

STATE OF HAWAII FAMILY COURT THIRD CIRCUIT	EX PARTE MOTION TO REINSTATE COMPLAINT FOR DIVORCE AND DECLARATION; ORDER GRANTING EX PARTE MOTION TO REINSTATE COMPLAINT; CERTIFICATE OF SERVICE	CASE NUMBER FC-D No.
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_____ (Full Name) PLAINTIFF, V. _____ (Full Name) DEFENDANT.	This document is prepared by: <input type="checkbox"/> Attorney for <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant Name _____ Address _____ City, State, Zip Code _____ Telephone No. _____
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EX PARTE MOTION TO REINSTATE COMPLAINT FOR DIVORCE AND DECLARATION

Comes now ☐ Plaintiff ☐ Defendant, above-named, ☐ by and through his/her attorney and moves this Honorable Court, pursuant to Rule 41(e) of the Hawai'i Family Court Rules, for an order reinstating the Complaint for Divorce filed in the above-entitled case. This motion is based on the declaration that follows:

1. The Complaint for Divorce was filed on _____.
2. The Complaint ☐ was ☐ was not served on the Defendant.
3. The Notice/Order of Dismissal was filed on _____.
4. The case should be reinstated for the following reasons:

I hereby declare under the penalty of perjury that the above statements are true, correct, and complete to the best of my knowledge and belief.

Date	Signature of <input type="checkbox"/> Attorney for <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant	<div style="text-align: center;">  <p>In accordance with the Americans with Disabilities Act and other applicable state and federal laws, if you require a reasonable accommodation for a disability, please contact the ADA Coordinator at the Family Court Administration Office at PHONE NO. (808) 961-7629, FAX (808) 961-7577, or email adarequest@courts.hawaii.gov at least ten (10) working days prior to your hearing or appointment date.</p> </div>
<div style="text-align: right;">COURT USE ONLY</div>		

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ORDER GRANTING EX PARTE MOTION TO REINSTATE COMPLAINT

Upon review of the Ex Parte Motion to Reinstate Complaint for Divorce and Declaration and the files and records herein, IT IS HEREBY ORDERED that:

1. The Ex Parte Motion to Reinstate Complaint for Divorce is granted.
2. ☐ Plaintiff ☐ Defendant **shall file a motion to set this matter for hearing OR file the documents for an uncontested divorce within forty-five (45) days of the signing and filing of this order.**
3. Failure to comply with paragraph 2 of this order will result in an automatic dismissal of this case immediately upon the expiration of the forty-five (45) days.

DATE _____, Hawai'i	JUDGE'S SIGNATURE: PRINT JUDGE'S NAME:
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CERTIFICATE OF SERVICE

I hereby certify that a file-stamped copy of the foregoing *Ex Parte Motion to Reinstate Complaint for Divorce; Declaration; Order Granting Ex Parte Motion to Reinstate Complaint* was mailed on this day by U.S. Mail, postage prepaid, to:

Name and Address:

<input type="checkbox"/> Attorney for	<input type="checkbox"/> Plaintiff	<input type="checkbox"/> Defendant	<input type="checkbox"/> Other:
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: _____, Hawai'i, _____.
(County) (Date)

Signature of ☐ Attorney for ☐ Plaintiff ☐ Defendant