

DIVORCE WITHOUT MINOR CHILDREN

(By Publication)

IMPORTANT NOTE ABOUT THIS PACKET

HELPFUL HINTS:

“Plaintiff”: The first and last name of the person who is filing this action

“Defendant”: The other party’s first and last name

“Case Number”: Leave this field blank if you are preparing to file a new case

OPTIONAL FORM:

If you are unable to afford the filing fees, you may ask the Court to waive the fees by completing the [Affidavit of Indigence and Eligibility to Proceed in Forma Pauperis \(Pauper’s Packet\)](#) and submit along with your other completed forms to the Clerk of Superior Court.

Domestic Relations Case Filing Information Form

Superior Court

County _____

Date Filed _____

MM-DD-YYYY

Docket # _____

Plaintiff(s)

Defendant(s)

Last First Middle I. Suffix Prefix Maiden

Last First Middle I. Suffix Prefix Maiden

Last First Middle I. Suffix Prefix Maiden

Last First Middle I. Suffix Prefix Maiden

Plaintiff/Petitioner's Attorney

☐ Pro Se

Last First Middle I. Suffix

Bar # _____

Check Case Type (one or more)

☐ Divorce (includes annulment)

Contested? ☐ Yes ☐ No

Child Custody Issue? ☐ Yes ☐ No

Child Support Issue? ☐ Yes ☐ No

☐ Separate Maintenance

☐ Adoption

☐ Paternity (includes legitimation)

☐ Interstate Support Enforcement Action

☐ Domestication of Foreign Custody Decree

☐ Family Violence Act Petition

MODIFICATION

☐ Modification - Custody, Visitation, or Parenting Time

Does the modification include a parent selection
by a child who is at least 14 years old? ☐ Yes ☐ No

☐ Modification - Child Support and Alimony

☐ Modification - Child Support

☐ Modification - Alimony

CONTEMPT

☐ Contempt - Custody, Visitation, or Parenting Time

☐ Contempt - Child Support and Alimony

☐ Contempt - Child Support

☐ Contempt - Alimony

☐ Other Domestic Contempt

☐ Other Domestic Relations Specify _____

FAMILY VIOLENCE

Additional Information - Ex Parte Relief

Did the initial pleading include a request for relief?

1. From alleged family violence? ☐ Yes ☐ No

2. Was ex parte relief requested? ☐ Yes ☐ No

3. Was ex parte relief granted? ☐ Yes ☐ No

OTHER

Have the parties agreed to binding arbitration? ☐ Yes ☐ No

Have the parties reached a custodial agreement? ☐ Yes ☐ No

If yes, check one:

☐ Joint Custody

☐ Joint Legal Custody

☐ Joint Physical Custody

☐ Sole Custody to: _____

Financial Affidavit submitted? ☐ Yes ☐ No

Child Support Forms submitted? ☐ Yes ☐ No

IN THE SUPERIOR COURT OF GWINNETT COUNTY

STATE OF GEORGIA

PLAINTIFF

VS.

DEFENDANT

CIVIL ACTION

NUMBER: _____

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This _____ day of _____, 20_____.

**Richard T. Alexander, Jr.,
Clerk of Superior Court**

**By _____
Deputy Clerk**

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

Plaintiff/Petitioner

Civil Action No. _____

Defendant/Respondent

MUTUAL RESTRAINING ORDER

This order binds the parties in the above-styled action, their agents, servants, employees and all other persons acting in concert with such parties.

1. Each party is hereby enjoined and restrained from unilaterally causing or permitting the minor child(ren) of the parties to be removed from the jurisdiction of this Court and the State of Georgia.
2. Each party is hereby enjoined and restrained from doing, or attempting to do, or threatening to do, any act that injures, maltreats, vilifies, intimidates, molests, or harasses the adverse party or the child(ren) of the parties.
3. Each party is hereby enjoined and restrained from selling, encumbering, trading, contracting to sell, or otherwise disposing or removing from the jurisdiction of the Court, any of the property belonging to the parties except in the ordinary course of business.
4. Each party is hereby enjoined and restrained from canceling or changing auto, health, or life insurance for the parties, or the parties' children, currently in place.
5. Each party is hereby enjoined and restrained from disconnecting or having disconnected the home utilities, including but not limited to electricity, gas, water, and telephone. Further, each party shall not interfere with the other party's mail, or the children's mail.

