

Original Petition/ Waiver/ Final Decree  
children with Attorney General orders

NO. \_\_\_\_\_

IN THE MATTER OF  
THE MARRIAGE OF

\_\_\_\_\_  
AND  
\_\_\_\_\_

§ IN THE DISTRICT COURT  
§  
§ 378TH JUDICIAL DISTRICT  
§  
§  
§ ELLIS COUNTY, TEXAS

**ORIGINAL PETITION FOR DIVORCE**

1. *Discovery Level:* Discovery in this case is intended to be conducted under level 1 of rule 190 of the Texas Rules of Civil Procedure.

2. *Parties:* This suit is brought by \_\_\_\_\_, Petitioner, whose drivers license's last three numbers are \_\_\_\_\_; and whose Social Security number's last three numbers are \_\_\_\_\_.

\_\_\_\_\_ is Respondent. No service on Respondent is necessary at this time.

3. *Domicile:* Petitioner has been a domiciliary of Texas for the preceding six-month period and a resident of this county for the preceding ninety-day period.

4. *Protective Order Statement:* No protective order under title 4 of the Texas Family Code is in effect, and no application for a protective order is pending with regard to the parties to this suit.

5. *Dates of Marriage and Separation* The parties were married on or about \_\_\_\_\_ and ceased to live together as husband and wife on or about \_\_\_\_\_.

6. *Grounds for Divorce* The marriage has become insupportable because of discord or conflict of personalities between Petitioner and Respondent that destroys the legitimate ends of the marriage relationship and prevents any reasonable expectation of reconciliation.

7. *Children of the Marriage:* There are no children born to or adopted by the marriage of Petitioner and Respondent and none are expected.

8. *Division of Community Property:* There is no community property for division.

9. *Change of Name:* Petitioner requests a change of name to \_\_\_\_\_.

WHEREFORE, premises considered, Petitioner prays that the Court grant a divorce, all other relief requested in this petition and for general relief.

Respectfully submitted,

\_\_\_\_\_  
Petitioner's signature

\_\_\_\_\_  
Petitioner's printed name

\_\_\_\_\_  
Address and telephone number

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NO. \_\_\_\_\_

**IN THE MATTER OF  
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AND  
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§ IN THE DISTRICT COURT  
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**WAIVER OF SERVICE**

\_\_\_\_\_ appeared in person before me today and stated under oath:  
Respondent's printed name

"I am the person named as Respondent in this case; and I have been provided a copy of the original petition for divorce filed in this case. I have read and understand the contents of that document. I understand that the Texas Rules of Civil Procedure require, in most cases, that I be served with citation. I do not want to be served with citation, and I waive the issuance and service of citation. I enter my appearance in this case for all purposes. I agree that this case may be taken up and considered by the Court without further notice to me. I agree that the case may be decided by the presiding Judge of the Court or by a duly appointed Associate Judge of the Court."

\_\_\_\_\_  
Respondent's signature

SIGNED under oath before me on \_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Texas

NO. \_\_\_\_\_

IN THE MATTER OF  
THE MARRIAGE OF

\_\_\_\_\_  
AND  
\_\_\_\_\_

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IN THE DISTRICT COURT

378TH JUDICIAL DISTRICT

ELLIS COUNTY, TEXAS

**FINAL DECREE OF DIVORCE**

On \_\_\_\_\_ the Court heard this case.

*Appearances*

Petitioner, \_\_\_\_\_ appeared in person and announced ready for trial.

Respondent, \_\_\_\_\_ waived issuance and service of citation by waiver duly filed and did not otherwise appear; was served with citation and did not appear; was sent notice of this trial setting and did not appear. *[select one]*

*Record*

The record of testimony was duly reported by the court reporter for the 378<sup>th</sup> Judicial District Court.

*Jurisdiction and Domicile*

The Court finds that the pleadings of Petitioner are in due form and contain all the allegations, information, and prerequisites required by law. The Court, after receiving evidence,

finds that it has jurisdiction of this case and of all the parties and that at least sixty days have elapsed since the date the suit was filed.

The Court further finds that, at the time this suit was filed, Petitioner had been a domiciliary of Texas for the preceding six-month period and a resident of the county in which this suit was filed for the preceding ninety-day period. All persons entitled to citation were properly cited.

*Jury*

A jury was waived, and questions of fact and of law were submitted to the Court.

*Divorce*

IT IS ORDERED AND DECREED that \_\_\_\_\_ Petitioner, and \_\_\_\_\_ Respondent, are divorced and that the marriage between them is dissolved on the ground of insupportability.

*Child of the Marriage*

The Court finds that Petitioner and Respondent are the parents of the following children:

Name: \_\_\_\_\_

Sex: \_\_\_\_\_

Birth date: \_\_\_\_\_

Name: \_\_\_\_\_

Sex: \_\_\_\_\_

Birth date: \_\_\_\_\_

Name: \_\_\_\_\_

Sex: \_\_\_\_\_

Birth date: \_\_\_\_\_

The Court finds no other children of the marriage are expected.

*Parenting Plan*

The Court finds that the provisions in this decree relating to the rights and duties of the parties with relation to the child, possession of and access to the child, child support, and optimizing the development of a close and continuing relationship between each party and the child constitute the parenting plan established by the Court; and further finds that the terms and conditions of Conservatorship, Child Support and Medical Support are governed by a previous order in Cause Number \_\_\_\_\_, in the \_\_\_\_\_ Judicial District Court of \_\_\_\_\_ County, \_\_\_\_\_. IT IS ORDERED AND DECREED that this previous order continues in full force and effect.

*Division of Marital Estate*

IT IS ORDERED AND DECREED that the personal effects of the parties are awarded to the party having possession.

The Court finds that the following property division is just and right, and IT IS FURTHER ORDERED that \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Change of Petitioner's Name*

IT IS ORDERED AND DECREED that petitioner's name is changed to

\_\_\_\_\_.

*Court Costs*

IT IS ORDERED AND DECREED that costs of court are to be borne by the party who incurred them.

Without affecting the finality of this Final Decree of Divorce, this Court expressly reserves the right to make orders necessary to clarify and enforce this decree.

*Relief Not Granted*

IT IS ORDERED AND DECREED that all relief requested in this case and not expressly granted is denied. This is a final judgment, for which let execution and all writs and processes necessary to enforce this judgment issue.

*Date of Judgment*

SIGNED on \_\_\_\_\_.

\_\_\_\_\_  
JUDGE PRESIDING



APPROVED AND CONSENTED TO AS TO BOTH FORM AND SUBSTANCE:

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Petitioner

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Respondent