FEDERAL CIRCUIT COURT OF AUSTRALIA

REGISTRY: BRISBANE

File number:

COURT USE ONLY

Court Location

Court date

Court time

CINDY SUE FIRMANN
Applicant

JOE FRANK BLOGGS
Respondent

AFFIDAVIT

Name of deponent: Cindy Sue FIRMANN

Date sworn: 19/09/2018

I, Cindy Sue Firmann of 12 Masters Road, Ashmore in the state of Queensland and nurse make oath and say:

1. I am the Applicant in this Application for Divorce.
2. I married Joe Frank Bloggs ("Joe") at Southport on 31 July 2003.
3. Joe and I have two children, Tony John Bloggs (born 4 January 2005) and Angie Jane Bloggs (born 15 May 2008).
4. I filed my sole Application for Divorce on 19 June 2018 through the Brisbane Registry.
5. In my Application I gave an address for Joe as 32 Briggsy Street, Southport, QLD, 4215 which was the last known address I have for him.

Filed on behalf of Cindy Firmann
Prepared by Cindy Firmann Lawyer's code
Name of law firm
Address for service in Australia 12 Masters Road, Ashmore
State QLD Postcode 4214
Email cindysue@hotmail.com.au DX
Tel 0423 442-966 Fax Attention

6. On 25 July 2018 I posted a sealed copy of the Application for Divorce, the Marriage, Families and Separation brochure, an Acknowledgement of Service (Divorce) form and a short note from me asking him to sign and return the Acknowledgement of Service to Joe at this address. I posted it over the counter in a C4 envelope at Australia Post at Ashmore. I can provide the receipt to the Court if required.

7. On 17 August 2018 I received the same envelope back at my home (return) address. It was marked "No longer at this address".

8. I contacted the real estate agent who Joe was renting through. I knew who this was as they had errantly sent his mail to our home address when he first moved out. I was unable to obtain a forwarding address for Joe as he had left his rental property unexpectedly and still owed rent. She informed me that she had been unable to locate him.

9. I contacted Joe's work to ask for an updated address for him but they informed me that he was no longer employed with them as he had not turned up for work for the last three weeks. His employer refused to assist me further on the basis of privacy grounds.

10. Since 17 August 2018 I have sent several emails to Joe at the email address he has used for the past four years, joebloggs@gmail.com but he has not replied to any of these. The last one I sent on 28 August 2018 'bounced' back to my email inbox with an error message "There is no user by this name".

11. I have no contact details for Joe's family as he has been estranged from them for over a decade.

12. I am aware that Joe is still a very active Facebook user. His user name is 'JoeBloggs99'. He posts to his page most days, sometimes several times a day and constantly responds to his friends' posts. He has not revealed his whereabouts in his Facebook posts, but he has put up several recent photographs showing himself in a tropical setting. Joe has not blocked me from his Facebook page and I am able to view all his activity and his friends.

13. In these circumstances, I respectfully seek an order either dispensing with service of my Application for Divorce or an order for substituted service.

14. All of the above facts and circumstances as are deposed to herein are from within my own knowledge save such as are deposed to from information and my means of knowledge and sources of information appear on the face of this my Affidavit.

Sworn by the deponent
at Southport
on 19/09/2018

Signature of deponent

Before me:

Signature of witness

Full name of witness: .....

Qualification of witness: .....



SAMPLE