

**THESE FORMS MAY BE USED TO REQUEST:**

- 💡 A CONTINUANCE OF A HEARING OR TRIAL IN A CIVIL MATTER; AND/OR**
- ✍ AN EXTENSION OF TIME TO ANSWER A SUMMONS AND COMPLAINT, ANSWER A MOTION IN A CIVIL MATTER, OR OTHER WRITTEN RESPONSE.**

**IMPORTANT! READ BEFORE USING THESE FORMS AND INSTRUCTIONS**

**ND Legal Self Help Center staff and court employees can't help you fill out forms.**

**If you're unsure how to proceed, or need legal advice or legal representation, consult a lawyer licensed to practice in North Dakota.**

To protect your rights, carefully read this information and any instructions to which you're referred.

**When you represent yourself, you're expected to know and follow the law, including:**

- State or federal laws that apply to your case;
- Case law, also called court opinions, that applies to your case; and
- Court rules that apply to your case, which may include:
  - North Dakota Rules of Civil Procedure;
  - North Dakota Rules of Court;
  - North Dakota Rules of Evidence;
  - North Dakota Administrative Rules and Orders; and
  - Any local court rules.

Links to the state laws, case law, and court rules can be found at [ndcourts.gov](http://ndcourts.gov).

**When you represent yourself, you're held to the same requirements and responsibilities as a lawyer, even if you don't understand the rules or procedures.** If you're unsure if these forms and instructions suit your circumstances, consult a lawyer. For more information about finding a lawyer, go to [ndcourts.gov/legal-self-help/finding-a-lawyer](http://ndcourts.gov/legal-self-help/finding-a-lawyer).

A glossary with definitions of legal terms is available at [ndcourts.gov](http://ndcourts.gov) by clicking on the "Self Help" link.

***These instructions and forms aren't a complete statement of the law. They cover the basic procedure for making a request to a North Dakota state court for a continuance of a hearing or trial, for an extension of time to answer, or other written response. There's no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. The Center isn't responsible for any consequences that may result from the forms or information provided.***

**Use at your own risk.**

**SEE THE “MOTIONS” SECTION OF THE [GUIDE TO A DISTRICT COURT CIVIL ACTION](#) on the ND Legal Self Help Center website for additional information and resources about motions.**

After a civil action is filed with the court, a party in a civil action may ask the court for a hearing or trial to be continued for a different date and time, ask for an extension of time to answer a summons and complaint or answer a motion, or an extension of time for another type of written response. The court decides whether to grant the motion.

The party making the motion is the “Moving Party.” The party responding to the motion is the “Opposing Party.”

### **FORMS IN THE PACKET:**

- Form 1: Notice of Motion for Continuance/Extension;
- Form 2: Motion for Continuance/Extension;
- Form 3: Brief in Support of Motion for Continuance/Extension;
- Form 4: Declaration in Support Motion for Continuance/Extension;
- Form 5: Order on Motion for Continuance/Extension (Proposed); and
- Form 6: Declaration of Service by Mail.

After you’ve completed the forms, a copy of the completed notice of motion, motion, brief in support of motion, declaration in support of motion, and (proposed) order must be served on all other parties in the civil action. You must file proof of service with the court that you served copies on all other parties.

## **NORTH DAKOTA CONTINUANCE/EXTENTION RULES**

Review the following North Dakota Rules carefully. You aren’t required to hire an attorney to access the court system. If you decide to represent yourself, you must follow all of the rules, laws and procedures that an attorney is required to follow.

**Rule 6 of the North Dakota Rules of Civil Procedure:** This is the general extension rule for civil actions. A court may extend, for good cause, the time a party may or must act. If the time to act has expired, the party’s failure to meet the deadline must be excusable. Rule 6 is available at [ndcourts.gov/legal-resources/rules/ndrcivp/6](http://ndcourts.gov/legal-resources/rules/ndrcivp/6).

**Rule 3.2 of the North Dakota Rules of Court:** This is the extension rule specifically for motions in civil actions. A court may extend the time for filing briefs or other motion documents. Rule 3.2 is available at [ndcourts.gov/legal-resources/rules/ndrct/3-2](http://ndcourts.gov/legal-resources/rules/ndrct/3-2).

**Rule 6.1 of the North Dakota Rules of Court:** This is the general continuance rule for civil actions. A court may continue a hearing or trial for good cause. Rule 6.1 is available at [ndcourts.gov/legal-resources/rules/ndrct/6-1](http://ndcourts.gov/legal-resources/rules/ndrct/6-1).

