

IN THE SUPERIOR COURT OF MomCounty COUNTY
STATE OF GEORGIA

<div>Daniel Kyle Smith , Petitioner, v. MomFirst MomMiddle MomLast, Respondent.</div>	CIVIL ACTION FILE NO. _____
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PETITION FOR LEGITIMATION AND CUSTODY/VISITATION

Daniel Kyle Smith , Petitioner, files his Petition for Legitimation and Custody of Child against MomFirst MomMiddle MomLast, Respondent, and shows this Honorable Court, as follows:

1.

The Respondent is the mother of the child(ren) and is a resident of MomCounty County, Georgia.

2.

The Respondent shall be served as provided under O.C.G.A. § 9-11-4, by the Sheriff’s Department at the respondent’s residence, which is:

MomAddress.

3.

Petitioner is the biological father of SharedChildren minor child(ren) that were born out of wedlock, as defined by O.C.G.A. § 19-7-23. The minor child(ren) information is as follows:

Child’s Full Name	Gender	Date of Birth
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1Child1Name 1Child2Name 1Child3Name	1ChildGender	1ChildDob

4.

The minor child(ren), currently resides with the ChildPrimary, who is subject to the jurisdiction and venue of this Court. Service may be acknowledged. If service of process is not acknowledged, service of the Summons and Petition for Legitimation of Child may be perfected according to law.

The minor child(ren) currently resides at the following address: 1ChildAddress.

The child(ren) has lived at this address _1ChildAddressTime__.

5.

Petitioner and the Child submitted to Paternity testing on or about ____1ChildPaternityDate_____, which results confirmed that Petitioner is the Child's biological father. A copy of said Paternity Test Report is attached hereto as Exhibit "A".

6.

Petitioner specifically shows that he is the biological father of the Child; and Petitioner specifically acknowledges his paternity of said child.

7.

Petitioner hereby seeks to judicially establish his legal paternity of the Child. The Petitioner further seeks that the Child be declared the legitimate child of Petitioner.

8.

Petitioner desires that the name of said minor child be changed to 1Child1Name 1Child2Name Smith , and that pursuant to O.C.G.A. 19-7-22, the child be judicially declared the legitimate child of Petitioner, capable of inheriting from Petitioner in the same manner as if he were born in lawful wedlock.

9.

The following clause should be inserted, if and only if the response to Paternity and Legitimation (

 8.19.22 (Version) Live Questionnaire , ID 21) is YES.

Petitioner seeks to have his name entered as the Father on the birth record of each child.

10.

Pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act, O.C.G.A. 19-9-40, *et seq.*, Petitioner shows the following:

- (a) 1Child1Name 1Child2Name 1Child3Name was born in 1ChildBornCounty, 1ChildBornState.
- (b) The minor Child currently resides in the State of Georgia with ChildPrimary at 1ChildAddress. The minor children have lived at this address for 1ChildAddressTime.
- (c) Petitioner has not participated as a party, witness, or in any other way or relative capacity in any litigation concerning custody of the Child pending to date in this or any other state.
- (d) Petitioner has no information of any custody proceeding concerning said Child pending in any Court of this state or any Court of another state.
- (e) Petitioner knows of no other person not a party to the proceedings who has had physical custody of the Child, or claims to have custody or visitation with respect to said Child.

11.

Petitioner hereby seeks to establish his visitation rights with said Child, on a temporary and permanent basis.

It would be in the best interest of the Child that custody be apportioned as follows:

Legal Custody - LegalCustody

Physical Custody - Physical Custody where the primary residence of the Child(ren) will be PrimaryResidence.

Attached to this Petition is the Proposed Parenting Plan, Exhibit B, which sets forth the custody and visitation arrangement that is in the best interest of the child(ren).

12.

Petitioner and Respondent owe a duty to contribute to the support, maintenance, and education of the Child, in accordance with applicable Georgia law and pursuant to the requirements of the Georgia Child Support Guidelines (O.C.G.A. § 19-6-15, *et seq.*).

13.

Petitioner provided financial support related to the pregnancy and birth of said minor child, in the sum of 1ChildFinancialExact.

Include the following clause, if “Dad-Child Support” - ID 1B is **YES**:

Since ChildSupportPaymentDate, Petitioner has continued to pay child support to Respondent in the sum of \$ _MonthlyChildSupportAmount__ per month for the support and maintenance of said child.

Include the following clause, if “Dad-Child Support” - ID 1B is **NO**:

Petitioner has provided support and maintenance of the child in the form of ChildSupportOther.

14.

Petitioner has completed a Financial Affidavit that includes Petitioner’s gross income. DADSUPPORTREQUEST.

WHEREFORE, Petitioner requests:

- (a) That summons and process issue and Respondent be served with a copy of Petitioner’s Summons and Petition for Legitimation of Child, and requiring the Respondent to be and appear and answer this Petition, as provided by law;
- (b) That the Court schedule a Rule Nisi in this matter, on the temporary issues raised herein;
- (c) That the minor child(ren) known as 1Child1Name 1Child2Name 1Child3Name be declared the legitimate child of Petitioner, capable of inheriting from Petitioner in the same manner as if born in lawful wedlock;
- (d) That the name of said minor child be changed to 1Child1Name 1Child2Name Smith ;
- (e) That the Court enter an Order establishing the legal and physical custody rights of each party with the Child,;
- (f) That this Court enter an Order establishing the parenting time rights with the Child, instantly, including temporary parenting time;
- (g) That the Court enter an Order establishing the physical custodial periods of each party with said Child;
- (h) That the Court enter an Order establishing the duties of each party to support the Child, on both a temporary and permanent basis, as requested herein;
- (i) That Petitioner be awarded a reasonable sum for an attorney to represent him in these proceedings, in the event the parties are not able to settle this matter, and to the extent provided by law;
- (j) That Petitioner have such other and further relief as the Court deems appropriate under the circumstances.

This _____ day of _____, 20_____.

(Signature)_____

Daniel Kyle Smith

Petitioner, Pro Se

210 S 3249 Seattle Wa 24932

DadEmail

DadPhone

IN THE SUPERIOR COURT OF MomCounty COUNTY
STATE OF GEORGIA

CIVIL ACTION

FILE NO. _____

{{Daniel }} Kyle Smith ,

Petitioner,

v.

MomFirst MomMiddle MomLast,

Respondent.

VERIFICATION

Personall _____ er, duly authorized to administer oaths in the State of
Georgia, Daniel Kyle Smith , who after being duly sworn, deposes and states that he
is the Petitioner in the above-styled action and verifies that the facts contained in the within and foregoing
Petition for Legitimation of Child are true and correct to the best of his information, knowledge and belief.

This _____ day of _____, 20_____.

Daniel Kyle Smith

Sworn to and subscribed before me

this _____ day of _____, 20_____.

Notary Public

My Commission Expires: _____

