NORTH CAROLINA

WAYNE COUNTY

GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FAMILY COURT
FILE NO.: 26CV003300-950

JOHN RICHARD BELL, IV,	)	
Plaintiff,	)	
	)	
vs.	)	**ANSWER & COUNTERCLAIM**
	)	
KELLI GURLEY BELL,	)	
Defendant.	)	

* * * * * * * * * * * * * * * * *

NOW COMES, Defendant, **Kelli Gurley Bell**, by and through her attorney of record, Darrell K. Brown, answering the Complaint of Plaintiff alleges as follows:

ANSWER

1. The allegations of Paragraph 1 of the Plaintiff's Complaint are admitted.

2. The allegations of Paragraph 2 of the Plaintiff's Complaint are admitted.

3. The allegations of Paragraph 3 of the Plaintiff's Complaint are admitted.

4. The allegations of Paragraph 4 of the Plaintiff's Complaint are admitted.

5. The allegations of Paragraph 5 of the Plaintiff's Complaint are admitted.

6. The allegations of Paragraph 6 of the Plaintiff's Complaint are admitted.

7. The allegations of Paragraph 7 of the Plaintiff's Complaint Count One- Custody and Child Support does not require a response.

8. The allegations of Paragraph 8 of the Plaintiff's Complaint Count One- Custody and Child Support are admitted. It is further alleged in response to sub-paragraph (e) that the minor child has primarily resided with the Defendant at 501 Holland Drive, Goldsboro, NC 27530 since January 19, 2026 and visited with the Plaintiff at the locations listed in sub-paragraph (e).

9. The allegations of Paragraph 9 of the Plaintiff's Complaint Count One- Custody and Child Support are denied.

10. The allegations of Paragraph 10 of the Plaintiff's Complaint Count One- Custody and Child Support are denied. The Defendant has been the primary care taker for the minor child; as the Plaintiff has barely been present for the most part of her life as the Plaintiff has been consumed with his political career to the detriment of his relationship with the minor child. Plaintiff has

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repeatedly chosen his political career and commitments over time with his family and has hardly been involved in the minor child's life including never attend medical or dental appointments, the minor child's extra-curricular activities or school activities. The Plaintiff has relied on the Defendant to provide all of the care for the minor child so that he could pursue his political aspirations.

11. The allegations of Paragraph 11 of the Plaintiff's Complaint Count One-Custody and Child Support are denied. The Plaintiff has only chosen to be present and apart of the minor child's life since the parties separated in January 2026; however, he did not request a weekend or overnight until May of 2026. See the response to Paragraph 10 above.

12. The allegations of Paragraph 12 of the Plaintiff's Complaint Count One- Custody and Child Support are denied. The Plaintiff has rarely attended or participated in the minor child's medical appointments. The Plaintiff has never scheduled an appointment for the minor child has relied on the Defendant to foresee and meet the medical needs of the minor child. The Plaintiff did not know of the minor child was highly allergic/anaphylactic to ibuprofen, the Plaintiff attempted to give the minor child ibuprofen and the minor child had to stop him. The Plaintiff's involvement in the minor child's life was limited to his financial contributions to the family.

13. The allegations of Paragraph 13 of the Plaintiff's Complaint Count One- Custody and Child Support are denied as the Plaintiff has never taken an active role in the minor child's life and has never participated in a manner that shows that he has the ability to provide fit and proper care for the minor child.

14. The allegations of Paragraph 14 of the Plaintiff's Complaint Count One- Custody and Child Support are denied. The Defendant is the fit and proper person to have the primary physical and legal custody of the minor child.

