

SAMPLE CIVIL FORM 85

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY

A.B., Plaintiff )

v. )

C.D., Defendant )

CIVIL ACTION NO. \_\_\_\_\_

**MOTION FOR SUMMARY JUDGMENT BY DEFENDANT**

Defendant moves the Court to enter, pursuant to Rule 56 of the Alabama Rules of Civil Procedure, a summary judgment in the Defendant's favor dismissing the action (*or* count; paragraph of complaint) on the ground that there is no genuine issue as to any material fact and that the Defendant is entitled to a judgment as a matter of law.

This motion is based upon the [pleadings] [deposition of \_\_\_\_\_] [request for admissions and response thereto] [answer to interrogatories] [the affidavits of J.K. and L.M.].

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Address

**Committee Comments**

Motion may be made with or without supporting affidavit at any time.