

INSTRUCTIONS FOR FILING A MOTION TO CONTINUE

Before filing this Motion to Continue with the Court, you MUST follow these steps:

- 1. The Motion needs to be filed no less than 5 days before the court hearing.**
- 2. You need to make an attempt to contact the opposite party to get an agreement to the continuance.**
- 3. You need to specify on the Motion to Continue what the result of the contact was.**
- 4. You need to mail a copy of the Motion to Continue to the opposite party and certify doing so on the Motion to Continue.**

IN THE SMALL CLAIMS COURT IN AND FOR
WASHINGTON COUNTY JUSTICE COURT, STATE OF UTAH

<div>_____ _____ _____ Plaintiff(s), v. _____ _____ _____ Defendant(s).</div>	<div>MOTION FOR CONTINUANCE AND ORDER by <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Case No.</div>
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I request a continuance of the trial or hearing now set for _____ for the following reasons:

I have been granted _____ previous continuances. ***Note: If this is your second motion to continue in this matter, you will need to have the opposing party stipulate to the continuance before it will be continued.***

The position of the other parties on this motion is:

☐ They agree to it. ☐ They do not agree to it ☐ I have made a diligent effort to contact the other party(ies) but have been unable to reach them.

Motions to continue should be filed at least five days before trial. A postponement is not automatic; you must give a good reason. The party requesting the postponement may be ordered to pay the other party's costs, such as the cost of preparing for trial.

CERTIFICATION OF MAILING

I hereby certify that on _____ I caused a true and correct copy of this Motion to be served upon the opposing party(ies) by the method shown:

Method	Name	Address
<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Fax <input type="checkbox"/> By hand	_____	_____
<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Fax <input type="checkbox"/> By hand	_____	_____

Date: _____

Signature of Party filing Motion

ORDER AND NOTICE OF NEW HEARING DATE

Motion is ☐ GRANTED ☐ DENIED. It is ordered that this matter be continued to:

The _____ day of _____, _____ at 2:00p.m. at 197 East Tabernacle St., St George, Utah.

If Plaintiff fails to appear at trial, the case may be dismissed. If Defendant fails to appear at trial, a Default Judgment may be entered against Defendant for the amount requested.

Date: _____

Justice Court Judge/Pro-Tem Judge or Deputy Clerk

Certificate of Mailing

I hereby certify that a true and correct copy of Motion for Continuance and Order was sent to ☐ plaintiff ☐ defendant at the above-listed addresses via first class mail this _____ day of _____, _____.

☐ Copy to ☐ plaintiff ☐ defendant at window

Deputy Clerk