

VOLUNTARY DISMISSAL INSTRUCTIONS

You can use the form attached to these instructions if you are the Petitioner/Plaintiff and you have decided that you do not want to continue with your petition. **You cannot use this form if the opposing party has already filed a written counterclaim to your petition.**

STEPS:

1. Write your name as the Petitioner.
2. Write the opposing party's name as Respondent.
3. Write the civil action number assigned to your case.
4. In the blank line in the first paragraph write the name of the petition that you filed. (Such as "Divorce", "Legitimation", "Contempt".)
5. Write the date that you are signing the Dismissal.
6. **WAIT TO SIGN YOUR DOCUMENT IN FRONT OF A NOTARY PUBLIC.**
7. Under your signature, print your name, address, and telephone number in the space provided.
8. Complete the **Certificate of Service Form**. This form is needed to show proof to the court that you have mailed or e-served a copy of your dismissal to the opposing party.

FILLING OUT THE CERTIFICATE OF SERVICE FORM:

- a) Check the box that applies. Check the first box if the opposing party does not have an attorney. Then write the opposing party's name and address. If the opposing party does have an attorney, check the second box and then write that attorney's name and complete address.
- b) Write the date that you are mailing or e-serving a copy of your dismissal to the opposing party.
- c) Sign your name, and then print your name and address in the space provided.
- d) Make copies of all your documents and file the original with the Clerk of Superior Court. Follow the Clerk's instructions for e-filing
- e) Be sure to serve (by mail or e-service) the Dismissal along with the Certificate of Service form to the opposing party. Be sure to keep a copy for your records.