## STEP ONE: Complete the Motion Forms

### FORM 1: NOTICE OF MOTION FOR CONTINUANCE/EXTENSION

**Top of Form (Caption):** Fill in the caption exactly as it appears at the top of documents you've already been served, or that have already been filed in the civil action.

If you're requesting a continuance, put a checkmark (✓) in the box next to "Continuance." If you're requesting an extension, put a checkmark (✓) in the box next to "Extension."

- If you're requesting both a continuance and an extension, put a checkmark (✓) next to both boxes.

**To:** List the names of all other parties. If a party is represented by an attorney, also list the name of the attorney.

**First Paragraph:** Put a checkmark (✓) in the SAME boxes you selected at the top (caption) of the form.

Read Paragraphs 1 and 2. This tells the other parties in the civil action that they have fourteen (14) days to respond to the motion. This also tells the other parties in the civil action that they may request a hearing on this motion. If no party requests a hearing on this motion, the motion will be decided on the documents filed with the court.

**Date and Signature:** Complete the date and signature block.

- Fill in the date you sign this document.
- Sign the signature line.
- Fill in the lines below your signature.
  - If you have a PO Box and a physical address, include both addresses. You may use the empty space next to the address lines.

*(This space left intentionally blank.)*

## **FORM 2: MOTION FOR CONTINUANCE/EXTENSION**

**Top of Form (Caption):** Fill in the caption exactly as it appears in the notice of motion. Put a checkmark (✓) in the SAME boxes you selected at the top (caption) of Form 1: Notice of Motion.

**Paragraph 1:** Tell the court if you're the Plaintiff, Petitioner, Defendant, or Respondent. Put a checkmark (✓) in the appropriate box. Choose only one box.

**Paragraph 2:** Put a checkmark (✓) in the SAME boxes you selected at the top (caption) of the form.

If you're requesting a continuance, put a checkmark (✓) in the box next to "Continuance." Type or write the date or dates for which the hearing or trial is currently scheduled. Type or write the number of days you're asking for the hearing or trial to be continued.

If you're requesting an extension, put a checkmark (✓) in the box next to "Extension." Put a checkmark (✓) in the box next to the extension of time statement that fits your circumstances. Type or write the date your document, or documents, is currently due. Type or write the date when you'll file your document, or documents, if you're granted the extension.

If you selected "Other," state for what other purpose the extension is being requested. Type or write the date your document is currently due. Type or write the date when you'll file your document if you're granted the extension.

If you're requesting both a continuance and an extension, put a checkmark (✓) next to both boxes and fill in all of the required information.

**Paragraph 3:** This tells the court that the completed Form 3: Brief in Support of Motion and the completed Form 4: Declaration in Support Motion accompany this motion.

**Date and Signature:** Complete the date and signature block.

- Fill in the date you sign this document.
- Sign the signature line.
- Fill in the lines below your signature.
  - If you have a PO Box and a physical address, include both addresses. You may use the empty space next to the address lines.

## **FORM 3: BRIEF IN SUPPORT OF MOTION FOR CONTINUANCE/EXTENSION**

**Top of Form (Caption):** Fill in the caption exactly as it appears in the notice of motion. Put a checkmark (✓) in the SAME boxes you selected at the top (caption) of Form 1: Notice of Motion.

**First Sentence:** Tell the court if you're the Plaintiff, Petitioner, Defendant, or Respondent. Put a checkmark (✓) in the appropriate box. Choose only one box.

Put a checkmark (✓) in the SAME boxes you selected at the top (caption) of the form.

**Paragraph 1:** Put a checkmark (✓) in the SAME boxes you selected at the top (caption) of the form.

**Paragraph 2:** Tell the court if you're requesting a continuance of a hearing or trial. Put a checkmark (✓) in the appropriate box.

If you're requesting a continuance, type or write the date or dates for which the hearing or trial is currently scheduled. Type or write the number of days you're asking for the hearing or trial to be continued.

**Paragraph 3:** Tell the court if you're requesting an extension of time to answer a summons and complaint, to answer a motion, and/or other purpose. Put a checkmark (✓) in the box next to the extension of time statement that fits your circumstances. Type or write the date your document, or documents, is currently due. Type or write the date when you'll file your document, or documents, if you're granted the extension.

If you selected "Other," state for what other purpose the extension is being requested. Type or write the date your document is currently due. Type or write the date when you'll file your document if you're granted the extension.

