hereinafter referred to as “Husband”).

WHEREAS, the parties are married but are currently living in a bona fide state of separation;

WHEREAS, the parties desire to settle between themselves all questions of division of property, alimony and all other rights and obligations arising out of their marital relationship;

NOW THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows:

1. Separation

The parties shall continue to live separate and apart and each shall be free from interference, molestation, authority and control, direct or indirect by the other as fully as if sole and unmarried, and each may reside at such place or places as he or she may select.

2. Alimony

A selection must be made or the right to alimony will be waived.

- The Wife / Husband shall pay the sum of \$_____ per _____ [week or month], to be paid beginning on _____ [Date] and to continue thereafter until the Plaintiff/ Defendant remarries or dies.
- The parties expressly waive alimony for the past, present and future.

3. Division of Property

A selection must be made or no marital property will be subject to division

- The parties have no marital property subject to equitable division.
- The parties have previously divided their marital property to their mutual satisfaction.
- The parties acknowledge that they possess various items of jointly owned property.

Which shall be divided as follows:

Wife: _____

Husband: _____

4. Division of Debts

A selection must be made or parties will be responsible for debts in their own name.

- The parties acknowledge that they have no outstanding joint debts.
- The parties agree to the division of debts as indicated below

Wife: _____

Husband: _____

5. Name Restoration

The parties request that the Wife's name be restored to _____

6. Binding Agreement

The parties acknowledge that they have entered into this Agreement freely and voluntarily and that it is not the result of any duress or any undue influence. This Agreement constitutes the entire understanding of the parties. There are no representations, warranties, covenants or undertakings other than those expressly set forth herein.

This agreement is entered into this the ____ day of _____ 20____.

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

Plaintiff, Pro Se (Signature)

Notary Public (Seal)
My Commission Expires _____

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

Defendant, Pro Se (Signature)

Notary Public (Seal)
My Commission Expires _____

General Civil and Domestic Relations Case Filing Information Form

Superior or State Court of _____ County

For Clerk Use Only

Date Filed _____ Case Number _____
MM-DD-YYYY

Plaintiff(s)

Last	First	Middle I.	Suffix	Prefix

Defendant(s)

Last	First	Middle I.	Suffix	Prefix

Plaintiff's Attorney _____

Bar Number _____

Self-Represented

Check One Case Type in One Box

General Civil Cases

- Automobile Tort
- Civil Appeal
- Contract
- Garnishment
- General Tort
- Habeas Corpus
- Injunction/Mandamus/Other Writ
- Landlord/Tenant
- Medical Malpractice Tort
- Product Liability Tort
- Real Property
- Restraining Petition
- Other General Civil

Domestic Relations Cases

- Adoption
- Dissolution/Divorce/Separate Maintenance
- Family Violence Petition
- Paternity/Legitimation
- Support – IV-D
- Support – Private (non-IV-D)
- Other Domestic Relations

Post-Judgment – Check One Case Type

- Contempt
 - Non-payment of child support, medical support, or alimony
- Modification
- Other/Administrative

Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

_____ Case Number

_____ Case Number

I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

Is an interpreter needed in this case? If so, provide the language(s) required. _____
Language(s) Required

Do you or your client need any disability accommodations? If so, please describe the accommodation request.

ATTACHMENTS

Parenting Plan

Child Support Order Addendum

Case Disposition Form & 3907 Form

Other _____



PLEASE PRINT OR TYPE ALL INFORMATION LEGIBLY AND CORRECTLY BELOW.

