

APPENDIX 24.8C: CONTESTED MOTION TO CONTINUE

CONTESTED MOTION TO CONTINUE

Petitioner
versus

Defendant

DOCKET NUMBER: _____

PARISH OF _____

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

Mover

Attorney for Mover

The party contesting/not responding (*Circle one*) to the requested continuance:

Opposing party

Attorney for Opposing party

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

CHECK ALL THAT APPLY

Current Date Set

- Motion _____/_____/20____ a.m./p.m.
- Temporary Custody Hearing _____/_____/20____ a.m./p.m.
- Hearing Officer Conference _____/_____/20____ a.m./p.m.
- Rule Date _____/_____/20____ a.m./p.m.
- Special Setting Date/Trial Docket _____/_____/20____ a.m./p.m.
- Scheduling Conference _____/_____/20____ a.m./p.m.
- Other (Please specify _____) _____/_____/20____ a.m./p.m.

Please describe the matters set for hearing requiring a continuance:

Mover requests that the matters listed above be continued based upon the following:

CHECK ALL THAT APPLY

- 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"/> Opposing party | _____ |
| <input type="checkbox"/> Joint Motion of All Parties | _____ |
| <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 _____

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:**

- A status conference is set before the Judge on ___/___/20___, ___ a.m./p.m.
- The Motion to Continue is set for hearing before the Court on ___/___/20___, ___ a.m./p.m.
- The Motion to Continue is hereby *granted* and
 - The hearing is continued to ___/___/20___, at ___ a.m./p.m.
 - The matter is set for a status/scheduling conference on ___/___/20___, at ___ a.m./p.m.
- The Motion to Continue is hereby *denied*.

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

JUDGE, DIVISION _____