

**IN THE COURT OF APPEALS
EIGHTH APPELLATE DISTRICT OF OHIO
CUYAHOGA COUNTY, OHIO**

Plaintiff

APPEAL NO. _____

TRIAL NO. _____

vs.

Defendant

MOTION FOR VOLUNTARY
DISMISSAL

Commented [A1]: The case caption should appear how it appears on other filings in the trial court. The full name of the plaintiff or State of Ohio in a criminal case. If there are more than one plaintiff, the name should be followed by "et al."

Commented [A2]: The case caption should be the same as the filings from the trial court. The full name of the defendant followed by "et al." if there are more than one defendant.

Now comes Appellant, _____, and pursuant to App.R. 28, moves this court to dismiss the underlying appeal with prejudice at _____ cost.

Commented [A3]: Enter the full name of the party that is filing for the dismissal of the appeal.

(Signature)

(Address)

(Phone Number and Email)

Commented [A4]: Generally, unless negotiated separately, the appeal must be dismissed at appellant's cost. Therefore, "appellant's" can be entered here. If the appellee agreed to pay costs, then "appellee's" can be entered here. If the parties agreed to share costs, "appellant's and appellee's shared" can be entered.

Commented [A5]: Sign the motion. You may print the document out and physically sign it or you may sign and file the motion electronically with a signature in the format required by Loc.App.R. 13.1(E): "/s/ [name]." Please consult this rule for further requirements for electronically signed documents. Please also provide your mailing address, phone, and email address.

CERTIFICATE OF SERVICE

I certify that a copy of this motion for voluntary dismissal was served upon

_____ on ____/____/20____ in

the following manner: _____.

(Signature)

Commented [A6]: A certificate of service is required for almost all documents filed with a court. The certificate of service provides notice to the court that you have served this document on all the other parties to the case, who should be listed in the first blank line in this section. You should then fill in the date that you served this document on those parties. Finally, you must include the method that the document was served. Generally, hand delivery, U.S. mail, email, and fax are acceptable forms of service. Finally, a signature is required on the certificate of service.