REQUIRED INFORMATION			
CIVIL ACTION NUMBER		DATE DECREE GRANTED (MONTH, DAY, YEAR)	COUNTY DECREE GRANTED
FIRST NAME OF PARTY 1	MIDDLE NAME	LAST NAME	LAST NAME AT BIRTH
DATE OF BIRTH (MONTH, DAY, YEAR)	COUNTY OF RESIDENCE		NUMBER OF THIS MARRIAGE (FIRST, SECOND, ETC.)
FIRST NAME OF PARTY 2	MIDDLE NAME	LAST NAME	LAST NAME AT BIRTH
DATE OF BIRTH (MONTH, DAY, YEAR)	COUNTY OF RESIDENCE		NUMBER OF THIS MARRIAGE (FIRST, SECOND, ETC.)
SPECIFY GROUNDS FOR DIVORCE (19-5-3, OCGA)			NUMBER OF CHILDREN LESS THAN 18 AFFECTED BY THIS DECREE

This above Report may be reproduced by use of a computer. However, the finished Report must be a close reproduction of the original, and prior review and approval must be obtained from the State Registrar before use. (31-10-7, O.C.G.A.)

31-10-22. Record of divorce, dissolutions, and annulments.

(a) A record of each divorce, dissolution of marriage, or annulment granted by any court of competent jurisdiction in this state shall be filed by the clerk of the court with the department and shall be registered if it has been completed and filed in accordance with this Code section. The record shall be prepared by the petitioner or the petitioner’s legal representative on a form prescribed and furnished by the state registrar and shall be presented to the clerk of the court with the petition. In all cases, the completed record shall be a prerequisite to the granting of the final decree.

(b) The clerk of the superior court shall complete and forward to the department on or before the tenth day of each calendar month the records of each divorce, dissolution of marriage, or annulment decree granted during the preceding calendar month.

General Civil and Domestic Relations Case Disposition Information Form

Superior or State Court of _____ County

For Clerk Use Only

Date Disposed _____ Case Number _____
MM-DD-YYYY

Case Style _____

Plaintiff(s)

Defendant(s)

Last	First	Middle I.	Suffix	Prefix
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Last	First	Middle I.	Suffix	Prefix
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Reporting Party _____

Plaintiff's Attorney _____

Bar Number _____

Self-Represented

Defendant's Attorney _____

Bar Number _____

Self-Represented

Manner of Disposition
Check Only One

Jury Trial

Bench/Non-Jury Trial

Non-Trial Disposition

Alternative Dispute Resolution

- Check if any party was self-represented at any point during the life of the case.
- Check if the court ordered an interpreter for any party, witness, or other involved individual.
- Was the case referred/ordered to a court-annexed alternative dispute resolution (ADR) process?

eFile Registration & Quick Tips

Register to eFile at: <https://efilega.tylertech.cloud>

- Email: _____
- Address: _____
Address: _____
- Phone #: _____
- Password: Abcd1234
- Click on link sent to your email to activate your account.
- Separate, scan, and save your documents to your computer.
- Visit efilega.tylertech.cloud to start filing your case.

- File your case. For assistance visit: odysseyfileandservecloud.zendesk.com/hc/en-us

- All communication about your case will come to the email you provided above. You must file a 'Notice of Address Change' form with the Clerk's Office if you need to update your address or email. Add no-reply@efilingmail.tylertech.cloud to your email contact.
- To view your case, visit <https://researchga.tylerhost.net>. You will log-in using the same email and password you use for eFileGA.

Envelope # _____ Case # _____ (assigned when case is accepted)

- **Cases filed with Poverty Affidavit:** You must wait until the Judge makes a decision on your Poverty Order before moving on to the next steps. If your order is denied, you must pay the filing fee of \$ _____ to proceed with your case. If your Poverty Affidavit is accepted, please proceed to one of the below next steps that apply to the type of case you filed.
- **Cases filed with an agreement:** File your *Request Letter* 46 days after you receive notice that your case has been ACCEPTED. Notification will be sent to you via email.
- **Cases filed with Sheriff Service:** File your *Request Letter* 46 days after Defendant has been served. You will receive email notification once the Defendant has been served.
- **Adult Name Change:** From your email, print the electronic filed-stamped *Notice of Name Change* to The Telegraph. After your case is done running in the paper, request the *Publisher's Affidavit* from the Telegraph and eFile it into your case. File your *Request Letter* after you file the Publisher's Affidavit.
- **Minor Name Change:** File the *Request Letter* after you receive notice that your *Publisher's Affidavit* has been accepted into your case.

Clerk Assisted: _____

Date: _____