

## **INSTRUCTIONS FOR REQUEST FOR CIVIL ACTION HEARING FORM**

Attached is a Request for Civil Action Hearing Form. The **shaded** portions of the form **must be completed**. If you **submit an incomplete form, it may not be accepted**.

**You MUST confer with all party(ies) or their attorney to obtain their available dates.** ALL PARTIES MUST BE AVAILABLE ON THE DATES YOU LIST ON THE FORM. Once the case is assigned for hearing, we will return a copy of the form to you which will indicate the date, time, and location of the hearing so you can serve the opposing party(ies). It is your responsibility to serve in a proper manner under law notice of the hearing on the opposing party(ies) a copy of your motion and notice of the time, date and place of the hearing. Copies of these documents including the certificate of service of process should be filed with the Clerk's Office. Failure to give due notice to the opposing party(ies) under law may cause your hearing to be continued or cancelled.

**PLEASE NOTE:** You must indicate how long you expect your hearing to take (1 hour; 2 hours; etc.) and please also list ALL **mutual** available dates for the both parties involved for at least a three-month period. For example, do not list only three dates. If both parties would be available anytime, please indicate so. If both parties will be available for the entirety of a particular month, please indicate. (*Example: January 8,9,10,11,23,24,25,30; February 4-8,18-22,25-28, March anytime.*)

Please send the completed form to:

Honorable Edgar L. Barnes  
Chief District Court Judge  
P.O. Drawer 366  
Elizabeth City, NC 27909

If you prefer, you may also fax the form to the District Court Judges Office at 252-331-4684.

### REQUEST FOR CIVIL ACTION HEARING

\_\_\_\_\_  
Plaintiff Counsel for Plaintiff  
vs.  
\_\_\_\_\_  
Defendant Counsel for Defendant

NATURE OF ACTION: MOTION  PRETRIAL  HEARING  OTHER NON-JURY DISPOSITION

SPECIFIC RELIEF SOUGHT BY THIS REQUEST \_\_\_\_\_

NUMBER OF WITNESSES (both parties) \_\_\_\_\_

ESTIMATED LENGTH OF TIME FOR HEARING \_\_\_\_\_

HAS THE CASE BEEN CALLED FOR PRETRIAL? \_\_\_\_\_

NATURE OF LAST ORDER ENTERED \_\_\_\_\_ DATE ENTERED \_\_\_\_\_

CONSENT ORDER?  EVIDENCE PRESENTED?

NAME OF JUDGE ENTERING LAST ORDER \_\_\_\_\_

**CUSTODY CASES ONLY:**

MANDATORY MEDIATION HELD:  Yes (date held): \_\_\_\_\_  No (why?) \_\_\_\_\_

MEDIATION WAIVED:  Yes (date waived) \_\_\_\_\_  No

I have conferred with opposing counsel/party and certify that we are available for hearing within the next 90 days on those dates shown as follows: \_\_\_\_\_

I hereby request that the above named case be set for hearing. To the best of my knowledge, the case is ready for hearing, and I do not know of any reason why it will have to be continued.

\_\_\_\_\_  
Date of Request

Printed Name:

Address:

Telephone/Fax:

\_\_\_\_\_  
Signature of Attorney/Party Requesting Hearing

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE – FOR COURT USE ONLY**

\*\*\*\*\*

### ORDER OF ASSIGNMENT

The above case is hereby assigned to Judge \_\_\_\_\_ for hearing on the \_\_\_\_\_ day(s) of \_\_\_\_\_, 20 \_\_\_\_, at \_\_\_\_\_ a.m. or as soon thereafter as may be heard \_\_\_\_\_

This the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Edgar L. Barnes  
Chief District Court Judge

Copy to: Clerk of Superior Court  
Assigned Judge  
Requesting Counsel or Party  
Opposing Counsel or Party  
Sheriff