15. The allegations of Paragraph 15 of the Plaintiff's Complaint Count One-Custody and Child Support are denied.

16. The allegations of Paragraph 16 and all the subparagraphs of the Plaintiff's Complaint Count One-Custody and Child Support are all admitted and denied.

a-b. The allegations are admitted, but it is further alleged that both parties have engaged in yelling and screaming and the use of vulgar language in which the minor child could have possibly heard. The Plaintiff is an equal participant in this behavior and is equally responsible for the behavior he alleges. Most of the disagreements between the Plaintiff and the Defendant occurred when the defendant asked about the facetimes, calls and text from other women (interns & coworkers) to the Plaintiff in which he refused to be questioned on. The Plaintiff would exhibit extreme rage and "coming at" the Defendant when she questioned or tried to look at Plaintiff's phone.

c. The allegations are admitted and denied. It is admitted that the Defendant has used the term "deadbeat dad" due to the Plaintiff's making little to no effort to have a relationship with the minor child as set out herein above in which the Plaintiff has repeatedly chosen his political aspirations over his relationship with the minor child. The Defendant does not recall ever telling the minor children that the Plaintiff does not love her or that he has had numerous affairs.

d. The allegations are denied.

e. The allegations are denied. The Defendant has always encouraged the minor child to go and have a relationship with the Plaintiff despite the minor child not wanting to go with him. The Plaintiff when he has had her has pawned the minor child off on a friend for the night and or brought the minor child back home earlier than scheduled.

f. The allegations are denied. The only event that the Defendant is aware of is a birthday party for a friend of the minor child which the Defendant did not schedule.

g. The allegations are denied that the Defendant told the minor child that the Plaintiff does not give them any money or pay for anything. But, it is true that the Plaintiff has not given any money since he left in January. He picks and chooses what he pays for calling it "supporting his child".

h. The allegations are denied. The Plaintiff is copied on all schedules and has access to all school apps. Furthermore, the Plaintiff has shown little to no interest in being a part of the minor child's life until the parties separated in January 2026. Prior to January 2026, the Plaintiff relied on the Defendant to provide the majority to all of the care for the minor child so that the Plaintiff would not be distracted from his political career. The Plaintiff was mainly concerned that the Defendant and the minor child would show up at political events to try and exhibit a wholesome family.

i. The allegations are denied. The minor child was present and witnessed the Defendant be verbally abused for hours on Easter Sunday in 2020 by the Plaintiff's mother and sister while the Plaintiff allowed them to fuss and cuss and threatened violence toward the Defendant. Plaintiff's family has never been a part of the minor child's life until the Plaintiff separated from the Defendant. Prior to that time, the Plaintiff did not involve his own family in the life of the minor child at his own choosing.

j. The allegations are denied. It is further alleged that said allegation is so vague that the Defendant cannot form a belief as to the truth of the allegations and the same is denied.

k. The allegations are denied. The Defendant insures that the minor child to make a nightly phone call to the Plaintiff to insure communication and relationship.

l. The allegations are denied. The pantry, freezer, refrigerator inside and outside is always stocked for the family along with the neighborhood kids.

m. The allegations are denied. Since the minor child was 4 years old and started playing sports, the Defendant has coached her rec league t-ball, volleyball, basketball and softball teams. These activities have been consistent in the life of the minor child but Plaintiff's participation in the same has not. It has only been since the parties have separated that the Plaintiff has shown an interest in being a part of the minor child's life and upon information and belief, Plaintiff first discovered how active the minor child is. The Plaintiff was given the opportunity in 2019 to help with t-ball but denied due to his political/work involvement. Last year the athletic director at Rosewood Middle School reached out to the Defendant to coach the middle school teams, all while

the minor child was still in elementary school. The Defendant continues to coach the middle school teams this current year as well.

n. The allegations are denied.

17. The allegations of Paragraph 17 of the Plaintiff's Complaint Count One- Custody and Child Support are denied. The Defendant is healthy, works out and yes the minor child is preteen and shops out of the Defendant's closet as many preteens do. It is further alleged that the Plaintiff has been critical of the Defendant's weight and her appearance as she needed to be a trophy wife for his political career.

18. The allegations of Paragraph 18 of the Plaintiff's Complaint Count One- Custody and Child Support are denied.

19. The allegations of Paragraph 19 of the Plaintiff's Complaint Count One- Custody and Child Support is admitted and denied. It is admitted that the Plaintiff is employed as a member of the NC House and self-employed as a consultant. It is denied that the Plaintiff's income is approximately $100,000 a year. Upon information and belief, the Plaintiff has averaged over $200,000 a year over the past three (3) years.

