

STATE OF NORTH CAROLINA

File No. 22CVD01524 22 CVD

CATAWBA County

In The General Court Of Justice
[X] District [ ] Superior Court Division

Name Of Plaintiff
Giles Malone, Allison Malone and Victoria Louise Malone
Address
c/o Dustin McCrary, The Law Office of Dustin S, McCrary, PLLC
City, State, Zip
102 W. Broad St, Statesville, NC 28677

CIVIL SUMMONS

[ ] ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 1A-1, Rules 3, 4

VERSUS
Name Of Defendant(s)
John Doe

Date Original Summons Issued
Date(s) Subsequent Summons(es) Issued

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1
John Doe
Address Unknown
Serve via Publication

Name And Address Of Defendant 2

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

- 1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (If None, Address Of Plaintiff)
Dustin S. McCrary
The Law Office of Dustin S. McCrary, PLLC
102 W. Broad St.
Statesville, NC 28677

Date Issued 7-13-22 Time 4:03 [ ] AM [X] PM
Signature
[ ] Deputy CSC [ ] Assistant CSC [ ] Clerk Of Superior Court

[ ] ENDORSEMENT (ASSESS FEE)

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement Time [ ] AM [ ] PM
Signature
[ ] Deputy CSC [ ] Assistant CSC [ ] Clerk Of Superior Court

NOTE TO PARTIES: Many counties have MANDATORY ARBITRATION programs in which most cases where the amount in controversy is \$15,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

**RETURN OF SERVICE**

I certify that this Summons and a copy of the complaint were received and served as follows:

**DEFENDANT 1**

|                    |   |                          |
|--------------------|---|--------------------------|
| <i>Date Served</i> | <i>Time Served</i><br><input type="checkbox"/> AM <input type="checkbox"/> PM | <i>Name Of Defendant</i> |
|--------------------|---|--------------------------|

- By delivering to the defendant named above a copy of the summons and complaint.
- By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

*Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)*

- Other manner of service (*specify*)

- Defendant WAS NOT served for the following reason:

**DEFENDANT 2**

|                    |   |                          |
|--------------------|---|--------------------------|
| <i>Date Served</i> | <i>Time Served</i><br><input type="checkbox"/> AM <input type="checkbox"/> PM | <i>Name Of Defendant</i> |
|--------------------|---|--------------------------|

- By delivering to the defendant named above a copy of the summons and complaint.
- By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

*Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)*

- Other manner of service (*specify*)

- Defendant WAS NOT served for the following reason.

|                               |  |
|-------------------------------|--|
| <i>Service Fee Paid</i><br>\$ | <i>Signature Of Deputy Sheriff Making Return</i> |
| <i>Date Received</i>          | <i>Name Of Sheriff (Type Or Print)</i>           |
| <i>Date Of Return</i>         | <i>County Of Sheriff</i>                         |

STATE OF NORTH CAROLINA

File No.

22CVD01524

22 CVD

Catawba County

In The General Court Of Justice
District Court Division

Name And Address Of Plaintiff 1

Giles Malone, Allison Malone and Victoria Malone
2372 Eagle Drive NE
Conover, NC 28613

FILED

2022 JUL 13 P 4: 03

Name And Address Of Plaintiff 2

CATAWBA CO. C.S. CO.

BY

[Handwritten signature]

DOMESTIC

CIVIL ACTION COVER SHEET

INITIAL FILING SUBSEQUENT FILING

Rule 5(b), Rules of Practice For Superior and District Courts

VERSUS

Jury Demanded In Pleading? No Yes

Name Of Defendant 1

John Doe
Unknown
Statesville, NC 28625

Name And Address Of Attorney Or Party, If Not Represented

Dustin McCrary
The Law Office of Dustin S. McCrary, PLLC
102 W. Broad St.
Statesville, NC 28677

Summons Submitted

Yes No

Telephone No.

704.380.0456

Cell Telephone No.

Name Of Defendant 2

NC Attorney Bar No.

39900

Attorney E-Mail Address

dustin@mccrarylaw.com

Summons Submitted

Yes No

Initial Appearance in Case

Change of Address

Counsel for

All Plaintiffs All Defendants Only

Name Of Firm

The Law Office of Dustin S. McCrary, PLLC

FAX No.