**Date and Signature:** Complete the date and signature block.

- Fill in the date you sign this document.
- Sign the signature line.
- Fill in the lines below your signature.
  - If you have a PO Box and a physical address, include both addresses. You may use the empty space next to the address lines.

## **FORM 4: DECLARATION IN SUPPORT OF MOTION FOR CONTINUANCE/EXTENSION**

**Top of Form (Caption):** Fill in the caption exactly as it appears in the notice of motion. Put a checkmark (✓) in the SAME boxes you selected at the top (caption) of Form 1: Notice of Motion.

**Paragraph 1:** Tell the court if you're the Plaintiff, Petitioner, Defendant, or Respondent. Put a checkmark (✓) in the appropriate box. Choose only one box.

**Paragraph 2:** Tell the court if you're requesting a continuance of a hearing or trial. Put a checkmark (✓) in the appropriate box.

If you're requesting a continuance, read carefully and fill out the remaining information.

Describe the reason or reasons you're making the motion for continuance using relevant facts. The judge or judicial referee reviewing the motion will decide if you've shown good cause to grant the continuance.

**Paragraph 3:** Tell the court if you're requesting an extension of time to answer a summons and complaint, answer a motion, or other purpose. Put a checkmark (✓) in the appropriate box.

If you checked "Other", explain on the line provided what the purpose is.

If you're requesting an extension of time, read carefully and fill out the remaining information.

Describe the reason or reasons you're making the motion for an extension of time using relevant facts. The judge or judicial referee reviewing the motion will decide if you've shown good cause to grant the extension.

- **IMPORTANT:** If your time has already expired before you make this motion, you must also explain to the court why your failure to meet the deadline is excusable.

**Paragraph 4:** Describe any additional reason or reasons you're making the motion using relevant facts.

**Paragraph 5:** Read carefully. If this statement isn't true and correct, you can't use this forms set.

**Date and Signature:** Complete the date and signature block.

- Fill in the date, city, state, and country where the document was signed
- Sign the signature line.
- Fill in the lines below your signature.

- If you have a PO Box and a physical address, include both addresses. You may use the empty space next to the address lines.

**WARNING:** By signing your name, you're telling the Court that you're telling the truth and that you have a good faith reason for your requests. If you aren't telling the truth or if you're misleading the Court, or if you're serving or filing this document for an improper purpose, the Court could find you in contempt or you may be prosecuted for perjury.

### **FORM 5: ORDER ON MOTION FOR CONTINUANCE/EXTENSION (PROPOSED)**

This is your proposed order. If the judge or judicial referee grants your motion, and uses your proposed order, the judge or judicial referee will complete and sign the order.

**Top of Form (Caption):** Fill in the caption exactly as it appears in the notice of motion. Put a checkmark (✓) in the SAME boxes you selected at the top (caption) of Form 1: Notice of Motion.

**First Paragraph:** Tell the court if you're the Plaintiff, Petitioner, Defendant, or Respondent. Put a checkmark (✓) in the appropriate box. Choose only one box.

If you're requesting a continuance, put a checkmark (✓) in the box next to "Continuance." If you're requesting an extension, put a checkmark (✓) in the box next to "Extension."

- If you're requesting both a continuance and an extension, put a checkmark (✓) next to both boxes.

DON'T fill in the date. If the judge or judicial referee grants your motion, and uses your proposed order, the judge or judicial referee will fill in this information.

**Remaining Paragraphs:** DON'T complete the remaining paragraphs. If the judge or judicial referee uses your proposed order, the judge or judicial referee will fill in this information.

**Date and Signature:** DON'T date or sign this form. If the judge or judicial referee uses your proposed order, the judge or judicial referee will date and sign the form.

*(This space left intentionally blank.)*

## STEP TWO: Serve the Forms on Other Parties

### **Make at least two copies of the following completed forms:**

- Form 1: Notice of Motion for Continuance/Extension;
- Form 2: Motion for Continuance/Extension;
- Form 3: Brief in Support of Motion for Continuance/Extension;
- Form 4: Declaration in Support Motion for Continuance/Extension; and
- Form 5: Order on Motion for Continuance/Extension (Proposed).

**Keep one copy for your records.** You'll serve the other copy or copies on all other parties. You'll file the original with the Clerk of Court.

### **Arrange to serve the copies on all other parties:**

Service is providing copies of your completed motion documents and other supporting documents on all other parties.

The court won't act on your motion documents unless you file proof of service with the court.

