V I R G I N I A:

IN THE CIRCUIT COURT OF

\*

Complainant \*

\*

vs. \* Case No.

\*

\*

\*

Defendant \*

COMPLAINT FOR DIVORCE

(Constructive Desertion)

COMES NOW the Complainant, by counsel, and in support of this Complaint for Divorce against the Defendant states the following:

1. The complainant is an actual and bona fide resident and domiciliary of , Commonwealth of Virginia, and has been such for more than six months immediately preceding the institu­tion of this suit.

2. The parties last cohabited as husband and wife at .

3. The parties were legally married on 199 in .

4. There were children born of the marriage, namely:

a. , born .

5. Both parties hereto are over the age of eighteen (18) years.

6. Neither of the parties hereto is an active duty member of the Armed Forces of the United States.

7. On , 19 the defendant voluntarily and will­fully did desert and abandon the complainant, without just cause or excuse, that is to say, because of the defendant's conduct the complainant was forced to leave the marital abode of the parties on said date, thereby constituting constructive desertion on the part of the defendant. Such behavior of the defendant consisted of the following:

a. Unjustified denial of sexual relations.

b. Cruel, vulgar, abusive and repeated verbal as­saults on the complainant.

c. Repeated requests by the defendant that the complainant get out of the marital home.

d. False accusations of marital infidelity.

e. False accusations of immoral behavior.

f. A general neglect of family duties.

g. Threats of bodily harm.

h. Excessive and prolonged consumption of alco­hol/drugs.

i. Repeated attempts to humiliate and embarrass the complainant.

j. False accusations of mental instability.

k. Frequent, prolonged, and unexplained absences from the marital home.

8. There has been no resumption of marital cohabitation between the parties since the date of separation and there is no hope or probability of a reconciliation between them.

WHEREFORE, these premises considered, the complainant requests:

a. Entry of a decree of divorce a mensa et thoro from the defendant on the grounds of constructive desertion, with leave to merge that into a final decree of divorce a vinculo matrimonii upon the expiration of the statutory period.

b. Custody of the minor children of the parties.

c. Spousal support/alimony, support for the minor children of the parties, court costs and counsel fees.

d. This Court grant such other relief that the complainant is entitled to under Virginia Code 20-107.3.

e. This Court grant such other and further relief as may be appropriate.

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