704.495.6120

TYPE OF PLEADING

CLAIMS FOR RELIEF FOR:

(check all that apply)

- Amended Answer/Reply (AMND-Response)
Amended Complaint (AMND)
Answer/Reply (ANSW-Response)
Complaint (COMP)
Confession Of Judgment (CNFJ)
Contemp (CNTP) Assess Motions Fee
Continue (CNTN) Assess Motions Fee
Compel (CMPL) Assess Motions Fee
Counterclaim vs. (CTCL) Assess Counterclaim Costs
Extend Time For An Answer (MEOT-Response) Assess Motion Fee
Modification Of Alimony (MALI) Assess Motions Fee
Modification Of Custody (MCUS) Assess Motions Fee
Modification Of Support in non-IV-D cases (MSUP) Assess Motions Fee
Modification Of Visitation (MVIS) Assess Motions Fee
Rule 12 Motion In Lieu Of Answer (MDLA) Assess Motions Fee
Santions (SANC) Assess Motions Fee
Show Cause (SHOW) Assess Motions Fee
Transfer (TRFR) Assess Motion Fee
Vacate/Modify Judgment or Order (VCMD) Assess Motions Fee
Other (OTHR): (Use codes from Motions Coversheet AOC-CV-752 or specify)

(check all that apply)

- Alimony (ALIM)
Annulment (ANUL)
Child Support (CSUP)
Custody (CUST)
Divorce (DIVR)
Divorce From Bed And Board (DIVB)
Domestic Violence (DOME)
Equitable Distribution (EQUD)
Medical Coverage (MEDC)
Paternity (PATR)
Possession Of Personal Property (POPP)
Post Separation Support (PSSU)
Reimbursement For Public Assistance (RPPA)
Visitation (VIST)
Other: (specify and list separately)
Emergency Custody

Date

07/12/2022

Signature Of Attorney/Party

[Handwritten signature]

NOTE: All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts...



Giles Malone and Allison Malone (paternal grandparents), and  
Victoria Louise Malone (biological mother, now deceased),

**FAMILY COURT CASE MANAGEMENT NOTICE / SCHEDULING ORDER**

Plaintiffs  submitted notice  
VS.

Note to Parties: if you move, please give your new address to the clerk, notices of Court events are sent to your last known address or your attorney if you have one

2022 JUL 13 P 4:05

John Doe,  
Defendant  submitted notice

NOTICE TO PERSONS ORDERED TO SHOW CAUSE (see reverse)\*\*

**JUDICIAL ASSIGNMENT** - The Judge assigned to hear all issues in this matter is: THE HONORABLE Sherril W. Elliott

**NOTICE OF SCHEDULED COURT EVENTS**

YOU ARE DIRECTED TO APPEAR AS SCHEDULED BELOW PURSUANT TO THIS SCHEDULING ORDER IN ACCORDANCE WITH THE CASE MANAGEMENT PLAN OF THE LOCAL RULES OF THIS DISTRICT. YOUR FAILURE TO APPEAR AS DIRECTED MAY SUBJECT YOU TO SANCTIONS BY THE COURT OR DISMISSAL OF YOUR CLAIM.

