

STATE OF SOUTH DAKOTA)
)
:SS
COUNTY OF _____)

IN CIRCUIT COURT

_____ JUDICIAL CIRCUIT

<p>_____, Plaintiff, vs. _____, Defendant</p>	<p>File No. DIV _____</p> <p>MOTION AND ORDER FOR DISMISSAL</p>
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The Plaintiff hereby requests to dismiss the above-entitled matter, pursuant to SDCL 15-6-41(a). The Defendant has not filed an Answer or Motion for Summary Judgment. Thus, I respectfully move the Court for an Order dismissing this case, without prejudice.

Dated this _____ day of _____, 20____.

Plaintiff

Witness

ORDER

Pursuant to SDCL 15-6-41(a), this action is hereby DISMISSED without prejudice.

Dated this _____ day of _____, 20____.

BY THE COURT:

ATTEST:

Circuit Court Judge

Clerk of Courts

BY: _____
Deputy Clerk

(SEAL)

STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF _____)

IN CIRCUIT COURT
_____ JUDICIAL CIRCUIT

_____,
Plaintiff,

vs.

_____,
Defendant

DIV _____

AFFIDAVIT OF MAILING

I, _____, being sworn, state that on
(Full legal name of Plaintiff)

_____, 20____, I sent the following document:

1 certified copy of the Motion and Order for Dismissal

by placing true and correct copies in an envelope addressed to:

_____ at _____
(Full legal name of Defendant) (Defendant's mailing address)

in the City of _____, State of _____,

Zip Code _____ and depositing the envelope, with sufficient postage, in the United States Mail

at _____.
(City and state where mailed from)

Dated this _____ day of _____, 20_____.

Signature of Plaintiff
(Sign only in front of a notary or Clerk of Court)

Sworn/affirmed before me this
_____ day of _____, 20____.

Name: (Printed) _____

(Notary Public/Clerk of Court)

Address: _____

City/State/Zip: _____

If notary, my commission expires
(SEAL)

Telephone: (____) _____