20. The allegations of Paragraph 20 of the Plaintiff's Complaint Count One- Custody and Child Support are denied. The Defendant works part time due to the Plaintiff's request for her to be available for political events, to take care of the minor child and to be at a PTA mom and coach. The Defendant makes approximately $17,000 annually.

21. The Defendant does not have sufficient information to form a belief as to the truth of the allegations of Paragraph 21 of the Plaintiff's Complaint Count One- Custody and Child Support and the same are denied.

22. The allegations of Paragraph 22 of the Plaintiff's Complaint Count One- Custody and Child Support are denied. It is further alleged that the Court should make inquiry into the appropriated amount of child support and order child support to be paid from the Plaintiff to the Defendant for the use and benefit of the minor child.

23. The allegations of Paragraph 23 of the Plaintiff's Complaint Count Two: Psychological/Parenting Capacity Evaluation does not require a response.

24. The allegations of Paragraph 24 of the Plaintiff's Complaint Count Two: Psychological/Parenting Capacity Evaluation are denied.

25. The allegations of Paragraph 25 of the Plaintiff's Complaint Count Two: Psychological/Parenting Capacity Evaluation are denied.

[sic] 26. The allegations of Paragraph 23 of the Plaintiff's Complaint Count Three: Equitable Distribution does not require a response.

[sic] 27. The allegations of Paragraph 24 of the Plaintiff's Complaint Count Three: Equitable Distribution are admitted.

[sic] 28. The allegations of Paragraph 25 of the Plaintiff's Complaint Count Three: Equitable Distribution are admitted.

[sic] 29. The allegations of Paragraph 26 of the Plaintiff's Complaint Count Three: Equitable Distribution are denied. It is further alleged that the Defendant is entitled to an unequal division of the martial property in her favor and further that the same would be equitable in this matter based on the grounds that will be more specifically set out in the Defendant's Equitable Distribution Affidavit and Pre-Trial Order in this matter.

[sic] 30. The allegations of Paragraph 27 of the Plaintiff's Complaint Count Three: Equitable Distribution are denied.

[sic] 31. The allegations of Paragraph 28 of the Plaintiff's Complaint Count Three: Equitable Distribution are admitted.

[sic] 32. The Defendant has insufficient information to form a belief as to the concerns of the Plaintiff as set out in the allegations of Paragraph 29 of the Plaintiff's Complaint Count Three: Equitable Distribution and the same are therefore denied.

[sic] 33. The Defendant has insufficient information to form a belief as to the concerns and or observations of the Plaintiff as set out in the allegations of Paragraph 30(a-c) of the Plaintiff's Complaint Count Three: Equitable Distribution and the same are therefore denied. Upon information and belief, the Plaintiff observed the dog while the Defendant and minor child was on vacation. It is further alleged that the Plaintiff was responsible for taking care of the dog while the Defendant and minor child were on vacation; clearly he did not let the dog out regularly. It is further alleged that the dog always has clean water and food. It is further alleged that the dog has always been in the laundry room while the parties were not home. The dog has always been in the laundry room even while the Plaintiff lived in the marital home.

[sic] 34. The Defendant has insufficient information to form a belief as to the beliefs of the the Plaintiff as set out in the allegations of Paragraph 31 of the Plaintiff's Complaint Count Three: Equitable Distribution and the same are therefore denied.

[sic] 35. The allegations of Paragraph 32 of the Plaintiff's Complaint Count Four: Withdrawal of Counsel doesn't require a response.

[sic] 36. The allegations of Paragraph 33 of the Plaintiff's Complaint Count Fourth: Withdrawal of Counsel are not an allegation but a prayer for relief and as such a response is not required. To the extent a response is required, the Defendant has no objection to Plaintiff's counsel withdrawing.

EACH AND EVERY OTHER ALLEGATION IN THE PLAINTIFF'S COMPLAINT NOT SPECIFICALLY ADMITTED HEREIN IS DENIED IN ITS ENTIRETY. BY WAY OF FURTHER ANSWER, DEFENSE AND COUNTERCLAIM THE DEFENDANT ALLEGES AND SAYS:

NOW COMES the Defendant, by and through her counsel of record, Darrell K. Brown, alleges and says as follows:

1. The Defendant is a resident of Wayne County, North Carolina and has been so for at least six (6) months prior to the initiation of this action.

