

APPENDIX 24.8B: UNCONTESTED MOTION TO CONTINUE

UNCONTESTED MOTION TO CONTINUE

Petitioner
versus

Defendant

DOCKET NUMBER: _____

PARISH OF _____

This matter comes before the court on Motion to Continue filed by:

Plaintiff/Mover

Attorney for Plaintiff/Mover

Defendant/Respondent

Attorney for Defendant/Respondent

CHECK ONE

The following parties join in this Motion to Continue: _____

OR

The following parties have been contacted and inform Mover they have no opposition to this Motion to Continue: _____

The following matters are set for hearing and require a continuance:

CHECK ALL THAT APPLY

Type of Hearing Set	Current Date Set	
<input type="checkbox"/> Motion	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Temporary Custody Hearing	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Hearing Officer Conference	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Rule Date	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Special Setting Date/Trial Docket	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Scheduling Conference	___/___/20___	___ a.m./p.m.
<input type="checkbox"/> Other (Please specify _____)	___/___/20___	___ a.m./p.m.

Mover/s request that the matters listed above be continued based upon the following:

CHECK ONE

- Mover has been unable, with the exercise of due diligence, to obtain evidence material to their case, La. C.C.P. Art. 1602.
- A material witness has absented himself without the contrivance of the party applying for the continuance, La. C.C.P. Art. 1602
- Good grounds exist under La. C.C.P. Art. 1601.

The specific reason for the continuance is as follows:

The matter requested to be continued was originally filed on ___/___/20___.

The matter requested to be continued has been previously continued ___ times, by the following parties:

	Number of Continuances Granted
<input type="checkbox"/> Mover	_____
<input type="checkbox"/> Joint Motion of All Parties	_____
<input type="checkbox"/> Opposing party	_____
<input type="checkbox"/> By the Court/Hearing Officer	_____

Are temporary orders in effect?

- Yes (Briefly List) _____
- No

Do all parties consent to the current temporary orders being continued until the new assigned court date?

Yes No, Reason _____

CHECK ALL THAT APPLY

The proposed new Hearing Officer date is ___/___/20___. The new Hearing Officer Conference date has been approved by the Hearing Officer Coordinator and approved by all parties.

The proposed new hearing date before the Judge is ___/___/20___. The proposed new date has been assigned by the Judge's Minute Clerk and has been approved by all parties.

Request to continue without date is made, based upon the following extraordinary circumstances: _____

If a matter set for hearing is a request for temporary custody or another matter with time limits set by law for hearing, the delay for setting the hearing of the matter is specifically waived.

CERTIFICATION OF MOVER'S ATTORNEY

As attorney of record, I certify that the representations made herein are true and correct to the best of my knowledge, and my client has knowledge of the filing of this motion and of the reasons for the requested continuance, and I acknowledge that upon receipt of a filed copy from the clerk's office, a copy will be forwarded to my client.

Dated ___/___/20__

Attorney for Mover

(Sign and print name)

(Address)

(Telephone/Bar Roll No.)

OR

CERTIFICATION OF SELF-REPRESENTED PARTY

I hereby certify that all statements made herein are true and correct to the best of my knowledge.

Dated ___/___/20__

Self-Represented Party

(Sign and print name)

(Address/Telephone No.)

ORDER

**CONSIDERING THE ABOVE AND FOREGOING MOTION,
IT IS HEREBY ORDERED THAT:**

The Hearing Officer conference presently set herein for ___/___/20__ is continued until ___/___/20__, at ___ a.m./p.m.

The hearing before the Court presently set on ___/___/20__ is continued until ___/___/20__, at ___ a.m./p.m.

The Motion to Continue is denied.

A scheduling conference is set before the Judge on ___/___/20__, at ___ a.m./p.m.

The Motion to Continue is set for hearing before the Court on ___/___/20__, at ___ a.m./p.m.

SIGNED in Open Court/ Chambers in _____, LA the ___ day of _____, 20__.

JUDGE, DIVISION _____