

INSTRUCTIONS FOR JOINT MOTION AND ORDER FOR DISMISSAL FORM

If you have any legal questions while completing this form, it is highly recommended that you consult with an attorney. Court staff are unable to provide legal advice or assist with form completion. For specific questions related to the forms, you can also contact the Legal Form Help Line at 1-855-784-0004 or email UJS staff at ujssrlhelp@ujss.state.sd.us.

Important Notice:

In the event the parties resolve their differences prior to the entry of the Judgment and Decree of Divorce and want to stop the divorce proceeding, they may request the Court for an Order dismissing the divorce action, without prejudice.

To complete this form, you will need to:

- ☐ Complete the caption by filling in the name of the county you are filing in, the judicial circuit number, Plaintiff and Defendant's names.
- ☐ Provide your reasoning for the request to dismiss the case on the line provided.
- ☐ Both parties must sign and date the Motion.
- ☐ Leave the Order section on page two blank as the Judge will date and sign the Order.
- ☐ File the original with the Clerk of Court. Retain a copy for your records.
- ☐ Once the Judge has ruled on your motion you will be provided with two certified copies. One is for you and the other is for your spouse.

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

<p>_____ Plaintiff</p> <p>v.</p> <p>_____ Defendant</p>	<p>Case No.: _____</p> <p>JOINT MOTION AND ORDER FOR DISMISSAL</p>
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COMES NOW, the above-named Plaintiff and Defendant and respectfully requests this Court for an Order dismissing this action without prejudice based on the following reason(s):

I declare under penalty of perjury under the law of South Dakota that the foregoing is true and correct. Signed on the _____ day of _____,
(Date) (Month)
_____ at _____.
(Year) (City or other location, and State)

Plaintiff Signature

Plaintiff Name

I declare under penalty of perjury under the law of South Dakota that the foregoing is true and correct. Signed on the _____ day of _____,
(Date) (Month)
_____ at _____.
(Year) (City or other location, and State)

Defendant Signature

Defendant Name

ORDER

This matter having come before the Court by the parties Joint Motion for Dismissal, this action is hereby DISMISSED without prejudice.

Dated this ____ day of _____, 20____.

Circuit Court Judge

ATTEST:

Clerk of Court

Deputy Clerk
(SEAL)