2. The Plaintiff is a resident of Wayne County, North Carolina and has been so for at least six (6) months prior to the initiation of this action.

3. The Plaintiff and the Defendant were married on or about August 28, 2010 in Wayne County, North Carolina.

4. That one (1) child was born from the union of the Plaintiff and to wit: **Averi Kostin Bell,** born September 5, 2014.

5. That the Plaintiff and the Defendant lived together as Husband and Wife until on or about the 19th of January, 2026, at which time the parties separated, with the Parties having the intent to remain permanently separate and apart and they have lived continuously separate and apart from each other since that date and at no time resumed the marital relations which formerly existed between them.

6. That upon personal knowledge, the Plaintiff [ ] is [**X**] is not a member of the uniformed services under 50 USC App. § 511 (1) (Army, Navy, Air Force, Marine Corps or Coast Guard). See attached Affidavit as to Military Status.

FIRST CLAIM FOR RELIEF
(Child Custody)

7. The allegations in Paragraphs 1 through 6 of Defendant mother's Answer and Counterclaim are incorporated herein by reference.

8. Attached hereto as Exhibit A and incorporated herein by reference is the Affidavit as to Status of Minor Child as required by statute.

9. North Carolina is the home state of the minor child and this Court has jurisdiction over the matter of custody pursuant to N.C. Gen. Stat. § 50A-3.

10. The Court has jurisdiction to decide child custody matters pursuant to the provisions of the North Carolina Uniform Children Custody Jurisdiction Enforcement Act, Chapter 50A of the North Carolina General Statutes because:

a. North Carolina has been the home State of the minor child within six (6) months before commencement of this action as shown by the attached Affidavit of Status of the Minor Child marked as Exhibit A;

b. It is in the best interest of the minor child that a Court of this State assume jurisdiction because the minor child and the minor child's care-giver have a significant connection with this State and there is available in this State substantial evidence relevant to the minor child's present or future care, protection, training, and personal relationships;

c. It appears that no other State would have jurisdiction pursuant to the provisions of the Uniform Child Custody Jurisdiction Enforcement Act; and

d. The Defendant mother has no knowledge of any proceeding concerning the custody or visitation rights with respect to the minor child enumerated hereinabove in this or any other jurisdiction.

11. The Defendant mother has been the primary source of parental care and guidance for the minor child and is a fit and proper people to have the care, custody and control of the minor child. It is in the best interests of the minor child for the Defendant mother to have custody for the following reasons:

a. That the Defendant mother has been the primary caretaker of the minor child from birth and has been the primary source of parental care and guidance for the minor child since birth. The Plaintiff has barely been present for the most part of her life as the Plaintiff has been consumed with his political career to the detriment of his relationship with the minor child. Plaintiff has repeatedly chosen his political career and commitments over time with his family and has hardly been involved in the minor child's life including never attend medical or dental appointments, the minor child's extra-curricular activities or school activities. The Plaintiff has relied on the Defendant to provide all of the care for the minor child so that he could pursue his political aspirations.

b. That the Defendant mother has actively participated in the health, education and welfare of the minor child.

c. The Plaintiff often shirked his responsibility as a father by often relying on Defendant mother to provide care for the minor child. The Plaintiff has neglected his duties as a father and has relied on the Defendant mother to provide for the care of the minor child.

d. The Defendant further alleges that the Plaintiff has substance abuse, mental health and/or anger management issue that prevents him from being able to effectively parent. The Plaintiff has verbally abused the Defendant by talking down to her and talking about her weight in front of others.

e. The Plaintiff has constantly controlled and manipulated the Defendant emotionally, mentally and financially to get whatever he wants.

f. The Plaintiff has neglected the minor child by failing to financially support the minor child as will be set out at trial.

g. Upon information and belief, the Plaintiff has had excessive constant communication with other women and calling it work. The Plaintiff had constant hunting and fishing trips for "politics or work" with other colleagues at the NC General Assembly in which other women have been flown to the same hunting locations, know to the community as "hookers on hunting trips."

