

## **Form CC 378**

# **MOTION AND ORDER TO DISMISS ACTION FOR PERSONAL PROTECTION ORDER**

**Use this form** if you do not want to continue with your petition for a personal protection order **and** the order has not been signed yet.

## INSTRUCTIONS FOR COMPLETING "MOTION TO DISMISS ACTION FOR PERSONAL PROTECTION ORDER"

Please print neatly. Press firmly because you are printing on five copies.

If you do not want to continue with your petition for a personal protection order and a personal protection order **has not been signed by the judge yet**, you can ask the court to dismiss your petition by filling out this form. Please follow the directions carefully.

Items A through F must be completed before your motion can be filed with the court. Please read the instruction for each item. Then fill in the correct information for that item on the form.

- (A) Fill in the "Case No." the same way you did on form CC 375 or form CC 377.
- (B) Fill in "petitioner" and "respondent" names and addresses in the same way you did on form CC 375 or Form CC 377.
- (C) Write in the same date you put in (I) on form CC 375 or (H) on form CC 377.
- (D) Explain why you no longer want the court to enter a personal protection order.
- (E) If you did not serve the respondent with a copy of the petition for personal protection order yet, check this box.
- (F) Write in today's date and sign the form. Hand the form to the county clerk. The clerk will forward the order to the judge. Check back with the clerk to see if the order has been signed. If so, return to the clerk. The clerk will keep two copies and return the blue, pink, and yellow copies to you. Then complete either (G) or (H).

Complete either (G) or (H).

**If you already served the respondent with a copy of the petition, you must serve the respondent with a copy of this form.** Place the blue copy of this form in an envelope. Then go to the post office, ask the post office to mail it for you, and ask for a postal receipt. Then follow the instructions for (G) below.

- (G) Write in the date that's on the postal receipt on both the pink and yellow copies and sign both copies. Attach the postal receipt to the yellow copy and return the yellow copy to the county clerk. You can either mail or take the yellow copy to the county clerk. Keep the pink copy for your records.

**If you did not already serve the respondent with a copy of the petition, do not serve the respondent with a copy of this form.** Follow the instructions for (H) below.

- (H) Write in today's date and sign the form on both the pink and yellow copies. Hand the yellow copy to the county clerk. You may throw the blue copy away. Keep the pink copy for your records.

Approved, SCAO

Original - Court  
1st copy - Judge/Assignment clerk (green)  
2nd copy - Respondent (blue)

3rd copy - Petitioner (pink)  
4th copy - Return (yellow)

STATE OF MICHIGAN 35th JUDICIAL CIRCUIT SHIAWASSEE COUNTY	MOTION AND ORDER TO DISMISS ACTION FOR PERSONAL PROTECTION ORDER	(A) CASE NO.
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Court address 208 N. Shiawassee St., Corunna, MI 48817	Court telephone no. (989) 743-2262
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(B) Petitioner name Address and telephone no. where court can reach petitioner	v Respondent name, address, and telephone no.
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**MOTION**

- (C) 1. On \_\_\_\_\_ I filed a petition for a personal protection order.  
Date
- (D) 2. I ask the court to dismiss the action without prejudice because:  
Explain why you want to dismiss your petition for personal protection order.
- 3. No order for personal protection has been entered.
- (E)  4. The respondent has not been served with a copy of the petition for personal protection order.

(F) _____ Date	_____ Petitioner's signature
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**ORDER**

IT IS ORDERED that the petition for personal protection order is dismissed without prejudice.

_____ Date	_____ Judge	_____ Bar no.
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**CERTIFICATE OF MAILING**

I certify that on this date I served a copy of this motion and order on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined by MCR 2.107(C)(3).

(G) _____ Date	_____ Petitioner's signature
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**CERTIFICATE OF NONSERVICE**

I certify that respondent was not served a copy of the petition for personal protection order and therefore I did not serve a copy of this motion and order on the respondent.

(H) _____ Date	_____ Petitioner's signature
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