A declaration of service gives the District Court proof of service. A Form 6: Declaration of Service by Mail form is included in this packet of forms.

You may arrange for service of the copies of the documents by mail.

- Put the copies in an envelope.
- Address the envelope with the other party's last known address.
- If you know the other party is currently represented by a lawyer, address the envelope with the lawyer's address.
- List your address as the return address on the envelope.
- A person who is at least 18 years old takes the envelope to a United States Post Office and mails the envelope.
  - Postage must be prepaid.
- Service by mail is complete upon mailing.

The person who took the envelope to a United States Post Office and mailed it must complete the Form 6: Declaration of Service by Mail form. (The United States Post Office employee doesn't complete the Declaration of Service by Mail form.)

- Complete the Caption exactly as the Caption of the Notice of Motion form is filled out.
- Follow the directions on the form.



**Paragraph 5:** Read carefully. If this statement isn't true and correct, the person who mailed the documents can't use these forms.

**Date and Signature:** The person who mailed the documents completes the date and signature block. They should:

- Fill in the date, city, state, and country where the document was signed.
- Sign the signature line.
- Fill in the lines below their signature.
  - If they have a PO Box and a physical address, include both addresses. They may use the empty space next to the address lines.

**WARNING:** By signing their name, they're telling the Court that they're telling the truth. If they aren't telling the truth or if they're misleading the Court, the Court could find them in contempt or they may be prosecuted for perjury.

- Make ONE COPY of the completed Form 6: Declaration of Service by Mail form for your records.

In Step Three you'll file the original, completed Form 6: Declaration of Service by Mail with the Clerk of District Court. You must have an original, completed Form 6: Declaration of Service by Mail for each party served.

### **STEP THREE: File the Original Forms with the Clerk of Court**

**File the original, completed forms with the Clerk of Court. File the originals of the completed declaration(s) of service of the copies.**

**The other parties have seventeen (17) days to serve a written response to your motion.** The other parties may also make a written request for oral arguments or an evidentiary hearing on your motion. The request for oral arguments or an evidentiary hearing must be made within seven (7) days after expiration of the other party's time to provide a written response.

**You'll be notified by the court if your motion is granted or denied.**

STATE OF NORTH DAKOTA  
COUNTY OF \_\_\_\_\_

IN DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_)  
PLAINTIFF/PETITIONER, )  
Vs )  
\_\_\_\_\_)  
DEFENDANT/RESPONDENT. )

Case No. \_\_\_\_\_

NOTICE OF MOTION FOR:  
 CONTINUANCE  
 EXTENSION

TO: \_\_\_\_\_

1. **YOU ARE HEREBY GIVEN NOTICE** that a Motion for Continuance/Extension is brought in accordance with Rule 3.2 of the North Dakota Rules of Court. The motion will be decided on the documents filed with the court unless oral argument or the taking of testimony is timely requested by a party or required by the Court.

2. **PLEASE TAKE FURTHER NOTICE** that you have 14 days after service of this Motion upon you within which to serve and file a response or objection to the Court granting the attached motion. Upon the filing of an answer, or upon expiration of the time for filing, the Motion is deemed submitted to the Court, unless a party timely requests oral argument or the taking of testimony.

Dated \_\_\_\_\_.

\_\_\_\_\_  
*Signature of Moving Party*

\_\_\_\_\_  
*Typed or Printed Name*

\_\_\_\_\_  
*Address, City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

STATE OF NORTH DAKOTA  
COUNTY OF \_\_\_\_\_

IN DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_)  
PLAINTIFF/PETITIONER, )  
Vs )  
\_\_\_\_\_)  
DEFENDANT/RESPONDENT. )

Case No. \_\_\_\_\_

MOTION FOR:  
 CONTINUANCE  
 EXTENSION

1. I am the  Plaintiff/ Petitioner/ Defendant/ Respondent in this action and I make this motion to the court for an Order in accordance with Rule 3.2 of the North Dakota Rules of Court.

2. I request:

**A continuance** of a hearing or trial scheduled in this matter pursuant to Rule 6.1 of the North Dakota Rules of Court. The hearing or trial is currently scheduled for \_\_\_\_\_ . I request that the hearing or trial be continued for \_\_\_\_\_ days.

**An extension of time** to serve and file *(select all boxes that apply and fill in details)*:

An answer to the summons and complaint. The answer is currently due \_\_\_\_\_, 20\_\_\_\_. If the extension is granted, the answer will be served and filed by \_\_\_\_\_, 20\_\_\_\_.

