
Name

Address

City, State, Zip

Phone

Email

This motion will be decided by the court commissioner at an upcoming hearing. If you do not appear at the hearing, the Court might make a decision against you without your input. In addition, you may file a written response at least 14 days before the hearing.

Check your email. You will receive information and documents at this email address.

I am Plaintiff/Petitioner Defendant/Respondent
 Plaintiff/Petitioner's Attorney Defendant/Respondent's Attorney (Utah Bar #: _____)
 Person with Power of Attorney for:
 Plaintiff/Petitioner Defendant/Respondent, who is in military service

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Plaintiff/Petitioner</p> <p>v.</p> <p>_____ Defendant/Respondent</p>	<p>Motion for Stay under the Servicemembers Civil Relief Act - Commissioner</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p>
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Instructions:

Attach a letter from the service member's commanding officer stating that the service member's military duty prevents appearance and that leave is not authorized.

- I request that this case be stayed until _____ (date), at which time military service should no longer affect the service member's ability to appear.
- _____ (number of) previous stays have been granted. (If no stays have been previously granted, enter 0.)

3. I am: (Choose one.)
 - the service member.
 - the attorney appointed by the court.
 - the attorney hired by the service member.
 - a person with power of attorney from the service member, and I am permitted to make this motion under 50 U.S.C. App. Section 519.

4. The service member is on active duty in: (Choose one.)
 - the Army, Navy, Air Force, Marine Corps, or Coast Guard.
 - a reserve component ordered to report for active service.
 - the National Guard called to active service.

5. This motion is being filed: (Choose one.)
 - before the service member starts active duty.
 - while the service member is on active duty.
 - within 90 days after the service member was released from active duty.

6. The service member has has not received notice of this case.

7. I make this request because the service member may have a defense which cannot be presented without the service member's presence. Military service materially affects the service member's ability to appear because:
 (Explain how military service materially affects the ability to appear. Attach a letter from the service member's commanding officer stating that the service member's military duty prevents appearance and that leave is not authorized.)

8. Under 50 U.S.C. App. Section 522(c), this motion is not an appearance for jurisdictional purposes, and it does not constitute a waiver of any substantive or procedural defense, including a defense relating to lack of personal jurisdiction.

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

Date

Signature ► _____

Printed Name _____

Notice to responding party

You have a limited amount of time to respond to this motion. In most cases, you must file a written response with the court and provide a copy to the other party:

- within 14 days of this motion being filed, if the motion will be decided by a judge, or
- at least 14 days before the hearing, if the motion will be decided by a commissioner.

In some situations a statute or court order may specify a different deadline.

If you do not respond to this motion or attend the hearing, the person who filed the motion may get what they requested.

See the court's Motions page for more information about the motions process, deadlines and forms:
utcourts.gov/motions



Scan QR code to visit page

Finding help

The court's Finding Legal Help web page (utcourts.gov/help) provides information about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.



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Aviso para la parte que responde

Su tiempo para responder a esta moción es limitado. En la mayoría de casos deberá presentar una respuesta escrita con el tribunal y darle una copia de la misma a la otra parte:

- dentro de 14 días del día que se presenta la moción, si la misma será resuelta por un juez, o
- por lo menos 14 días antes de la audiencia, si la misma será resuelta por un comisionado.

En algunos casos debido a un estatuto o a una orden de un juez la fecha límite podrá ser distinta.

Si usted no responde a esta moción ni se presenta a la audiencia, la persona que presentó la moción podría recibir lo que pidió.

Vea la página del tribunal sobre Mociones para encontrar más información sobre el proceso de las mociones, las fechas límites y los formularios:

utcourts.gov/motions-span



Para acceder esta página escanee el código QR

Cómo encontrar ayuda legal

La página de la internet del tribunal Cómo encontrar ayuda legal (utcourts.gov/help-span) tiene información sobre algunas maneras de encontrar ayuda legal, incluyendo el Centro de Ayuda de los Tribunales de Utah, abogados que ofrecen descuentos u ofrecen ayuda legal limitada, y talleres legales gratuitos.



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Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion for Stay under the Servicemembers Civil Relief Act on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Signature ►

Date

Printed Name