

SAMPLE CIVIL FORM 65

IN THE _____ COURT OF _____ COUNTY

A.B., Plaintiff)
v.)
C.D., Defendant)

CIVIL ACTION NO. _____

**MOTION TO DISMISS ACTION FOR
FAILURE TO COMPLY WITH ORDER**

Defendant moves the Court for an order dismissing the action and for grounds therefor shows:

1. On *(date)* _____, this Court on motion of the Defendant entered an order requiring Plaintiff to answer certain questions propounded to him on the taking of his deposition on oral examination.

2. Plaintiff has failed and refused to comply with said order and still fails to comply, as more particularly shown by the affidavit of _____ attached hereto as Exhibit "A".

Attorney for Defendant

Address

Committee Comments

This form can be easily modified as a form requesting a default judgment where the Plaintiff seeks action against the Defendant who has failed to comply with the Court's order.

Of course this form can also be modified to fit a failure to produce documents, to submit for a physical examination, or to appear for a deposition.