

**INSTRUCTIONS FOR COMPLETING
MOTION & ORDER FOR DISMISSAL BY PLAINTIFF**

Step 1. Enter your information in the top left corner.

Step 2. Enter the judge's name in the caption.

Step 3. Enter the names of the Plaintiff(s) and Defendant(s) on the designated lines.

Step 4. Enter your case number on the line after "CASE NO:"

Step 5. In the first space, after "COMES NOW" enter your name.

Step 6. Circle whether you would like to dismiss the case "with" or "without" prejudice:

With Prejudice: You are waiving your right to file another complaint against the defendant for the same claim in this case.

Without Prejudice: You are reserving your right to file another complaint against the defendant for the same claim in this case.

Step 7. State the reason for requesting dismissal of your case.

Step 8. In the next three spaces, enter the date, month and year that you are signing the motion.

Step 9. Sign the motion.

Step 10. Make *at least* two (2) copies of your motion. (Original for court file, one copy for *each* defendant and one copy for your records.) You must provide the clerk with enough copies. If the clerk has to make copies for you, you will be charged a copy fee.

Step 11. Take the originals and copies of your motion/order to the Justice Court Civil Clerk. The clerk will complete the paperwork, file the original and return the copies to you.

Step 12. Complete the "Certificate of Service" portion of the form. Enter the date that you will mail the dismissal to the defendant. Enter the address that the copy will be mailed to.

Step 13. Mail the dismissal order to the defendant.

ANYONE WHO REQUIRES AN AUXILIARY AID OR SERVICE FOR EFFECTIVE COMMUNICATION, OR A MODIFICATION OF POLICIES OR PROCEDURES TO PARTICIPATE IN A COUNTY PROGRAM, SERVICE OR ACTIVITY, SHOULD CONTACT JUSTICE COURT AT 258-3474, AS SOON AS POSSIBLE, BUT NO LATER THAN 48 HOURS BEFORE THE SCHEDULED EVENT

This document has been prepared as a courtesy to assist you with completing your Motion for Dismissal. It is not to be construed as providing legal advice or representation.