

NOTICE OF MOTION TO STRIKE A CAUSE OF ACTION

Sample Only
Use At Your Own Risk



To all parties and their attorneys of record:

PLEASE TAKE NOTICE that on _____ [date], at _____ [time], or as soon thereafter as the matter can be heard, in _____ [Department __ or the Law and Motion Department] of this court, located at _____ [address], defendant, _____ [name], will move the court for an order striking the _____ [First and Third or as the case may be] Causes of Action of the complaint on file in this action. This motion is made under sections 435-437 of the Code of Civil Procedure on the grounds that _____ [specify recognized grounds for motion, such as: the allegations of these causes of action are _____ (irrelevant or false or are not drawn in conformity with _____ (statute or rule)) or the cause of action is not recognized in this state and thus is unauthorized as a matter of law].

The motion will be based on this notice of motion, the memorandum of points and authorities that accompanies this notice, the pleadings and records on file in this action, and such oral and documentary evidence as may be presented at the hearing.

Date: _____
_____ [Plaintiff's name]
Plaintiff *In Pro Per*

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

Phone: (562) 596-8177
Email: KinseyE@ix.netcom.com
Web: www.kinseylaw.com
www.realpropertypartition.com