This order shall apply to all divorce cases filed in this Court and shall be the standing order until further order or action by the judges of this Court. The terms and conditions hereof may be modified or amended by subsequent order of any judge of this Court or any judge sitting in the Court in any individual case.

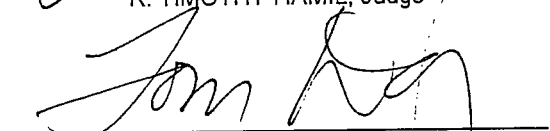
SO ORDERED,



MELODIE SNELL CONNER, Chief Judge


DEBRA K. TURNER, Judge


R. TIMOTHY HAMIL, Judge

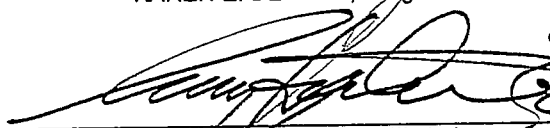

RONNIE K. BATCHELOR, Judge


TOM DAVIS, Judge


WARREN DAVIS, Judge


KAREN E. BEYERS, Judge


KATHRYN M. SCHRADER, Judge


GEORGE F. HUTCHINSON, III, Judge


RANDOLPH G. RICH, Judge

[1] 1.2

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

_____,
Plaintiff,
vs. _____,
Defendant.

Civil Action
Case Number _____

COMPLAINT FOR DIVORCE WITHOUT MINOR CHILDREN

My name is _____ and I am representing myself in this divorce action. In support of my case, I state as follows:

1. **Subject Matter Jurisdiction:** I am the Plaintiff in this action and:
[Check only one of the following, either (a) or (b).]
 - ☐ (a) I have been a resident of the State of Georgia for more than six (6) months immediately prior to filing this action.
 - ☐ (b) I am not a resident of the State of Georgia, but my spouse has been a resident of the State of Georgia for at least six (6) months immediately prior to my filing of this action.
2. **Venue:** My spouse's name is _____, and he/she is the Defendant in this action.
[Check only one of the following, either (a), (b), (c), (d) or (e).]
 - ☐ (a) The Defendant is a resident of Gwinnett County and is subject to the jurisdiction of this Court.
 - ☐ (b) The Defendant is a resident of Georgia in _____ County, but the Defendant and I lived together in Gwinnett County at the time we separated, I still reside in Gwinnett County, and the Defendant has only moved away from Gwinnett County within the past six months before the date of my filing this action.

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

☐ (d) The Defendant is not a resident of the State of Georgia, but I am a resident of Gwinnett County, Georgia, and:

[Check only one of the following, either (1), (2), or (3).]

☐ (1) The Defendant was formerly a resident of the State of Georgia and currently resides in the State of _____. The Defendant is subject to the personal jurisdiction of the Court under Georgia's Long Arm Statute, OCGA § 9-10-91(5).

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

☐ (3) The Defendant has acknowledged service of process and consented to the jurisdiction and venue of this Court.

☐ (e) I am a resident of Gwinnett County and the Defendant's whereabouts are unknown to me. I am filing my *Affidavit of Due Diligence* with this *Complaint*, and incorporate it here by reference.

3. **Service of Process:** The Defendant shall be served as provided under OCGA § 9-11-4, in the following manner:

[Check only one of the following, either (a), (b), or (c).]

☐ (a) The Defendant has acknowledged service of process. I am filing the *Acknowledgment of Service* (which has been signed by the Defendant) with this *Complaint*.

☐ (b) The Defendant may be served by the Sheriff's Department at the Defendant's residence/work address, which is:

☐ (b-1) *[Check only if the Defendant lives outside Gwinnett County.]* The Defendant resides outside of Gwinnett County, and shall therefore be served by second original, as provided under OCGA § 9-10-72. Service shall be made by the

sheriff's department of the county where the Defendant resides.

- ☐ (c) The Defendant's whereabouts are unknown to me. I am filing my *Affidavit of Due Diligence* with this *Complaint*. The Defendant shall be served by publication as provided under OCGA § 9-11-4(e)(1) for those who cannot be found within the State of Georgia. To the best of my knowledge, the Defendant's last known address is:

4. **Date of Marriage:**

[Check and complete only one of the following, either (a) or (b).]

- ☐ (a) The Defendant and I were lawfully married on _____.
- ☐ (b) The Defendant and I are married by common law because we lived together and held ourselves out as husband and wife as of _____, which date was prior to January 1, 1997.