| EVENT TYPES  | ISSUES   | DATE / TIME / PLACE OF EVENT   |
|--|--|--|
| <b>SUMMARY HEARING (ONE HOUR)</b><br><br>*(May NOT schedule motions to modify child support)<br><br>(May NOT schedule Divorce Bed & Board for 1 hour)<br><br><input checked="" type="checkbox"/> Ex Parte Review Hearing (Order attached)                                    | <input type="checkbox"/> Temporary Child Custody<br><input type="checkbox"/> Temporary Child Support<br>(Movant - Child Support Affidavit required 10 days prior to hearing) (File Form F)   | DATE:<br>TIME: <input type="checkbox"/> am <input type="checkbox"/> pm<br>Newton COURTROOM: <input type="checkbox"/> #2 <input type="checkbox"/> #3  |
|  | <input type="checkbox"/> Post Separation Support - (Movant - Affidavit required 10 days prior to hearing) (File Form FC 040.1)   | DATE:<br>TIME: <input type="checkbox"/> am <input type="checkbox"/> pm<br>Newton COURTROOM: <input type="checkbox"/> #2 <input type="checkbox"/> #3  |
|  | <input type="checkbox"/> Interim Distribution <input type="checkbox"/> Preservation<br>(Movant - Affidavit or detailed listing required 10 days prior to hearing) (File Form G - FC 088)   | DATE:<br>TIME: <input type="checkbox"/> am <input type="checkbox"/> pm<br>Newton COURTROOM: <input type="checkbox"/> #2 <input type="checkbox"/> #3  |
|  | <input checked="" type="checkbox"/> Ex Parte CUST/MCUS<br><input type="checkbox"/> Other: _____<br>Warrant attached <input type="checkbox"/>   | DATE: <u>July 26, 2022</u><br>TIME: <u>9:00</u> <input checked="" type="checkbox"/> am <input type="checkbox"/> pm<br>Newton COURTROOM: <input checked="" type="checkbox"/> #4 <input type="checkbox"/> #2 <input type="checkbox"/> #3                               |
| <b>ORDER ATTACHED - (FORM N) - All cases return to mediation: See NCGS 50-13</b><br><input type="checkbox"/> Mediation Orientation Group session (Mandatory appearance by parties)<br><input type="checkbox"/> Mediation Private Session - (Mandatory appearance by parties) |  | DATE:<br>TIME: <input type="checkbox"/> am <input type="checkbox"/> pm<br>PLACE: Newton, COURTROOM #5  |
| <input type="checkbox"/> Motion Hearing (NO Evidence presented)<br>Time needed: _____ (min)<br>More than 1 hour  | <b>TYPE of Motion: (SPECIFY)</b><br><input type="checkbox"/> _____<br><input type="checkbox"/> Form P- (Motion for Exemption)  | DATE:<br>TIME: <input type="checkbox"/> 9:30 am <input type="checkbox"/> 2:00 p.m.<br>Newton COURTROOM: <input type="checkbox"/> #2 <input type="checkbox"/> #3  |
| <input checked="" type="checkbox"/> Status Conference<br><input type="checkbox"/> JURY trial requested   | <input type="checkbox"/> EQUITABLE DISTRIBUTION<br><input type="checkbox"/> ALIMONY<br>Appoint ADR - NCGS 7A-38.4A ***<br><input checked="" type="checkbox"/> Child Custody <input type="checkbox"/> (modification)<br><input type="checkbox"/> Child Support <input type="checkbox"/> (modification)<br><input type="checkbox"/> Other: _____ | DATE: <u>September 19, 2022</u><br>TIME: <input checked="" type="checkbox"/> 9:30 am <input type="checkbox"/> 10:30 am <input type="checkbox"/> 3:00 pm<br>Newton COURTROOM: <input checked="" type="checkbox"/> #2 <input type="checkbox"/> #3                      |
| Most issues are scheduled by the assigned judge from case review<br><input type="checkbox"/> Family Court Trial Week (Evidentiary Hearing)<br><input type="checkbox"/> Jury trial requested  | <b>Issue Type: Specify issue</b><br><input type="checkbox"/> _____<br><input type="checkbox"/> CONTEMPT** (See Reverse Page)<br><input type="checkbox"/> OTHER: _____  | DATE:<br>TIME: <input type="checkbox"/> 9:30 am <input type="checkbox"/> 2:00 p.m.<br><input type="checkbox"/> ½ day <input type="checkbox"/> all day <input type="checkbox"/> 1 - hour<br>Newton COURTROOM: <input type="checkbox"/> #2 <input type="checkbox"/> #3 |
| <input type="checkbox"/> Court Appointed Counsel Review (Court Date for Person Charged with Contempt to apply for an attorney appointed by the court)  | <input type="checkbox"/> CONTEMPT** (See Reverse Page)<br><input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT (only) TO APPEAR if checked  | DATE:<br>TIME: <input type="checkbox"/> 9:30 am <input type="checkbox"/> 10:30 am <input type="checkbox"/> 3:00 pm<br>Newton COURTROOM: <input type="checkbox"/> #2 <input type="checkbox"/> #3  |

This Family Court Case Management Notice is issued on the 12<sup>th</sup> day of July, 2022.

Deb Penno  
Case Coordinator Phone: (828) 695-6115 / fax (828) 695-6134

\*\* EXPLANATIONS AND CERTIFICATE OF SERVICE ON BACK OF THIS FORM.

