

IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA

**John D. Vorce,**

Plaintiff,

v.

**Mary D. Vorce,**

Defendant.

CIVIL ACTION

FILE NO.: \_\_\_\_\_

Complaint For Divorce

Plaintiff John D. Vorce brings this Complaint for Divorce against Mary D. Vorce named as Defendant above, and shows this Court as follows:

1.

The Plaintiff is a resident of Fulton County, Georgia, and has been a resident of the State of Georgia for six months prior to the date of filing this Complaint. Jurisdiction and venue are proper in this court.

2.

The Defendant is a resident of Fulton County, Georgia is subject to the jurisdiction of this Court, and if service is not acknowledged, service may be perfected, according to law.

3.

The Plaintiff and Defendant were lawfully married on or about January 1, 2008.

4.

The parties have since separated and are currently living in a *bona fide* state of separation.

5.

Plaintiff is entitled to a divorce from Defendant upon the grounds that the marriage is irretrievably broken and there is no possibility of reconciliation. Plaintiff reserves the right to amend this Complaint to allege additional grounds for divorce.

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6.

The parties have two (2) minor children born as issue of this marriage: Lucy Vorce, born 2010, and Michael Vorce, born 2012. Said minor Children are in the present care, custody, and control of Plaintiff and Defendant.

7.

Pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act, O.C.G.A. §19-9-69, Plaintiff shows the following:

- a) The minor Children presently live with Plaintiff and Defendant at 123 Any Street, Atlanta, Georgia 30000.
- b) During the past five years, the minor Children have lived with Plaintiff and Defendant at the following address: 123 Any Street, Atlanta, Georgia 30000.
- c) Plaintiff has not participated as a party or witness or in any other capacity in any other proceeding concerning the custody or visitation with the minor Children.
- d) Plaintiff does not know of any proceeding pending in this Court or any other Court of this State or any Court of another State that could affect the current proceeding, including proceedings for enforcement and proceedings related to family violence, protective orders, termination of parental rights, and adoptions.
- e) Plaintiff knows of no other person not a party to this proceeding who has had legal or physical custody of the minor Children or claims to have custody or visitation rights with respect to said minor Children.

8.

Plaintiff is entitled to joint legal and primary physical custody of the Children on a temporary and permanent basis.

9.

Plaintiff is entitled to an equitable division of the parties' marital property, both real and personal, and Plaintiff requests that both parties be restrained and enjoined from disposing of marital assets during the pendency of this action except as in the ordinary course of business. Plaintiff is entitled to be awarded his separate property.

10.

Unless otherwise agreed by the parties, Plaintiff is in need of and entitled to an award of reasonable attorneys fees and temporary and permanent alimony from the marital estate.

WHEREFORE, Plaintiff prays for the following relief:

- a) That Plaintiff be awarded joint legal and primary physical custody of the minor Children on both a temporary and permanent basis;
- b) That Plaintiff be awarded an equitable division of the real and personal property of the parties;
- c) That Plaintiff be awarded his separate property;
- d) That Plaintiff be awarded alimony and attorneys fees;
- e) That Plaintiff be awarded a total divorce upon legal principles;
- f) That the parties be restrained and enjoined from disposing of marital assets except in the ordinary course of business;
- g) That Summons and process issue requiring the Defendant to be and appear and answer this Complaint as provided by law;
- h) That the Court adopt any Settlement Agreement entered into between the parties into a Final Order of the Court;
- i) For such other and further relief as the Court deems proper.

This September 25, 2017.

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Tracy L. Rhodes  
Georgia Bar No.:  
Counsel for Plaintiff

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## Verification

Personally appeared before the undersigned officer duly authorized by law to administer oaths, **John D. Vorce**, who, after being first duly sworn, deposes that the facts set forth in the within and foregoing **Complaint for Divorce** are true and correct to the best of his present knowledge, information and belief.

Sworn and subscribed before me  
this September 25, 2017.

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NOTARY PUBLIC

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John D. Vorce

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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:

Tracy L. Rhodes  
Rhodes Law Firm  
376 Powder Springs Street, Suite 230  
Marietta, Georgia 30064

an Answer to the Complaint which is herewith served upon you, within thirty (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 September 25, 2017.

Clerk of Superior Court of Fulton County

By: \_\_\_\_\_  
Clerk / Deputy Clerk

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Type Of Action

1. ☒ Divorce without Agreement Attached
2. ☐ Divorce with Agreement Attached
3. ☐ Domestic Relations
4. ☐ Damages arising out of Contract
5. ☐ Damages arising out of Tort
6. ☐ Condemnation
7. ☐ Equity
8. ☐ Zoning – County Ordinance violations (i.e., Injunctive relief zoning)
9. ☐ Zoning appeals (denovo)
10. ☐ Appeal, Including denovo appeals – excluding Zoning
11. ☐ URSEA
12. ☐ Name Change
13. ☐ Other
14. ☐ Recusal
15. ☐ Adoption

Previous Related Cases

Does this case involve substantially the same parties, or substantially the same subject matter, or substantially the same factual issues, as any other case filed in this court? (Whether pending simultaneously or not.)

☒ NO

☐ YES If yes, please fill out the following:

1. Case No.:
2. Parties: same
3. Assigned Judge:
4. Is this case still pending? ☐ Yes ☐ No
5. Brief description of similarities:

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Tracy L. Rhodes  
Georgia Bar No.:  
Counsel for Plaintiff