

<div style="text-align: right; margin-bottom: 10px;">_____ Plaintiff</div> <div style="text-align: left; margin-bottom: 10px;">vs</div> <div style="text-align: right; margin-bottom: 10px;">_____ Defendant</div>	<p>FILE NO: _____</p> <p style="text-align: center;"><b>MOTION &amp; AFFIDAVIT FOR ORDER TO SHOW CAUSE</b></p>
--	--

**SECTION 1**

COMES NOW, \_\_\_\_\_, the Petitioner (*person filing this matter*) in this matter and after first being duly sworn on oath states and alleges as follows:

1. The Respondent (*person you are filing against*) has willfully disobeyed certain orders of the Court set forth in this **Motion and Affidavit for Order to Show Cause** and any attached Affidavits. (*Explain what the Respondent has not complied with*); \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  
2. A certified copy of the order which is the subject of this action is attached.
  
3. The Respondent had knowledge of the order in that (*check all that apply*);
  - a. \_\_\_\_\_ Respondent was present in court at the time the **Order** was made;
  - b. \_\_\_\_\_ Respondent was served with a copy of the **Order**;
  - c. \_\_\_\_\_ Respondent signed a **Stipulation** upon which the **Order** was based;
  - d. \_\_\_\_\_ Other: \_\_\_\_\_  
 \_\_\_\_\_
  
4. The Respondent has the ability to comply with the **Order** but refuses to do so. (*Explain briefly*):  
 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
THEREFORE, based on the foregoing statement and allegations, Petitioner respectfully requests that the Court enter an **Order to Show Cause** requiring the Respondent to attend a hearing and show cause as to why they have not complied with the Court's **Order**.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Petitioner Signature:

\_\_\_\_\_  
Petitioner Name (Printed)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Phone Number (Required so Clerk can provide you with a hearing date, if necessary.)

**THIS NEXT SECTION MUST BE COMPLETED IN FRONT OF A NOTARY OR CLERK**

**SECTION 2**

State of South Dakota        )  
  )ss.  
County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, I swear under oath that the allegations set forth in this Affidavit are true and correct to the best of my knowledge, and that I believe that I am entitled to the relief requested for, and that this legal action is not filed for harassment, abuse of process, or delay.

\_\_\_\_\_  
Signature of Petitioner (*Person Filing Affidavit*)

Signed and sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature Notary Public/Clerk of Court

If Notary Commission Expires: \_\_\_\_\_

(SEAL)