5. **Date of Separation:** The Defendant and I last separated on _____, and we have remained in a true state of separation since that date.

☐ 6. **Settlement Agreement:**

[Check only if there is a signed agreement.]

The Defendant and I have entered into a *Settlement Agreement*, which we both want to be incorporated into the *Final Judgment and Decree for Divorce*. The *Settlement Agreement* has been signed by each of us in front of a notary public, and I am filing the *Settlement Agreement* with the Court, together with this *Complaint*.

7. **Minor Children:**

[If you and the Defendant have any minor children together, you must use a different Divorce Complaint form. See instructions.]

The Defendant and I do not have any minor children together.

8. **Alimony:** [Check only one of the following, either (a), (b), or (c).]

- ☐ (a) I am financially dependent on the Defendant and need the Court to order the Defendant to pay alimony for my support.

☐ (b) I am not asking for alimony.

☐ (c) The issue of alimony cannot be decided in this action because the Court does not have personal jurisdiction over the Defendant.

9. Marital Property: *[Check only one of the following, either (a), (b), (c) or (d). Do not include complete account numbers.]*

☐ (a) The Defendant and I have already divided our marital property, and we are both satisfied with the division.

☐ (b) The Defendant and I have not obtained any property during our marriage.

☐ (c) The Defendant and I have obtained the following property during our marriage, and I am asking for a fair division of this property:

☐ All of our property is listed on a separate sheet attached to this *Complaint*.

☐ All of our property is listed below:

Type	Description				
<input type="checkbox"/> House (address):	<hr/> <hr/>				
<input type="checkbox"/> Other Real Estate (address):	<hr/> <hr/>				
<input type="checkbox"/> Mobile Home (year, model):	<hr/>				
<input type="checkbox"/> Pension(s):	<table><tbody><tr><td>Mine worth:</td><td><hr/></td><td>Defendant's worth:</td><td><hr/></td></tr></tbody></table>	Mine worth:	<hr/>	Defendant's worth:	<hr/>
Mine worth:	<hr/>	Defendant's worth:	<hr/>		

☐ Motor Vehicles Year Make Model

☐ Bank Accounts Name of Institution, type of account

☐ Other property

- ☐ (d) The issue of the division of marital property cannot be decided in this case because none of the property is in Georgia and the Court does not have personal jurisdiction over the Defendant.

10. **Joint or Marital Debts:** *[Check only one of the following, either (a), (b), or (c). Do not include complete account numbers.]*

- ☐ (a) The Defendant and I do not have any outstanding joint or marital debts.
- ☐ (b) The Defendant and I have the following outstanding joint or marital debts, and responsibility for paying them should be as listed below:

<u>Creditor</u>	<u>Balance</u>	<u>Who Should Pay</u>

- ☐ Listed on separate paper attached to this *Complaint*.
- ☐ Listed on our signed and notarized *Settlement Agreement*.

- ☐ (c) The issue of dividing joint and marital debts cannot be decided in this case, because the Court does not have personal jurisdiction over the Defendant.

☐ 11. **Restraining Order Where Violence Has Occurred:**

[Read instructions carefully and check only if applicable.]

There is a history of physical violence by the Defendant toward me, and I am afraid that the Defendant will engage in further acts of violence or harassment toward me unless the Court enters a temporary and permanent restraining order.

☐ 12. **Restore Former or Maiden Name:** *[Check only if applicable.]*

My former or maiden name is _____,
and I am asking the Court to restore that name to me.

13. **Grounds for Divorce:**

[Check the ones that you can prove at trial.]

My grounds for divorce from the Defendant are:

- ☐ (a) **Our marriage is irretrievably broken.** The Defendant and I can no longer live together and there is no hope that we will get back together.
- ☐ (b) **Cruel treatment** - The Defendant committed the following acts of cruel treatment toward me:
- ☐ (c) **Adultery** - The Defendant has had sexual intercourse with someone else during our marriage.
- ☐ (d) **Desertion** - The Defendant has intentionally and continually deserted me for at least a year.
- ☐ (e) **Other grounds** from list in OCGA § 19-5-3, as explained here: _____

FOR THESE REASONS, I REQUEST THE FOLLOWING RELIEF:

[Check all that apply.]