An answer to a motion in this case pursuant to Rule 3.2(d) of the North Dakota Rules of Court. The answer is currently due \_\_\_\_\_, 20\_\_\_\_. If the extension is granted, the answer to motion will be served and filed by \_\_\_\_\_, 20\_\_\_\_.

Other: \_\_\_\_\_,  
which is currently due \_\_\_\_\_, 20 \_\_\_\_\_. If the extension  
is granted, the \_\_\_\_\_ will be served  
and filed by \_\_\_\_\_, 20\_\_\_\_\_.

3. A brief and declaration in support of this motion are filed with this motion.

Dated \_\_\_\_\_.

\_\_\_\_\_  
*Signature of Moving Party*

\_\_\_\_\_  
*Typed or Printed Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_)  
 PLAINTIFF/PETITIONER, )  
 Vs )  
 \_\_\_\_\_ )  
 DEFENDANT/RESPONDENT. )

Case No. \_\_\_\_\_

BRIEF IN SUPPORT OF MOTION FOR:

CONTINUANCE

EXTENSION

As required by Rule 3.2 of the North Dakota Rules of Court, the  Plaintiff/ Petitioner  
 / Defendant/ Respondent in this action submits this Brief in Support of Motion for  
 Continuance/ Extension.

**STATEMENT OF FACTS**

1. The facts are stated in the Affidavit in Support of Motion for  Continuance/  
 Extension, which is filed with the Motion and incorporated by reference.

**LAW AND ARGUMENT**

2. **Continuance of Hearing/Trial** (*choose one*):

A continuance **is not** requested.

A continuance **is** requested pursuant to Rule 6.1 of the North Dakota Rules of Court.

Rule 6.1 allows a party in a civil action to promptly request a continuance as soon as the  
 grounds for the continuance are known. A court may grant a continuance if the party making  
 the request shows good cause.

The hearing or trial is currently scheduled for \_\_\_\_\_, 20\_\_\_\_.

Based on the facts stated in my declaration in support of this motion, there is good cause to  
 continue the hearing or trial for \_\_\_\_\_ days.

3. **Extension of Time to Answer** (*choose one*): An extension of time to answer is not requested.

An extension of time is requested pursuant to Rule 6 of the North Dakota Rules Civil Procedure. Rule 6 allows a party in a civil action to request an extension of time before the original time expires, or to request an extension of time after the time expires. A court may grant an extension of time before the original time expires if the party making the request shows good cause. A court may grant an extension of time after the time expires if the party making the request shows good cause and excusable neglect. The extension of time is required to serve and file (*select all boxes that apply and fill in details. Paragraph 3 continues on next page*):

An answer to the summons and complaint. The answer is currently due \_\_\_\_\_, 20\_\_\_\_. If the extension is granted, the answer will be served and filed by \_\_\_\_\_, 20\_\_\_\_. Based on the facts stated in my declaration in support of this motion, there is good cause to extend the time to serve and file my answer.

An answer to a motion. The answer to the motion is currently due \_\_\_\_\_, 20\_\_\_\_. If the extension is granted, the answer will be served and filed by \_\_\_\_\_, 20\_\_\_\_. Based on the facts stated in my declaration in support of this motion, there is good cause to extend the time to serve and file my response.

Other: \_\_\_\_\_, which is currently due \_\_\_\_\_, 20 \_\_\_\_\_. If the extension

is granted, the \_\_\_\_\_ will be served  
and filed by \_\_\_\_\_, 20\_\_\_\_. Based on the facts stated in  
my declaration in support of this motion, there is good cause to extend the  
time to serve and file my response.

**CONCLUSION**

4. I respectfully request that the court enter an Order consistent with the motion

Dated \_\_\_\_\_.

\_\_\_\_\_  
*Signature of Moving Party*

\_\_\_\_\_  
*Typed or Printed Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*

STATE OF NORTH DAKOTA  
COUNTY OF \_\_\_\_\_

IN DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_)  
PLAINTIFF/PETITIONER, )  
Vs )  
\_\_\_\_\_)  
DEFENDANT/RESPONDENT. )

Case No. \_\_\_\_\_

DECLARATION IN SUPPORT OF MOTION  
FOR:

- CONTINUANCE  
 EXTENSION

1. My name is \_\_\_\_\_.

I am the  Plaintiff/ Petitioner/ Defendant/ Respondent in this action.

2. **Continuance of Hearing/Trial** (*choose one*):

I **am not** requesting a continuance.

