

KINSEY  
LAW  
OFFICES



## ORDER SUSTAINING DEMURRER WITH LEAVE TO AMEND

Sample Only  
Use At Your Own Risk



Defendant \_\_\_\_\_'s demurrer to plaintiff \_\_\_\_\_'s complaint having come before the court for hearing on \_\_\_\_\_ [date], with \_\_\_\_\_ [set forth parties and attorneys who appeared at hearing] appearing, and the court having considered the papers and arguments submitted in support of, and in opposition to, the demurrer, and good cause appearing,

IT IS ORDERED THAT the demurrer is sustained with leave to amend on the \_\_\_\_\_ [ground or grounds] that \_\_\_\_\_ [specify ground or grounds, such as: the complaint does not state facts sufficient to constitute a cause of action against the defendant];

IT IS FURTHER ORDERED THAT plaintiff \_\_\_\_\_ shall have \_\_\_ days from the date of the service of notice of this order to file and serve an amended complaint \_\_\_\_\_ [set forth any further terms and conditions for filing amended complaint].

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

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

Gene Kinsey  
Kinsey Law Offices  
1198 Pacific Coast Hwy., Suite 353  
Seal Beach, CA 90740

Phone: (562) 596-8177  
Email: [KinseyE@ix.netcom.com](mailto:KinseyE@ix.netcom.com)  
Web: [www.kinseylaw.com](http://www.kinseylaw.com)  
[www.realpropertypartition.com](http://www.realpropertypartition.com)