- (a) That process and summons issue as provided by law;

- (b) That Defendant be served with a copy of this Complaint;
- ☐ (c) That I be granted a total divorce from the Defendant;
- ☐ (d) That the *Settlement Agreement* signed by the parties be incorporated into the *Final Judgment and Decree of Divorce*.
- ☐ (e) That the Defendant be ordered to pay me alimony for my support;
- ☐ (f) That our marital property be divided according to Paragraph 9;
- ☐ (g) That our joint or marital debts be divided according to Paragraph 10;
- ☐ (h) That the Defendant be temporarily and permanently restrained from harassing me or committing any acts of violence toward me;
- ☐ (i) That my former or maiden name be restored according to Paragraph 12;
- ☐ (j) That a Rule Nisi be scheduled by the Court, to decide on the relief I have requested;
- ☐ (k) That the Court order the parties to participate in mediation, to try to resolve this matter; and
- ☐ (l) That the Court order any and all other relief that the Court finds appropriate.

Dated: _____

Plaintiff, Pro se (Signature)

Name: _____

Address: _____

Phone: _____

Email: _____

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

_____,
Plaintiff,
vs. Civil Action
Case Number _____
_____,
Defendant.

VERIFICATION

The Plaintiff personally appeared before the undersigned officer duly authorized to administer oaths, and did swear or affirm that he/she read the foregoing *Complaint for Divorce without Minor Children* and that the information contained therein is true and correct.

Signature, Defendant *Pro se*

SWORN AND AFFIRMED before me this

____ day of _____ 20____.

NOTARY PUBLIC

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

Plaintiff,

v.

Defendant.

Civil Action File No.:

FINAL JUDGMENT AND DECREE OF DIVORCE

Upon consideration of evidence submitted and upon legal principles, the Court grants a total divorce, a divorce a vinculo matrimonii, to Plaintiff and Defendant. The Court orders and decrees that the marriage contract heretofore entered into between Plaintiff and Defendant, from and after this date, be set aside and dissolved as if no such contract had ever been made or entered into, and Plaintiff and Defendant, formerly husband and wife, in the future shall be held and considered as separate and distinct persons, altogether unconnected by any nuptial union or civil contract whatsoever.

The prior name of the wife, _____, is restored to her.

The Agreement between the parties filed dated _____ is incorporated herein by reference and made a part of this Final Judgment and Decree. Each party is ORDERED and directed to comply with the terms and provisions therein.

This is to certify that the above is a true and correct copy of the Final Judgment and Decree in the above stated case.

This ____ day of _____, 20____.

Deputy Clerk, Gwinnett Superior Court

HEREIN FAIL NOT, SO ORDERED

this ____ day of _____, 20____.

Judge, Gwinnett Superior Court

By designation

(FJD:V07102013)

STATE OF GEORGIA
Report of Divorce, Annulment or Dissolution of Marriage
Type or print all information

1. Civil Action Number	2. Date Decree Granted (mo., day, year)	3. County Decree Granted
4. Wife's Name (first, middle, last)	5. Maiden (Birth) Last Name	6. Date of Birth (mo., day, year)
7. County of Residence	8. Number of This Marriage (1 st , 2 nd , etc.)	
9. Husband's Name (first, middle, last, generation)	10. Date of Birth (mo., day, year)	11. County of Residence
12. Number of This Marriage (1 st , 2 nd , etc.)	13. Date of This Marriage (mo., day, year)	
14. Specify Grounds For Divorce (19-5-3, OCGA)	15. 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.

Domestic Relations Case Final Disposition Information Form

Superior Court County _____ Date Disposed _____
MM-DD-YYYY
Docket # _____

Reporting Party _____
Last First Middle I. Suffix Prefix Maiden Title

Name of Plaintiff/Petitioner(s)

Name of Defendant/Respondent(s)

Last First Middle I. Suffix Prefix Maiden

Last First Middle I. Suffix Prefix Maiden

Plaintiff/Petitioner's Attorney ☐ Pro Se

Defendant/Respondent's Attorney ☐ Pro Se

Last First Middle I. Suffix

Last First Middle I. Suffix

Bar # _____

Bar # _____

Type of Disposition (Check all that apply)

1. ☐ Dismissed Without Final Order
 - A. ☐ Voluntary (by parties)
 - B. ☐ Involuntary (by court)
2. ☐ Pre-Trial Settlement
3. ☐ Judgment on the Pleadings
4. ☐ Summary Judgment
5. ☐ Trial
 - A. ☐ Bench Trial
 - B. ☐ Jury Trial
 1. ☐ Dismissal after jury selected
 2. ☐ Settlement during trial
 3. ☐ Judgment on Verdict
 4. ☐ Directed Verdict or JNOV

