

## **Instructions for Stipulation and Order for Dismissal & Form**

**Use this form only if both parties have reached a mutual agreement to dismiss the divorce action.**

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

- **Complete this form in black or blue ink only!**
- Complete the “caption. This information will be the same as on the Summons (without Minor Children) and Complaint without Minor Children. **NOTE:** The caption is the top portion of each form. You will need to know the name of your county, judicial circuit (ask your Clerk of Court if you don’t know), name of Plaintiff, name of Defendant and case filing number (ask your Clerk of Court if you don’t know). The caption is the same on every form.
- Both parties, as well as a witness for each party, must sign the stipulation. The date of the signatures must also be included.
- **Do NOT fill out anything below the Order section.** The Judge will date and sign the Order.
- You will be provided 2 certified copies of the Stipulation and Order for Dismissal. One is for you and the other is for your spouse.

STATE OF SOUTH DAKOTA )  
 )  
 ) :SS  
 )  
COUNTY OF \_\_\_\_\_ )

IN CIRCUIT COURT

\_\_\_\_\_ JUDICIAL CIRCUIT

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<p>_____, Plaintiff,</p> <p>vs.</p> <p>_____, Defendant</p>	<p>File No. DIV _____</p> <p><b>STIPULATION AND ORDER FOR DISMISSAL</b></p>
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It is hereby agreed to by the parties that this action be dismissed. We respectfully ask the Court for an Order dismissing it without prejudice.

_____ Plaintiff	_____ Defendant
_____ Witness	_____ Witness
_____ Date	_____ Date

**ORDER**

Pursuant to the stipulation of the parties, this action is hereby DISMISSED without prejudice.

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

BY THE COURT:

\_\_\_\_\_  
Circuit Court Judge

ATTEST:

\_\_\_\_\_  
Clerk of Courts

BY: \_\_\_\_\_  
Deputy Clerk

(SEAL)