

## **NOTICE OF DISMISSAL**

### **INSTRUCTIONS**

Attached is a form notifying the Court that you are dismissing your case. **If there is a counterclaim filed, you may not be able to get the matter dismissed.** These instructions are not intended to be a legal analysis of your request or of whether you should win your Motion. These instructions are just to help you in preparing and presenting your Notice.

#### **A. FILLING OUT THE FORMS - TYPEWRITTEN OR IN INK**

1. The enclosed forms should be filled out before you go to the Court to file them. The Clerk of Court's staff will not help you in completing the forms.
2. **Notice of Dismissal** - Looking at a copy of the other paperwork filed in your case, fill in the name of the county, court division (i.e., Juvenile, Domestic Relations), the Plaintiff/Petitioner and the Defendant/Petitioner, the case number, address, social security number and birth date for each party.

You must have a valid address for the Clerk's office to mail the Notice to the other party.

Fill in your name as the person asking the Court for a dismissal and sign your name above Movant.

Under **Certificate of Service**, fill in the date you mailed the Notice to the other party, list the other party's name and address, and sign your name above Movant.

3. Remove the instructions sheets and make three copies of each page of each form.

#### **B. FILING THE NOTICE**

1. After the forms are filled out and copied, YOU MUST TAKE THEM to the Clerk of Court's office to be filed.
2. When you file your papers, the Clerk's staff will take the original and two copies of each form. You should ask the Clerk to time-stamp your remaining copies of the Notice, which you will then keep as your proof of what you filed and where and when you filed it.

#### **C. WHAT NEXT**

1. You should check with the court to see if the case was dismissed.

IN THE COURT OF COMMON PLEAS  
\_\_\_\_\_ COUNTY, OHIO  
\_\_\_\_\_ DIVISION

	*	
(Name)	*	
(Address)	*	
(City, State, Zip)	*	
(Telephone Number)	*	
(Birth Date)	*	
Plaintiff/Petitioner,	*	CASE NUMBER _____
	*	
VS.	*	JUDGE _____
	*	
	*	MAGISTRATE _____
(Name)	*	
(Address)	*	
(City, State, Zip)	*	
(Telephone Number)	*	
(Birth Date)	*	
Defendant/Petitioner.	*	<u>NOTICE OF DISMISSAL</u>

\_\_\_\_\_ gives notice that \_\_\_\_\_ is dismissing  
his/her motion/case [circle one] pursuant to Civil Rule 41.

Respectfully submitted,

\_\_\_\_\_  
Movant

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by regular mail this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ upon:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Movant