h. That the Plaintiff's political career and leadership roles at the NC General Assembly have a demanding schedule in which the Plaintiff has consistently chosen over time with

this family. During the Parties marriage, the Plaintiff rarely came home at a decent hour if he came home at all and he would leave prior to the Defendant and daughter leaving for school or work.

i. That until the Parties separated the Plaintiff was never a present father. The Plaintiff has never taken the minor child to the doctors appointments, extra-curricular events, sports practices, etc. The Plaintiff rarely attended any of the minor child's doctors appointments, extra-curricular events, sports practices if at all.

j. Upon information and belief, the Plaintiff does not even know the allergies of the minor child has he tried to give her Ibuprofen and the minor child had to tell him that she is highly allergic to it and could not take it.

k. The Defendant mother is better suited to have the primary custody of the minor child based upon her stability, the needs and best interest of the minor child and the inability of the Plaintiff to provide a stable home for the minor child.

l. Defendant mother has had the child in her primary care from the date of birth. The minor child has flourished during the time the minor child has been with the Defendant mother.

m. Defendant mother can provide a safe, nurturing and caring home for the minor child and would not have to rely on others to be the primary caretaker of the minor child like the Plaintiff.

n. The minor child is twelve (12) years old and is of suitable age and discretion to have input in the custodial arrangement. It would be appropriate for the Court to conduct an in camera interview with the minor child to assist in the determination of the minor child's best interest.

o. In such other ways as may be proven at trial.

12. The Defendant mother is a fit and proper person to continue to have the care, custody and control of the minor child of the parties in this action, and it is in the best interests of said child that the Defendant mother be awarded the care, custody and control of said child. The Defendant mother is better suited to have custody of the child than the Plaintiff for the following reasons set forth herein above and for other reasons as will be set out in trial.

SECOND CLAIM FOR RELIEF
(Substance Abuse, Psychological and Personality Evaluation)

13. The allegations and claims contained in Paragraphs 1 through 12 are incorporated herein by reference.

14. This is an action instituted by the Plaintiff against the Defendant for, inter alia, primary custody of the minor child.

15. The Defendant has the following concerns about the parenting ability of the Plaintiff and his mental and emotional state, and believes that a substance abuse, psychological and personality evaluation of both parties would aid the Court in making a determination regarding custody and visitation:

a. The Plaintiff has informed Defendant mother of a prior history of mental health diagnosis and treatment. Upon information and belief, the Plaintiff's family has a history of bi-polar disorder and the Defendant has observed the Plaintiff have fits of rage when questioned about the activity on his phone including an incident in November 2025 in which the Plaintiff came at the Defendant in the hallway of their home when Defendant questioned the Plaintiff about the communications on his cell phone. The Defendant was fearful for her safety.

b. The Plaintiff has severe mood swings. Upon information and belief, the Plaintiff is suffering from an untreated mental health diagnosis.

c. The Plaintiff has acted irrationally with respect to his dealing with the Defendant mother. Upon information and belief, the Plaintiff placed tracking devices on Defendant's car because since the separation the Plaintiff has been driving by Defendant's house and showing up basically every place the Defendant and the minor child have been at. Upon information and belief, the Plaintiff and his sister, Carrie Bell Shields, orchestrated several drive bys of the Defendant's residence and stalking attempts while Plaintiff was supposed to have the minor child. Photos captured the stalking including messages from the Plaintiff with a photo inquiring about the Defendant's location and asking questions as to why she was at a certain location. Upon information and belief, the Plaintiff has interrogated the minor child about the activities of the Defendant including requiring the minor child to "Call your mom" so that he could demand to see where Defendant at and driving around searching for the Defendant during Plaintiff's parental time with the minor child.

d. The Plaintiff has repeatedly told the Defendant that his political power and funding of the judges salaries through the state budget will take care of his custody battle.

16. Good cause exists for the appointment of a qualified psychologist to do a psychological, personality and substance abuse evaluation of the parties to assist the Court in making a determination as to the custodial/visitation arrangement in the child's best interest.

17. Good cause exists for the Plaintiff to be ordered to attend and complete a parenting class and an anger management program.