I **am** requesting that the hearing or trial currently scheduled in this matter for

\_\_\_\_\_, 20\_\_\_\_ be continued for \_\_\_\_\_ days.

I am requesting a continuance because (*describe the relevant facts that support your request*):



3. **Extension of Time to Answer** (*choose one*):

I **am not** requesting an extension of time to answer.

I **am** requesting an extension of time to serve and file (*select all boxes that apply. If you chose "Other," fill in the description*):

An answer to a summons and complaint

An answer to a motion.

Other: \_\_\_\_\_.

I am requesting an extension of time because (*describe the relevant facts that support your request. If the time has expired, describe the relevant facts that support the failure to answer in time was excusable*):

4. I would like the court to consider the following additional information in making a decision:

5. I declare, under penalty of perjury under the law of North Dakota, that the foregoing Declaration is true and correct.

Signed on \_\_\_\_\_ at \_\_\_\_\_,  
(date) (city)  
\_\_\_\_\_, \_\_\_\_\_.  
(state) (country)

\_\_\_\_\_  
(Signature of Moving Party)

\_\_\_\_\_  
(Printed Name of Moving Party)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Telephone Number(s))

\_\_\_\_\_  
(Email Address)

STATE OF NORTH DAKOTA  
COUNTY OF \_\_\_\_\_

IN DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_  
PLAINTIFF/PETITIONER,  
Vs  
\_\_\_\_\_  
DEFENDANT/RESPONDENT. )  
)  
)  
)  
)  
)  
)

Case No. \_\_\_\_\_

ORDER ON MOTION FOR:  
 CONTINUANCE  
 EXTENSION

The  Plaintiff/ Petitioner/ Defendant/ Respondent filed a Motion for  Continuance/ Extension on \_\_\_\_\_, 20\_\_\_\_. The Court having considered the Motion for  Continuance/ Extension **HEREBY ORDERS:**

The motion for continuance of the \_\_\_\_\_ set for \_\_\_\_\_, 20\_\_\_\_ is granted. The date is rescheduled as follows:  
\_\_\_\_\_.

The motion for extension of time to \_\_\_\_\_ is granted. The  Plaintiff/ Petitioner/ Defendant/ Respondent shall serve and file the \_\_\_\_\_ no later than \_\_\_\_\_, 20\_\_\_\_.

The motion for continuance is denied.

The motion for extension is denied.

Dated \_\_\_\_\_, 20\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
(District Judge or Judicial Referee Signature)

STATE OF NORTH DAKOTA  
COUNTY OF \_\_\_\_\_

IN DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_) )  
PLAINTIFF/PETITIONER, )  
Vs ) )  
\_\_\_\_\_) )  
DEFENDANT/RESPONDENT. )

DECLARATION OF SERVICE BY MAIL  
Case No. \_\_\_\_\_

*(A separate affidavit is required for each person served.)*

**The person serving court documents by mail states:**

1. My name is: \_\_\_\_\_.  
*(Name of person who mailed documents)*

2. I am at least 18 years of age.

3. **List of Court Documents Served:** *(Checkmark (✓) next to each document served. Use "Other" to write the title of each document served that is not already listed.)*

- Notice of Motion for Continuance/Extension
- Motion for Continuance/Extension
- Brief in Support of Motion for Continuance/Extension
- Affidavit in Support of Motion for Continuance/Extension
- Order on Motion for Continuance/Extension *(Proposed)*
- Other: \_\_\_\_\_

3. **Service by Mail:**

As required by Rule 5(b)(3) of the North Dakota Rules of Civil Procedure, I served a true and correct copy of each of the court documents listed in Paragraph 3 by mailing them, enclosed in an envelope, by First-Class mail, postage prepaid, and by depositing them in the United States Mail, directed to the person listed in Paragraph 6.

4. **Date and Post Office Location of Service by Mail:**

Date Court Documents Were Served by Mail: \_\_\_\_\_

United States Post Office Location: \_\_\_\_\_  
(City) (County) (State)

5. **Person Served by Mail:**

Name of Person Served: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

6. I declare, under penalty of perjury under the law of North Dakota, that everything I stated in this Declaration of Service by Mail is true and correct.

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.  
COUNTRY OF \_\_\_\_\_ )

Signed on \_\_\_\_\_.

\_\_\_\_\_  
*(Signature of Person Who Mailed Documents)*

\_\_\_\_\_  
*(Printed Name)*

\_\_\_\_\_  
*(Address)*

\_\_\_\_\_  
*(City, State, Zip Code)*

Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_