**\*\* NOTICE TO PERSONS ORDERED TO SHOW CAUSE (ONLY IF SHOW CAUSE ORDER ATTACHED)**

**\*\* NOTICE:** A motion for contempt has been filed against you and you are directed to appear at the date, time and place set above for Court appointed Counsel Review. You therefore have a right to an attorney and if indigent, you have a right to a court appointed attorney. You must attend the scheduled Court appointed counsel review to apply for court appointed counsel. **If you do not attend, you will be deemed to have waived your right to court appointed counsel.**

**NOTICE OF IMMEDIATE FILING / SERVICE REQUIREMENTS**

**NOTICE:** YOU ARE DIRECTED TO FILE WITH THE CLERK AND SERVE ON THE OPPOSING PARTY APPROPRIATE AFFIDAVITS AND OTHER INFORMATION IN ACCORDANCE WITH THE SCHEDULE BELOW. YOUR FAILURE TO FILE AND/OR SERVE SUCH DOCUMENTS MAY SUBJECT YOU TO SANCTIONS BY THE COURT.

| FOR CASES WITH THESE ISSUES   | FORMS YOU MUST FILE / SERVE  | BY THIS DEADLINE   |
|---|--|--|
| CHILD CUSTODY<br>Or Motion to Modify Child Custody  | <ul style="list-style-type: none"> <li>◆ Affidavit of Status of Minor Child</li> <li>◆ Form N - Order to Custody Mediation or Form P if you wish to be exempt from Mediation</li> </ul>  | Due At time of filing claim.   |
| CHILD SUPPORT<br>or Motion to Modify Child Support  | <ul style="list-style-type: none"> <li>◆ Child Support Affidavit –Form F</li> <li>◆ Employer Wage Affidavit (current pay stub)</li> <li>◆ Copy of Last 2 Years' Tax Return per NC child support guidelines</li> </ul>  | <b>Movant</b> - No later than ten (10) days before a Summary Hearing set above for Temporary Child Support. No later than (20) days before a final hearing for child support or modification.  |
| POST SEPARATION SUPPORT<br><br>*** ALIMONY<br>Modify Alimony or Modify PSS  | <ul style="list-style-type: none"> <li>◆ Alimony/PSS Financial Affidavit – FC 040.1</li> <li>◆ Copy of Last 2 Years' Tax Return (If self-employed or unearned income)</li> <li>◆ current pay stub</li> <li>◆ ***ADR - Family Financial Mediation (AOC-CV-825 or AOC-CV- 826 ) NCGS 7A-38.4A</li> </ul> | <b>Movant</b> - No later than ten (10) days before Summary Hearing set above for Post Separation Support. / and 20 days prior to hearing the claim for Alimony.<br>*** ADR Mediator selection within 60 days of filing or automatic appointment of mediator will occur at Status Conference set above. |
| *** EQUITABLE DISTRIBUTION  | <ul style="list-style-type: none"> <li>◆ Equitable Distribution Affidavit -Form G (FC 088) See NCGS 50-21</li> <li>◆ ***ADR - Family Financial Mediation (AOC-CV-825 or AOC-CV- 826 ) NCGS 7A-38.4A</li> </ul>   | ED affidavit due pursuant to NCGS 50-21 (90 days after service on opposing party).<br>*** ADR Mediator selection within 60 days of filing or automatic appointment of mediator will occur at Status Conference set above.  |
| INTERIM DISTRIBUTION<br>Or PRESERVATION   | <ul style="list-style-type: none"> <li>◆ Equitable Distribution Affidavit - Form G (FC 088) or you may provided a detailed listing of assets to be distributed</li> </ul>  | <b>Movant</b> - Affidavit due - No later than ten (10) days before Summary Hearing set above for Interim Distribution (detailed listing of assets may be used)   |
| <b>Failure to file any of the required affidavits may be grounds for the court to remove your matter from the court calendar or dismiss your claim.</b> |  |  |

**If you have questions about this Notice, please speak with an attorney.** The office of the Family Court Case Coordinator has some forms available, but these forms are also found in the Office of the Clerk of Court or online at [www.nccourts.org](http://www.nccourts.org). Generally, attorneys are not appointed in Family Court Cases, except if appointed by the court in a contempt proceeding. **Please remember, the case coordinator is not an attorney and cannot give legal advice.**

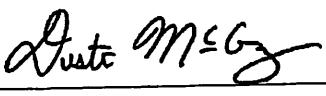
**CERTIFICATE OF SERVICE**

**I certify that a copy of the foregoing 2-page Family Court Notice was placed in an envelope and delivered as follows:**

