

AFFIDAVIT OF COMMON LAW NAME CHANGE

In re Mohlman, 216 SE 2d 147 - NC: Court of Appeals 1975 provides:

At common law, then, a person may lawfully change his name at will and assume a new name so long as it is not for a fraudulent, or illegal purpose. He may enter a contract or other obligation under any name he chooses to assume. "The law is chiefly concerned with the identity of the individual, and when that is ascertained and clearly established, the act will be binding on him and on others." 57 Am.Jur.2d, Name, § 22, pp. 289, 290. Of course, the common law of England is in force in this State to the extent that it has not been abrogated or repealed by statute and to the extent that it is not repugnant to or destructive of our form of government. McMichael v. Proctor, 243 N.C. 479, 91 S.E.2d 231 (1955).

STATE OF North Carolina

ss.}

COUNTY OF _____

_____, previously known as _____, affirms the following:

1. I am currently ___ years of age, I was born on the ___ day of _____, _____
2. My birth records and other legal documents have the name(s) of:

3. I have since changed my name to _____ **at will** under the Common law.
4. I have not changed my name for any fraudulent purpose or to avoid criminal prosecution.
5. I am making this Affidavit in order to aid appropriate agencies in correcting or adjusting my records.

Current Signature in new name

Previous signature in old name

_____ County, North Carolina

Signed and sworn to before me this day by _____

Date: _____

(Official Seal)

Official Signature of Notary

Notary Public Notary's printed or typed name: _____

My commission expires: _____