

**STATE OF NORTH CAROLINA**

\_\_\_\_\_ County

In The General Court Of Justice  
District Superior Court Division

Name Of Plaintiff

**VERSUS**

Name Of Defendant

**AFFIDAVIT IN  
ATTACHMENT PROCEEDING**

G.S. 1-440.8, 1-440.10, 1-440.11

The undersigned affiant, applying for an order of attachment and being first duly sworn, says that an action has been or is about to be commenced to secure a judgment for the amount and purpose indicated below and that the plaintiff is entitled to recover the amount for which judgment is sought over and above all counterclaims known to him/her.

The nature of this action is as follows:

Amount Sought  
\$

The grounds for attachment are that the defendant is: *(check one or more)*

1. A nonresident.
2. A foreign corporation.
3. A domestic corporation whose president, vice president, secretary or treasurer cannot be found in the state after due diligence.
4. A resident of the state who, with intent to defraud his/her creditors, or to avoid service of summons
  - a. has departed, or is about to depart from the state.
  - b. keeps himself/herself concealed therein.
5. A person or a domestic corporation which, with intent to defraud his/her or its creditors,
  - a. has removed or is about to remove, property from this state.
  - b. has assigned, disposed of, secreted, or is about to assign, dispose of, or secrete, property.

The facts and circumstances supporting allegations or acts committed with intent to defraud creditors are as follows:

**SWORN AND SUBSCRIBED TO BEFORE ME**

Signature Of Affiant

Date

Signature

Name Of Affiant (Type Or Print)

Title Of Person Authorized To Administer Oaths

Plaintiff

Attorney

Agent

Date Commission Expires

**SEAL**

**PLAINTIFF'S BOND**

I, as principal, and the undersigned surety, do acknowledge that upon the issuance of this order of attachment we shall be bound to the defendant in the amount shown below. The condition of this bond is that if the order of attachment is thereafter dissolved, dismissed or set aside by the Court, or if I fail to obtain judgment against the defendant, I will pay all costs that may be awarded to the defendant and all damages that the defendant may sustain by reason of the attachment, provided that the liability of the undersigned surety shall be limited to the amount of this bond.

<i>Date</i>	<i>Amount of Bond</i>	<i>Signature Of Plaintiff (Principal)</i>
<i>Signature Of Surety 2</i>		<i>Signature Of Surety 1</i>
<i>Name And Address Of Surety 2 (Type Or Print)</i>		<i>Name And Address Of Surety 1 (Type Or Print)</i>

**AFFIDAVIT BY INDIVIDUAL SURETY**

The undersigned surety, being first duly sworn, says that he/she is a resident of the State of North Carolina, and is worth the amount of the bond, over and above all liabilities and exemptions allowed by law.

<b>SWORN AND SUBSCRIBED TO BEFORE ME</b>		<i>Signature Of Surety 1</i>
<i>Date</i>	<i>Signature</i>	<i>Signature Of Surety 2</i>
<i>Title Of Person Authorized To Administer Oaths</i>		
<i>Date Commission Expires</i>		<b>SEAL</b>