- |   |   |
|---|---|
| <input type="checkbox"/> Served by Sheriff – see Sheriff's return | <input checked="" type="checkbox"/> Publication                         |
|   | <input type="checkbox"/> Hand Delivery                                  |
|   | <input type="checkbox"/> Faxed  |
|   | <input type="checkbox"/> US Postal Service (bearing sufficient postage) |

John Doe  
ADDRESS UNKNOWN

July 12, 2022

Signature: 

Print or Type Name: Dustin S, McCrary      Submitted by:  Plaintiff     Defendant     Case Coordinator

FILED

22CVD01524

State of North Carolina  
County of Catawba

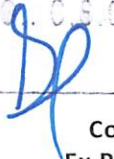
2022 JUL 13 P 4: 04

In the General Court of Justice  
District Court Division  
22 CVD \_\_\_\_\_

Giles Malone and Allison Malone  
and Victoria Malone,

CATAWBA CO. C.S.C.

BY \_\_\_\_\_



Plaintiffs;

**Complaint and Motion for  
Ex Parte (Status Quo) Custody**

v.

John Doe,

Defendant.

Plaintiffs, complaining of Defendant, alleges and says:

1. Plaintiffs are citizens and resident of Catawba County, North Carolina and have been residents of North Carolina for more than six months before the institution of this action.
2. Defendant is the biological father of the minor child and his identity is unknown.
3. Plaintiffs are the maternal grandparents of the minor child, Brody Malone, born April 23, 2013.
4. Plaintiffs are the parents of the mother of the biological child, Victoria Malone, whom died of seizures on April 21, 2022.

**First Claim – Child Custody**

5. Plaintiffs re-allege and incorporate by reference the allegations contained in each and every paragraph set forth above as if fully set forth.
6. To avoid a controversy and conflict arising in the future between the parties regarding the custody of the minor child, it is in the best interests of the minor child and the parties that this Court makes an award of custody of the minor child.
7. Facts exist justifying this Court to assume jurisdiction to determine the custody of the minor child under N.C. Gen. Stat. § 50A-201, and under N.C. Gen. Stat. §50A-209, Plaintiff respectfully shows this Court:
  - a. Since August 2020, the minor child has resided with Plaintiffs at 2372 Eagle Drive, NE, Conover, NC 28613. Prior to that, the minor child resided with Victoria Malone in Colorado.
  - b. Plaintiffs have not participated as a party or in any other capacity in litigation concerning the custody of the minor child in this or any other state, except in this action.

- c. Plaintiff does not have information of any other custody proceedings concerning the minor child pending in a court of this or any other state.
  - d. Plaintiff has no knowledge of any party having custody or claiming to have custody rights to the minor child in this or any other state.
  - e. North Carolina is the home state of the minor child, Catawba County is the proper venue for this case to be heard, and this Court has jurisdiction to enter orders for child custody.
8. Plaintiffs are the maternal grandparents of the minor child. Plaintiff have a substantial relationship with the minor child, in that they have been the primary caretakers of the minor child since August 2020, and had a substantial parent-child like relationship with the minor child before that. Plaintiffs have standing to bring this action for custody due to this parent-child like relationship.
  9. Defendant has lost his constitutionally protected status to custody and control of the minor child in that Defendant has never legitimated the child nor had any contact or provided any support for the minor child.
  10. Plaintiffs are fit and proper person to have the temporary and permanent care, custody and control of the minor child, and the child's best interests would be served by vesting the minor child's custody in Plaintiff.
  11. Plaintiffs have a parent-child like relationship with the minor child.
  12. Plaintiffs provide for the care, wellbeing, and support of the minor child.
  13. Defendant is not fit or proper persons to have the care, custody and control of the minor child, and the child's best interests would not be served by vesting the minor child's custody in Defendant.
  14. Plaintiffs instituted this action for custody of the minor child in good faith. Plaintiffs have sufficient legal justification for the institution of this action, and have insufficient means to defray the expenses of this suit. Plaintiffs are in need of an award of attorney's fees from Defendants, as provided by statute.

