

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA
FAMILY DIVISION

Petitioner: _____,

and

Respondent: _____.

Civil Action

File No. _____

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 Respondent has been a resident of the State of Georgia and a resident of _____ County for at least six (6) months prior to my filing of this action.

2. **Venue and Service:**

The Respondent's name is _____.
(Check (a), (b), (c), or (d))

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

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

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

If you require materials in alternate format, please notify the Family Law Information Center as soon as possible.

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

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

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

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

1) The Respondent was formerly a resident of the State of Georgia and presently is a resident of the State of _____.
Respondent 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 Respondent may be served at Respondent's residence address of _____.

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

2) The Respondent's whereabouts are unknown to me as shown by my Affidavit of Due Diligence attached hereto and incorporated by reference, marked Exhibit AA@. 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. 9-11-4(e).

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

If you require materials in alternate format, please notify the Family Law Information Center as soon as possible.

O.C.G.A. 9-11-4(e).

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

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

a) The Respondent and I entered into a purported marriage on _____.

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

4. Date of Separation

The Respondent 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) Respondent and I have no jointly owned property.

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

c) Respondent 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) Respondent and I have no outstanding joint debts

b) Respondent and I have the following outstanding joint debts and he/she

If you require materials in alternate format, please notify the Family Law Information Center as soon as possible.

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 Respondent.

8. Temporary Alimony: (Check a, b or c)

- 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 restored 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 Respondent 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 entered into the purported marriage with the Respondent. The Respondent and I entered into the purported marriage on _____. I am _____ years old and my date of birth is _____.

d) Bigamy. The Respondent 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 purported marriage as follows:_____.

FOR THESE REASONS, I request (*check all that apply*)

a) That a Rule Nisi be issued directing the Respondent to show cause why my prayers should not be granted;

b) An award of the jointly owned property listed in paragraph 6;

c) Respondent 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 Respondent;

e) A change back to my former name _____;

f) That the purported marriage between the parties be annulled ab initio;

g) Respondent be served with a copy of my Petition for Annulment; and

h) Any other appropriate relief.

This _____ day of _____, _____.

Signature

Pro Se

Name (*Print or type*): _____

Address: _____

Phone Number: (____) _____

If you require materials in alternate format, please notify the Family Law Information Center as soon as possible.