

## **Motion to Dismiss**

Use this form when:

You are the Plaintiff and

- You do not want to continue to pursue your claim for whatever reason including settling the claim before the Court hearing

**This form has both a Motion and a Proposed Order.**

→ You must fully complete the Motion.

→ You must complete only the top half of the Order.

Print and bring both forms to court.

**SCROLL DOWN FOR      Motion to Dismiss**

**MOTION TO DISMISS**  
**[to be filed by Plaintiff]**

**TIPPECANOE SUPERIOR COURT No. 4**

Courthouse, 301 Main Street  
Lafayette, Indiana 47901  
Telephone: (765) 423-9266

**CAUSE NO. 79D04-\_\_\_\_\_ -PL/SC-\_\_\_\_\_**

<b>Plaintiff 1</b> _____	<b>Defendant 1</b> _____
Address _____	Address _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Telephone (_____) _____	Telephone (_____) _____
Email _____	Email _____

<b>Plaintiff 2</b> _____	<b>Defendant 2</b> _____
Address _____	Address _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Telephone (_____) _____	Telephone (_____) _____
Email _____	Email _____

If Plaintiff is represented by an attorney:

Attorney \_\_\_\_\_  
Attorney No. \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone (\_\_\_\_\_) \_\_\_\_\_  
Email \_\_\_\_\_

**MOTION TO DISMISS**  
**[Attach Proposed Order]**

Comes now the Plaintiff (s) and respectfully requests the Court to dismiss, without prejudice, the Small Claims or Plenary matter pending herein for the following reason(s):

- In the best interests of the Plaintiff(s)                       In the best interests of the Defendant(s)  
 The parties have settled this matter out of Court and no further involvement by the Court is necessary.  
 Other \_\_\_\_\_

**NOTE:** A case may not be dismissed once a judgment has been entered. The judgment may be set aside and vacated and the case then dismissed or the judgment may be released by the plaintiff as satisfied.

\_\_\_\_\_, 20\_\_\_\_\_  
Date

\_\_\_\_\_  
Plaintiff or Attorney signature  
(Attorney must sign if Plaintiff is represented by an attorney)

**ORDER GRANTING MOTION TO DISMISS**

**TIPPECANOE SUPERIOR COURT No. 4**

Courthouse, 301 Main Street  
Lafayette, Indiana 47901  
Telephone: (765) 423-9266

**CAUSE NO. 79D04-\_\_\_\_\_ -PL/SC-\_\_\_\_\_**

<b>Plaintiff 1</b> _____	<b>Defendant 1</b> _____
Address _____	Address _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Telephone (_____) _____	Telephone (_____) _____
Email _____	Email _____

<b>Plaintiff 2</b> _____	<b>Defendant 2</b> _____
Address _____	Address _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Telephone (_____) _____	Telephone (_____) _____
Email _____	Email _____

If Plaintiff is represented by an attorney:

Attorney \_\_\_\_\_  
Attorney No. \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone (\_\_\_\_\_) \_\_\_\_\_  
Email \_\_\_\_\_

**ORDER GRANTING MOTION TO DISMISS**

The Court now GRANTS, the Motion and dismisses these proceedings, without prejudice. All pending hearings are hereby vacated.

SO ORDERED:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mathew S. Sandy, Judge  
Tippecanoe Superior Court 4

COPY:  Plaintiff  Attorney for plaintiff  Defendant  Attorney for defendant