#### **Motion for *Ex Parte* Emergency Custody**

Plaintiffs moves this court, under Chapter 50 of the North Carolina General Statutes, specifically N.C. Gen. Stat. §13.5 *et seq.*, and based upon this verified Motion for Ex Parte Temporary (Status Quo) Custody, to enter a temporary status quo custody order. In support of Plaintiffs' motion, she respectfully shows this Court:

15. Plaintiffs re-allege and incorporate by reference the allegations contained in each and every paragraph set forth above as if fully set forth.
16. Under N.C. Gen. Stat. § 50-13.5(d)(3) and N.C. Gen. Stat. 50A-204, Plaintiffs are entitled to an ex parte temporary status quo custody order granting legal and physical custody of the minor child to Plaintiffs.

17. Plaintiffs have been the primary caretaker for the minor child.
18. The minor child has resided with Plaintiffs since August 2020.
19. Plaintiffs are a fit and proper person to have the care, custody and control of the minor child, and the minor child's best interest would be served by vesting his care, custody and control in Plaintiffs.
20. The minor child's status quo of residing with Plaintiffs and residing in Catawba County must be intact, pending further orders of this Court.

**Wherefore,** Plaintiff respectfully requests this Court:

1. Accept this verified Motion as an affidavit for all proper purposes.
2. Award immediate temporary and permanent care, custody and control of the minor child to Plaintiffs.
3. Enter an *ex parte* temporary status quo custody order granting legal and physical custody of the minor child to Plaintiffs.
4. For such other and further relief which this Court deems just and proper.

July 13, 2022.



Dustin McCrary  
Attorney for Plaintiffs  
The Law Office of  
Dustin S. McCrary, PLLC  
102 W. Broad St., Ste 202  
Statesville, NC 28677  
704.380.0456 phone  
704.495.6120 fax  
dustin@mccrarylaw.com



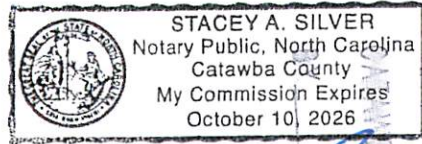
Verification

The undersigned, being first duly sworn, deposes and says that she has read the foregoing document and knows the contents thereof; that the same is true of her own knowledge, except as to such matters and things therein alleged upon information and belief, and as to such matters and things she believes them to be true.

*Allison Malone*  
Allison Malone

Sworn and subscribed to me this the

07 day of July, 2022.  
*Stacey Silver*  
Notary Public



My Commission Expires: Oct 10, 2026  
(Notary Seal)

FILED  
2022 JUL 13 P 4:04  
STACEY A. SILVER  
CATAWBA COUNTY, N.C. 0666

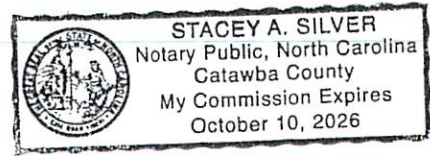
Verification

The undersigned, being first duly sworn, deposes and says that he has read the foregoing document and knows the contents thereof; that the same is true of his own knowledge, except as to such matters and things therein alleged upon information and belief, and as to such matters and things he believes them to be true.

*Giles Malone*  
Giles Malone

Sworn and subscribed to me this the

07 day of July, 2022.  
*Stacey Silver*  
Notary Public



My Commission Expires: Oct 10, 2026  
(Notary Seal)

State of North Carolina  
County of Catawba

FILED

In the General Court of Justice  
District Court Division  
22 CVD \_\_\_\_\_

2022 JUL 13 P 4: 04

Giles Malone and Allison Malone  
and Victoria Malone,  
Plaintiffs,

CATAWBA CO., C.S.C.  
BY 

NOTICE OF SERVICE OF PROCESS  
BY PUBLICATION

v.

John Doe,  
Defendant.

TO:

TAKE NOTICE that a pleading seeking relief against you has been filed on July 13, 2022 in the above-entitled action. The nature of the relief being sought is as follows: Ex-Parte Emergency Custody and Child Custody.

You are required to make defense to such pleading not later than the 30<sup>th</sup> day of August 2022, said date being at least 40 days from the first publication of this notice; and upon your failure to do so, the parties seeking service against you will apply to the Court for the relief sought.

This the 13<sup>th</sup> day of July, 2022.

PUBLISH DATES:

July 22, 2022  
August 5, 2022  
August 19, 2022

July 13, 2022.



Dustin McCrary  
Attorney for Plaintiffs  
The Law Office of  
Dustin S. McCrary, PLLC  
102 W. Broad St., Ste 202  
Statesville, NC 28677  
704.380.0456 phone  
704.495.6120 fax  
dustin@mccrarylaw.com