THIRD CLAIM FOR RELIEF
(Child Support)

18. The allegations and claims contained in Paragraphs 1 through 17 are incorporated herein by reference.

19. The Defendant mother is a healthy, able-bodied person who is capable of earning an income sufficient to contribute the support of his minor child. The Defendant is presently employed part time at Dr. Amy Batten DDS.

20. The Plaintiff is a healthy, able-bodied person who is capable of earning an income sufficient to contribute the support of his minor child. The Plaintiff is employed as a member of the NC House and self-employed as a consultant. Upon information and belief, the Plaintiff has averaged over $200,000 a year over the past three (3) years.

21. The minor child medical insurance is covered by the Plaintiff. The Defendant does not have sufficient information regarding the cost of said coverage.

22. The Plaintiff owes a duty of support to the minor child and should be required to pay a reasonable sum for the support of the minor child, and the circumstances render it appropriate for the Court to enter an order requiring the Plaintiff to provide reasonable support for said minor child in accordance with the North Carolina Child Support Guidelines. The Plaintiff should be required to pay support retroactive to the date the parties separated.

23. As additional support for the minor child, Plaintiff father should be responsible for paying half of the uninsured medical, dental, orthodontic, optometric and prescription drug expenses of the minor children.

FOURTH CLAIM FOR RELIEF
(Post Separation Support and Alimony)

24. The allegations and claims contained in Paragraph 1-24 are incorporated herein by reference.

25. Throughout the parties' marriage, the Defendant was a dependent spouse.

26. Throughout the parties' marriage, the Plaintiff was the supporting spouse.

27. During the marriage of Plaintiff and Defendant and prior to the date of their separation, Plaintiff has offered indignities to Defendant to render the condition of Defendant intolerable and her life burdensome within the meaning of N.C. Gen. Stat. § 50-16.1A in that:

a) Plaintiff intimidated Defendant and committed acts of verbal and emotional violence against Defendant. Plaintiff controlled the Defendant through limited access to finances of the family.

b) Plaintiff engaged in indignities rendering the condition of Defendant intolerable and life burdensome without provocation.

c) Plaintiff abandoned the Defendant without provocation.

d) Plaintiff willfully failed to provide necessary subsistence according to Plaintiff's means and conditions so as to render the condition of Defendant intolerable and life burdensome.

28. Based upon the factors set forth in N.C. Gen. Stat. § 50-16.3A(b), an award of post-separation support to Defendant is equitable and Defendant is entitled to an award of post-separation support and alimony from Plaintiff.

29. Defendant has been a faithful and dutiful wife. Plaintiff's actions as set forth above were willful, intentional and without just cause, provocation, or fault on the part of Defendant.

30. Plaintiff's actions as set forth in Paragraph 27 above constitute marital misconduct as defined in N.C. Gen. Stat. § 50-16.1(a)(3).

31. Defendant is not able to meet her reasonable financial needs without financial support from Plaintiff as set forth below.

32. Defendant is a dependent spouse within the meaning of N.C. Gen. Stat. § 50-16.1A, and Plaintiff is a supporting spouse within the meaning of that statute. Defendant is unable to maintain the marital standard of living without support from Plaintiff.

33. Plaintiff has the ability to pay support and the resources of Defendant are not adequate to meet her reasonable needs considering the factors set forth in N.C. Gen. Stat. § 50-16.2A(b).

34. Defendant is in need of and entitled to the following post-separation support and alimony from Plaintiff to provide for her reasonable future needs, including:

a. A monthly sum payable to Defendant by Plaintiff for her personal support and maintenance.
b. Payment of all hospital, medical, dental, counseling and prescription drug expenses not paid for by insurance.
c. Payment of all debts incurred by the parties prior to the determination of this suit.

35. In ordering post-separation support and alimony, the court should consider the following factors:

a. The Defendant's affidavit as to standard of living which shall be provided prior to the trial of this matter.
b. An Employer's Affidavit which shall be provided prior to the trial of this matter.
c. The income earning ability of the Plaintiff and Defendant.
d. The debt service obligation for separate debt and marital debt.
e. The expenses reasonably necessary to support the Defendant at the present time.
f. The Plaintiff has adequate resources to pay an award of post-separation support to the Defendant considering the income of the Plaintiff, the recurring earnings of the Plaintiff and the separate and marital debt service of the Plaintiff.
g. The lack of marital assets to help sustain the Defendant.

