

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. 14 CVD 2206

COUNTY OF WAKE

FILED

CHRISTOPHER FILLIO,
Plaintiff

2014 MAR 28 A 9:53

v.

VALERIE FILLIO,
Defendant

WAKE COUNTY, C.S.C.
BY _____

JUDGMENT FOR ABSOLUTE DIVORCE

THIS CAUSE coming on to be heard on Plaintiff's Motion for Summary Judgment, and upon reviewing the records, the Court makes and enters the following:

1. The parties are residents of Wake County, North Carolina.
2. On October 7, 2001, the parties were married to each other.
3. On February 19, 2013, the parties separated from each other, with the intent of ending their marriage permanently.
4. On February 19, 2013, the parties executed a Separation Agreement and Property Settlement which resolved property distribution but did not resolve alimony.
5. Plaintiff's claim for alimony is pending at the time of this Judgment's entry.
6. Two children were born of the parties' marriage, to wit: Alexander Austin Fillio, born January 31, 2004 and Zoe Alexander Fillio, born September 20, 2007.
7. Since their separation, the parties have lived continuously separate and apart and have at no time resumed their marital relationship.
8. In Defendant's Answer to Plaintiff's Complaint for Absolute Divorce, she waived the ten (10) day notice requirement for Plaintiff's Summary Judgment motion and prayed for the entry of the absolute divorce judgment.

BASED ON THE FOREGOING FINDINGS OF FACT, the Court concludes as a MATTER OF LAW:

1. That Plaintiff's Motion for Summary Judgment is proper in this matter, that there are no genuine issues of material fact and that the Plaintiff is entitled to an absolute divorce from the Defendant.
2. That this Court has jurisdiction over the persons hereto and the subject matter hereof.

BASED UPON THE FOREGOING, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

That the Plaintiff's Motion for Summary Judgment is hereby granted and that the Plaintiff is granted an absolute divorce from the Defendant.

This the 28th day of March 2014.



District Judge Presiding