ADR

1. Was mediation utilized? ☐ Yes ☐ No
2. If Yes, was it (check if applicable)
 - ☐ court annexed?
 - ☐ court mandated?
3. Binding Arbitration Agreement ☐ Yes ☐ No
If Yes, what matters were subject:
 - ☐ Child Custody
 - ☐ Visitation/Parenting Time
 - ☐ Parenting Plan

Relief Granted (Check all that apply)

1. ☐ Ex Parte Relief
2. ☐ Temporary Relief
3. ☐ Final Relief
 - a. ☐ Divorce/Annulment/Separate Maintenance
 - b. ☐ Child Custody
Parenting Plan? ☐ Yes ☐ No
Custodial Arrangement? ☐ Yes ☐ No
If Yes, check one:
☐ Joint Custody
☐ Joint Legal Custody
☐ Joint Physical Custody
☐ Sole Custody to: _____
14 year old parental selection? ☐ Yes ☐ No
 - c. ☐ Visitation or Parenting Time
Approx. Parenting Time (days per year)
Mother _____ Father _____
Parenting Time Contested? ☐ Yes ☐ No
 - d. ☐ Child Support
Forms attached? ☐ Yes ☐ No
 - e. ☐ Legitimation/Paternity
 - f. ☐ Alimony
 - g. ☐ Contempt
 - h. ☐ Equitable Division
 - i. ☐ Protective Order
☐ Person ☐ Property
☐ Finding of Family Violence?
 - j. ☐ Adoption
 - k. ☐ Attorneys Fees?
If Yes, enter amount: _____
to whom: _____
 - l. ☐ Other (Specify) _____
4. ☐ Dismissed prior to granting of relief.

PUBLICATION PACKET

Complete these forms if you cannot locate the other party, and you are asking the court for permission to legally notify the other party by publication of your Complaint or Petition in the local newspaper.

HELPFUL HINTS:

“Plaintiff” or “Petitioner”: The first and last name of the person who is filing this action

“Defendant/Respondent”: The other party’s first and last name

“Case Number”: Leave this field blank if you are preparing to file a new case

Your search for the other party should include, but is not limited to:

- checking the telephone book and directory assistance in the area where you live;
- checking the telephone book and directory assistance in the area where the Defendant is last known to have lived;
- asking friends and relatives who might know the location of the missing Defendant;
- checking the post office for any forwarding address of the missing Defendant;
- checking records of the tax collector and property assessor to see if the missing Defendant owns property;
- contacting past employers;
- contacting the department of motor vehicles for registrations in the name of the missing Defendant;
- It is not necessary for you to pay a private detective to try to find a missing Defendant, but you should check any possible sources, including internet websites, that might lead to a current address.

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

<hr/> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <hr/> <p style="text-align: center;">Defendant.</p>		<p>Civil Action File No.: <hr/></p>
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AFFIDAVIT OF DILIGENT SEARCH

I am the Plaintiff in this case. I am filing this *Affidavit of Diligent Search* under OCGA § 9-11-4 (f)(1)(A). I hereby swear or affirm, before a notary public, that the following information is true:

1.

A diligent search has been made, and the Defendant/Respondent cannot be found within the State of Georgia. I do not know where the Defendant/Respondent lives or where the Defendant can be found.

2.

The last known address and telephone number I have for the Defendant is:

Telephone Number:

The Defendant/Respondent no longer lives at this address. To the best of my

knowledge, he/she last lived at this address on (date)

3.

I have made the following efforts to find the Defendant/Respondent:

☐ (a) Checking with the Defendant/Respondent's friends, relatives, employers, landlords or others I have listed below:

(1) Name of Person Contacted: _____

Contact's Relationship with Defendant/Respondent: _____

Contact's Address: _____

Contact's Phone Number: _____

Date I contacted this person: _____

Results of Contact / What They Told Me:

(2) Name of Person Contacted: _____

Contact's Relationship with Defendant/Respondent: _____

Contact's Address: _____

Contact's Phone Number: _____

Date I contacted this person: _____

Results of Contact / What They Told Me:

(3) Name of Person Contacted: _____

Contact's Relationship with Defendant/Respondent: _____

Contact's Address: _____

Contact's Phone Number: _____

Date I contacted this person: _____

Results of Contact / What They Told Me:

(4) Name of Person Contacted: _____

Contact's Relationship with Defendant/Respondent: _____

Contact's Address: _____

Contact's Phone Number: _____

Date I contacted this person: _____

Results of Contact / What They Told Me:

☐ (b) Checking telephone information and directories, with the following results:

☐ (c) Attempted sheriff, marshal or private process service at the Defendant's ☐ last known residence OR the Defendant's ☐ last known place of employment, which was at the following address:

☐ (d) The following Internet web searches with the following results:

Website	Results
<input type="checkbox"/> www.gwinnettcourts.com	_____
<input type="checkbox"/> www.gwinnettcountysheriff.com/Docket Book.htm	_____

- | | | |
|--------------------------|--|-------|
| <input type="checkbox"/> | http://sos.ga.gov/mvp | _____ |
| <input type="checkbox"/> | www.dcor.state.ga.us/GDC/OffenderQuery/jsp/OffQryForm.jsp | _____ |
| <input type="checkbox"/> | http://ssdi.rootsweb.ancestry.com | _____ |
| <input type="checkbox"/> | www.superpages.com | _____ |
| <input type="checkbox"/> | www.whitepages.com | _____ |
| <input type="checkbox"/> | www.zabasearch.com | _____ |
| <input type="checkbox"/> | http://mycarepack.com/index.aspx | _____ |
| <input type="checkbox"/> | http://www.facebook.com | _____ |
| <input type="checkbox"/> | http://www.instagram.com | _____ |
| <input type="checkbox"/> | http://www.twitter.com | _____ |
| <input type="checkbox"/> | Other website(s): _____ | _____ |

 Plaintiff/Petitioner, *pro se* (Sign here before notary.)

Subscribed and sworn before me on

_____, 20____.

 Notary Public

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 10px;"></div> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 10px;"></div> <p style="text-align: center;">Defendant.</p>	<p>Civil Action File No.: <div style="border-bottom: 1px solid black; width: 200px; display: inline-block;"></div></p>
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MOTION FOR SERVICE BY PUBLICATION

I am the Plaintiff/Petitioner and I am representing myself in this action.
Pursuant to O.C.G.A. §9-11-4(f)(1)(A), I am requesting an order directing service to be made upon the Defendant/Respondent by publication of summons on the grounds set forth in the attached *Affidavit of Diligent Search*.

Dated:

	<input type="checkbox"/> Plaintiff/Petitioner <i>Pro se [signature]</i>
Name:	<div style="border-bottom: 1px solid black; width: 100%;"></div>
Address:	<div style="border-bottom: 1px solid black; width: 100%;"></div>
	<div style="border-bottom: 1px solid black; width: 100%;"></div>
	City, State ZIP
Phone:	<div style="border-bottom: 1px solid black; width: 100%;"></div>
Email:	<div style="border-bottom: 1px solid black; width: 100%;"></div>

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

Plaintiff,
v.

Civil Action
File No.: _____

Defendant.

ORDER OF PUBLICATION

It appearing by Affidavit, that the above named defendant on whom service is to be made in this case resides out of the State or has departed from the State, or cannot after due diligence, be found within the State, or conceals (him) (her)self to avoid service of the Summons, and it further appearing, either by Affidavit or by verified Complaint on file, that a claim exists against the defendant in respect to whom service is to be made, and that (he) (she) is a necessary or proper party to the action.

IT IS HEREBY CONSIDERED, ORDERED AND DECREED THAT: Service be made by publication as provided by law.

SO ORDERED this ____ day of _____, 20____.

Judge, Gwinnett Superior Court
Gwinnett County, Georgia

RETURN OF SERVICE

I hereby certify that a Notice in the Manner and form prescribed in the foregoing Order was published, and that I have enclosed, directed, stamped and mailed a copy of said Notice together with a copy of the Order for Service by Publication and Complaint (if any), to the above named defendant.

This the ____ day of _____, 20____.

Richard T. Alexander, Jr.,
Clerk of Superior Court

By: _____
Deputy Clerk – Gwinnett Superior Court

ORDER PERFECTING SERVICE

It appearing to the Court that Service upon the above named party has been perfected by publication of notice on the above stated dates in the legal organ of this County, and by enclosing, directing, stamping, and mailing a copy of the notice together with a copy of the order for Publication and the Complaint (if any) to said defendant at (his) (her) last known address.

