

INSTRUCTIONS: MOTION TO DISMISS DIVORCE

This packet includes the following documents:

- Motion To Dismiss Case
- Order Granting Motion To Dismiss Without Prejudice

The *Motion To Dismiss* asks the court to dismiss (get rid of) the divorce that a person has filed. Generally, the person that filed for divorce (the Petitioner) can ask the court to dismiss the divorce case.

STEP 1: FINISH, READ AND SIGN THE FORMS

1. Complete the documents according to the instructions in this packet.
2. Check your county's local rules here: <https://www.in.gov/judiciary/2694.htm> to see if there are additional things you need to do.
3. Read the forms and make sure the information is correct.

STEP 2: FILE THE FORMS WITH THE COURT

People who are self-represented (do not have a lawyer) can choose to e-file forms, or to file them at the courthouse. Read the information below and then choose how to file the forms with the court.

OPTION ONE: E-FILING DOCUMENTS WITH THE COURT

1. Review and follow the instructions in the e-file user guide at: <https://www.in.gov/judiciary/4313.htm>.
2. **Make sure you get the forms to the other parent using the method selected in the Certificate of Service (usually hand delivery or mail) after you e-file them with the court. The e-filing system will not send them to your spouse unless they (or their attorney) have registered with the e-filing system—this is not common if the other spouse does not have an attorney.**

OPTION TWO: FILING DOCUMENTS WITH THE COURT IN PERSON

1. Take the original, signed forms to the court in which your divorce was filed.
2. Give your completed forms to the court clerk and ask them to file your forms with the court.
3. **Make sure you get the file stamped forms to the other parent using the method you selected (usually hand delivery or mail).**

STEP 3: WAIT FOR THE ORDER

1. Nothing is final until the judge signs an order.

STATE OF INDIANA
COUNTY OF _____

IN THE _____ COURT
CASE NO. _____

IN RE THE MARRIAGE OF:

FOR THE SECTION ABOVE THE DOTTED LINE, LOOK AT THE COURT PAPERS YOU HAVE IN THIS CASE AND FILL IN THESE BLANKS TO MATCH THOSE FORMS.

Petitioner,

v.

Respondent.

MOTION TO DISMISS CASE

Comes now Petitioner, YOUR NAME and requests that this case be dismissed because Petitioner YOUR NAME no longer wants to proceed in this matter.

Wherefore, YOUR NAME respectfully requests the Court to dismiss this cause without prejudice.

SIGN HERE

Petitioner Signature

YOUR NAME

Petitioner Printed Name

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of this document on DATE YOU WILL SEND THIS DOCUMENT TO YOUR SPOUSE by

HOW YOU WILL GET THIS DOCUMENT TO YOUR SPOUSE

- e-service using the e-filing system
- first-class U.S. mail, postage prepaid
- hand delivery

to SPOUSE'S NAME at the following address:
SPOUSE'S ADDRESS

SIGN HERE

Signature

STATE OF INDIANA
COUNTY OF _____

IN THE _____ COURT
CAUSE NO. _____

IN RE THE MARRIAGE OF:

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE, LOOK AT THE COURT PAPERS YOU HAVE IN THIS CASE AND FILL IN THESE BLANKS TO MATCH THOSE FORMS.

ORDER GRANTING MOTION TO DISMISS WITHOUT PREJUDICE

Comes now the Court, having received and reviewed Petitioner’s Motion to Dismiss Without Prejudice and finds that this case should be dismissed without prejudice.

It is ordered that Petitioner’s Motion to Dismiss Without Prejudice is granted and this case is hereby dismissed without prejudice.

SO ORDERED LEAVE BLANK

LEAVE BLANK

Judicial Officer

Distribution to:
YOUR NAME
YOUR ADDRESS

SPOUSE'S NAME
SPOUSE'S ADDRESS