FIFTH CLAIM FOR RELIEF
(Equitable Distribution)

36. The allegations and claims contained in Paragraphs 1-35 are incorporated herein by reference.

37. During the parties' marriage and before their date of separation, the parties acquired property and debt that is "marital" within the meaning of N.C. Gen. Stat. § 50-20. After the parties' separation, they have acquired property and debt that is "divisible" within the meaning of N.C. Gen. Stat. § 50-20. The parties are entitled to an equitable distribution of marital and divisible property and debt.

38. Factors exist pursuant to N.C. Gen. Stat. § 50-20 to justify an unequal distribution of marital and divisible property and debt in favor of Defendant as equitable.

SIXTH CLAIM FOR RELIEF
(Attorney's Fees)

39. The allegations and claims contained in Paragraphs 1 through 38 are incorporated herein by reference.

40. Defendant is an interested party proceeding in good faith on her claims for child custody, child support, post separation support, alimony, equitable distribution and attorney fees. Defendant has insufficient means to defray the expense of pursuing this claim and in meeting Plaintiff as litigant on substantially even terms.

41. Defendant is entitled to an order requiring Plaintiff to pay her reasonable attorneys fees incurred in pursuing her claim herein.

WHEREFORE, the Defendant prays:

1. That this verified Complaint be taken as an affidavit in support of the relief sought.

2. That the Defendant mother be awarded the temporary and permanent sole care, custody and control of the minor child.

3. That the Plaintiff be ordered to undergo a substance abuse, personality and psychological evaluation and that a copy of the reports be provided to counsel for the parties and the Court, with the cost of such evaluation to be borne by the Plaintiff;

4. That the parties be ordered to follow all recommendations of said evaluations;

5. That the Plaintiff be ordered to pay child support to the Defendant in accordance with the North Carolina Child Support Guidelines and support retroactive back to the date of January 2026;

6. The Defendant be adjudged to be a dependent spouse, and the Plaintiff be adjudged to be a supporting spouse and that the Defendant have and recover post separation support payments and permanent alimony from the Plaintiff.

7. The Defendant be awarded an equitable division of all of the marital property at the time of the vesting of such rights and that the Defendant be granted more than fifty percent of said division pursuant to the circumstances surrounding the incident case.

8. The Plaintiff be required to pay for the Defendant's attorney fees and the cost of this action.

9. For such other and further relief as the Defendant may be entitled.

10. That Darrell K. Brown be allowed to withdraw as the attorney of record for the Defendant at the conclusion of this matter.

Respectfully submitted, this the 8th day of October, 2026.

DARRELL K. BROWN, P.A.

/s/ Darrell K. Brown

_____

Darrell K. Brown
Attorney for Defendant
State Bar No. 29129
P.O. Drawer 10606
Goldsboro, NC 27532-0606
Telephone No. (919) 288-1902

NORTH CAROLINA

VERIFICATION

WAYNE COUNTY

Kelli Gurley Bell, after first being duly sworn, deposes and says:

That she has read the foregoing **ANSWER & COUNTERCLAIM** and the same is true of her own knowledge except those matters and things therein alleged upon information and belief and as to those she believes them to be true.

Kelli G. Bell

Kelli Gurley Bell

Sworn to and subscribed before me by **Kelli Gurley Bell**, this the 7th day of October, 2026.

Norma Barnes

Norma Barnes, Notary Public

Norma Barnes
NOTARY PUBLIC
Wayne County, NC

My Commission Expires: **April 18, 2029**

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing document (Answer and Counterclaim) has been served on the Plaintiff by and through the NC File&Serve and emailed to the Attorney of Record for the Plaintiff, this 8th day of October, 2026:

COPY TO:

Shelby D Benton
shelby@bentonfamilylaw.com
Attorney for Plaintiff

DARRELL K. BROWN, P.A.

/s/ Darrell K. Brown

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