

INSTRUCTIONS FOR JOINT MOTION AND ORDER FOR DISMISSAL FORM

Please note that court staff cannot provide you with legal advice or assist you in completing these forms. The use of these forms does not guarantee you will be successful in court. It is highly encouraged that you speak with an attorney if you are needing assistance. For specific questions on the forms, you may contact the legal form helpline at 1-855-784-0004 or email UJS staff at ujssrlhelp@uj.s.state.sd.us. Additionally, for more information on South Dakota laws, you can also visit the South Dakota Legislature website.

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 action on the line provided.
- ☐ Both parties must sign and date the Motion in front of a notary or Clerk of Court.
- ☐ 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

<div>_____</div> <div>Plaintiff</div> <div>v.</div> <div>_____</div> <div>Defendant</div>	<div>Case No.: _____</div> <div>JOINT MOTION AND ORDER FOR DISMISSAL</div>
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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):

Dated this _____ day of _____, 20____.

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

Notary/Deputy Clerk/Clerk of Court

My Commission Expires:_____

Plaintiff Signature

Plaintiff Name

Dated this _____ day of _____, 20____.

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

Notary/Deputy Clerk/Clerk of Court

My Commission Expires:_____

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)