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New York State Complaint for Divorce

SUPREME COURT OF THE STATE OF NEW YORK, \_\_\_\_\_  
COUNTY

In re: the Marriage of \_\_\_\_\_ )  
\_\_\_\_\_ )  
Plaintiff ) \_\_\_\_\_ Docket No.  
and )  
\_\_\_\_\_ )  
Defendant )

The Plaintiff, \_\_\_\_\_, respectfully declares the following:

1. Plaintiff's Residence: Plaintiff resides at

\_\_\_\_\_ [insert Plaintiff's address] and has been a resident of the State of New York for \_\_\_\_\_ [insert period of residence in months and years].

2. Defendant's Residence: Defendant resides at

\_\_\_\_\_ [insert Defendant's address] and has been a resident of the State of New York for \_\_\_\_\_ [insert period of residence in months and years].

3. Marriage: On \_\_\_\_\_, \_\_\_\_\_, in \_\_\_\_\_ (city), \_\_\_\_\_ (county), \_\_\_\_\_ (state), the Plaintiff and Defendant married. An official copy of the marriage license is attached to this COMPLAINT FOR DIVORCE.

4. Jurisdiction: This Court is that of proper jurisdiction to hear this cause. The Defendant has agreed to file an Affidavit of Consent in this cause. Neither the Plaintiff or Defendant has been involved in any litigation or other proceeding involving the other party in this or any other jurisdiction with respect to their marriage or any other domestic matter.

5. Grounds for No-Fault: Plaintiff wishes a dissolution of marriage with Defendant based on the following grounds:

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[Note: This paragraph must describe sufficient legal basis for divorce as recognized by the laws of the State of New York. Sufficient basis for a no-fault divorce within New York is limited to the following: (1) living separate and apart for one year under the terms of a Separation Agreement that is in writing and notarized (Note: proof of compliance with the terms of the Settlement Agreement must be submitted when the divorce is filed; and a brief memorandum of the agreement must be filed in the office of the clerk of the county in which the divorce is sought.); or (2) living together and apart for one year under the terms of a judicial separation decree.

6. Marital Settlement Agreement: Plaintiff and Defendant \_\_\_\_\_ have (copy attached) \_\_\_\_\_ have not entered into a Marital Settlement Agreement.

7. Other Declarations:

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NOW, THEREFORE, Plaintiff requests that the court order a JUDGEMENT FOR DIVORCE and such further relief as Plaintiff may have requested herein.

Verification

I, \_\_\_\_\_ [name of  
Petitioner], affirm under penalty of perjury that I am the Petitioner in the  
foregoing COMPLAINT FOR DIVORCE and that all statements in this Petition  
are accurate to the best of my knowledge. I have filed this Complaint in good faith  
and have not colluded with anyone in relation to it.

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Petitioner's Signature

Date

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Petitioner's Address, Line 1

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Petitioner's Address, Line 2

Subscribed and sworn to before me on this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_.

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Notary

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AFFIDAVIT OF CONSENT

SUPREME COURT OF THE STATE OF NEW YORK, \_\_\_\_\_  
COUNTY

In re: the Marriage of \_\_\_\_\_ )  
 )  
 ) \_\_\_\_\_ Docket No.  
Plaintiff )  
 )  
and )  
 )  
 )  
 )  
Defendant )

1. A COMPLAINT FOR DIVORCE was filed between Plaintiff and Defendant on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

2. The marriage between Plaintiff and Defendant is irretrievably broken and efforts at reconciliation have failed.

3. I, \_\_\_\_\_, have received a copy of the COMPLAINT FOR DIVORCE, and I have read it thoroughly and understand it. I do not wish to contest this proceeding. I do not object to the declarations made in the COMPLAINT FOR DIVORCE. I do hereby consent to the relief requested in therein and to the entry of a JUDGEMENT FOR DIVORCE dissolving and forever terminating the marriage between Plaintiff and Defendant. I consent that the court may hear this cause on any day convenient to the court without further notice to me. I further consent that the court may enter any order granting any and all the relief sought in the COMPLAINT FOR DIVORCE.

4. I waive any and all rights I may have to a motion for a new trial, a record testimony, findings of fact and conclusions of law, notice of trial, a notice of entry of a JUDGEMENT FOR DIVORCE and my right to appeal. I do not waive any future rights I may have to the modification of any judgment or decree in relation to this cause.

5. I affirm under penalty of perjury that all statements in this Affidavit of Consent are accurate to the best of my knowledge. I have filed this Affidavit of Consent in good faith and have not colluded with anyone in relation to it, nor have I been subject to any force or duress in signing it.

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Signature

Date

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Address, Line 1

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Address, Line 2

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me on this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_.

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Notary

