

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS):	TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (NAME):		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA</b> <input type="checkbox"/> Santa Barbara–Anacapa <input type="checkbox"/> Santa Maria–Cook <input type="checkbox"/> Lompoc Division 1100 Anacapa Street      312-C East Cook Street      115 Civic Center Plaza Santa Barbara, CA 93101      Santa Maria, CA 93454      Lompoc, CA 93436		
PETITIONER:		CASE NUMBER:
RESPONDENT:		
<b>REQUEST TO WITHDRAW MOTION</b>		

***This form cannot be used for an evidentiary hearing or trial date.***

1. Name of person making this request (*specify*): \_\_\_\_\_
2. A hearing is now scheduled for the following Motion (*select one*):
  - a.  Request for Order regarding (*specify issues*): \_\_\_\_\_
  - b.  Order to Show Cause regarding (*specify issues*): \_\_\_\_\_
  - c.  Other (*specify*): \_\_\_\_\_
3. The item in 2 was filed on (*date*): \_\_\_\_\_
4. The hearing is currently set for (*date*): \_\_\_\_\_
5. Status of the pending Motion is (*select one*):
  - a.  The papers requesting the order at this hearing have not been served on the responding party.
  - b.  The papers requesting the order at this hearing have been served on the responding party and the responding party has not filed a responsive declaration (form FL-320) or other document with the court responding to the motion.
  - c.  The responding party has filed a responsive declaration (form FL-320) with the court responding to the Motion. The responsive declaration (form FL-320) does not request or consent to any order other than the order(s) requested in the papers filed on the date stated in item 3 for this Motion.
  - d.  The responding party has filed a responsive declaration (form FL-320) with the court responding to the Motion. The responsive declaration (form FL-320) requests or consents to an order different from the order(s) requested in the papers filed on the date stated in item 3 for this Motion. **Notice: If this box is checked, the Motion may not be withdrawn unless the responding party also signs this request below.**
6. (*If boxes 5(b), 5(c), or 5(d) have been checked*) The person making this request (item 1) or counsel for that person has notified the responding party or counsel for that person, telephonically or electronically, that this Motion is being withdrawn
7. The Motion  includes  does not include temporary emergency (ex parte) orders previously issued.

**Notice: Withdrawal of the Motion will cause any temporary emergency (ex parte) orders issued pending the hearing on the Motion to expire unless otherwise ordered by the court. If you need temporary emergency orders that have been issued pending the hearing on the Motion to continue in force, do not withdraw the motion and appear at the hearing.**

Insert Case Name:	CASE NUMBER:
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8. The requesting (moving) party of the Motion that is scheduled for hearing as stated in items 2, 3, and 4 withdraws the Motion and requests the Court to take the hearing of the Motion off calendar. I have advised the Court telephonically or electronically that this request to withdraw is being filed and that the hearing will not go forward as scheduled. **If box 5(d) is checked, this Motion will not be taken off calendar unless the responding party signs below.**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Signature)

**If box 5(d) has been checked:**

Responding party withdraws all requests for orders sought in response to the Motion and requests the Court to take the hearing on the Motion and its response off calendar.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Signature)