

In the [] District [] Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____</p> <p>Plaintiff/Petitioner</p> <p>v.</p> <p>_____</p> <p>Defendant/Respondent</p>	<p>Findings of Fact, Conclusions of Law, and Order on Motion to Vacate Stay</p> <p>_____</p> <p>Case Number</p> <p>_____</p> <p>Judge</p> <p>_____</p> <p>Commissioner</p>
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The matter before the court is Motion to Vacate a stay previously entered under the Servicemembers Civil Relief Act. This matter is being resolved by:

The default of Plaintiff/Petitioner Defendant/Respondent.

The stipulation of the parties.

The pleadings and other papers of the parties.

A hearing held on _____ (date).

Plaintiff/Petitioner

was present

was not present

was represented by _____

was not represented.

Defendant/Respondent

was present

was not present

was represented by _____

was not represented.

Having considered the documents filed with the court, the evidence and the arguments, and now being fully informed,

The Court Finds That:

- (1) The Plaintiff/Petitioner Defendant/Respondent is a military service member on active duty.
- (2) The service member's military service does does not materially affect the service member's ability to appear.

The Court Concludes That:

- (3) The Motion to Vacate the Stay should be denied.
- (4) The Motion to Vacate the Stay should be granted.

The Court Orders That:

- (5) The Motion to Vacate the Stay is granted. The court appoints _____ (name) as counsel for the service member.
- (6) The Motion for Stay is denied. This case is stayed until _____ (date).
- (7) The clerk of court is directed to track this case until that date.
- (8) The parties are directed to notify the clerk of court immediately if there is a change in circumstances that affects the service member's ability to appear.

Approved as to form.

Date
Sign here ► _____
Petitioner or Attorney _____

Date
Sign here ► _____
Respondent or Attorney _____

_____ Sign here ► _____
Date Recommended by Commissioner _____

_____ Sign here ► _____
Date Approved by Judge _____

Certificate of Service

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(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-File		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-File <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by 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-File <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by 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.)		

Sign here ►

Date

Typed or Printed Name