IT IS HEREBY ORDERED that said service by publication be, and is approved.

Judge, Gwinnett Superior Court

PUBLICATION DATES OK: This ____ day of _____, 20____.

Richard T. Alexander, Jr.,
Clerk of Superior Court

Deputy Clerk – Gwinnett Superior Court

IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

<hr/> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <hr/> <p style="text-align: center;">Defendant.</p>		<p>Civil Action File No.: <hr/></p>
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NOTICE OF PUBLICATION

By order for service by publication dated _____, 20____, you are hereby notified that on the _____ day of _____, 20,____ filed suit against you for _____.

You are required to file with the Clerk of the Superior Court, and serve upon plaintiff's attorney,

an answer in writing within sixty (60) days of the date of the order for publication.

This the _____ day of _____, 20_____.

WITNESS, the Honorable, Judge _____ of this Superior Court.

Deputy Clerk, Superior Court
For: Richard T. Alexander, Jr., Clerk
PO Box 880
Lawrenceville GA 30046

HOW TO FILE YOUR DOCUMENTS AT THE COURTHOUSE

- ☐ 1. Download all current administrative court forms at:
<http://gwinnettfhc.atlantalegalaid.org/administrative-court-forms/>
- ☐ 2. Double-check that you have signed all of your documents.
- ☐ 3. Go to the Clerk of Superior Court; they have a computer and scanner available for you to use.
- ☐ 4. Scan your documents, at the kiosk, one at a time

SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA

_____ Plaintiff,	Civil Action File No.:	_____
_____ Defendant.	_____	

TITLE OF DOCUMENT

Example of case heading

- Each page with the case heading is a separate document.
- Label the document in a way you will remember, for example:
 - Initials, Summons
 - Initials, Complaint
 - Initials, Financial Affidavit

- ☐ 5. Follow the instructions on the computer for filing with Tyler's Odyssey eFileGA.
- ☐ 6. Ask for help if necessary.
- ☐ 7. Set up an account or enter in your email address. There is no fee to set up an account.
- ☐ 8. Choose "upload documents" and then upload all of the documents you just scanned.
- ☐ 9. After filing, wait 24 to 48 business hours to receive an "acceptance" email. If your filing was not accepted, you will receive an email that explains why (for example, no signature or no date).
- ☐ 10. The accepted documents will be stamped with a case number, date and time.
- ☐ 11. Print two copies of the stamped, accepted document(s). One copy is for your records. The second copy is for the other party.
- ☐ 12. Serve the other party. Review your options at <http://gwinnettfhc.atlantalegalaid.org/filing-and-service-instructions/>

Want to file your case from home? Visit
<http://gwinnettfhc.atlantalegalaid.org/how-to-efile/>

**INSTRUCTIONS FOR
SERVICE BY PUBLICATION
WHEN THE OTHER PARTY CANNOT BE LOCATED**

- ☐ 1. **Efile from the courthouse or from home.** For more details, visit:
<http://gwinnettflc.atlantalegalaid.org/how-to-efile/>.
- ☐ 2. Complete the [publication packet](#) and efile each separate document from home or at the courthouse.
- ☐ 3. There is a publisher's fee for service by publication. If you have filed an affidavit of indigence (fee waiver) and the court has approved it, there is no charge for having notice of your case published in the Gwinnett Daily Post.
- ☐ 4. The notice will be published once a week for four weeks in the Legal Notices section of the Gwinnett Daily Post. After the notice has been published for four weeks, the publisher will send an affidavit of publication to the court.
- ☐ 5. After the court receives the affidavit of publication, the other party has 30 days from the date of the last published notice to file a response, but does not have to file a response, sign anything or appear in court in order for the court to grant you the relief you have requested.
- ☐ 6. You will receive a notice in the mail from the court informing you of the date, time and appointed courtroom for your hearing. Your case may be dismissed if you do not attend the hearing.

Courthouse Information

Gwinnett Justice and Administration Center
ATTN: Clerk of Superior Court
75 Langley Drive
Lawrenceville, GA 30046
Tel: (770) 822-8100

Efile Information

<http://www.odysseyefilega.com/>

Can't serve the other party by publication? See more service options at
<http://gwinnettflc.atlantalegalaid.org/category/filing-instructions/>