



# STATEMENT OF MISSING EVIDENCE OR WITNESS

IN THE STATE OF ILLINOIS, CIRCUIT COURT

COUNTY: \_\_\_\_\_

*County Where You Are Filing the Case*

*Enter the case information as it appears on your other court documents.*

PLAINTIFF/PETITIONER OR IN RE: \_\_\_\_\_

*Who started the case.*

*First, Middle, and Last Name, or Business Name*

DEFENDANTS/RESPONDENTS: \_\_\_\_\_

*Who the case was filed against.*

\_\_\_\_\_  
*First, Middle, and Last Name, or Business Name*

Case Number \_\_\_\_\_



**Warning:** You **must** file a *Motion to Continue (Reschedule) or Extend Time* with this form.

1. I am asking the court to **continue (reschedule)** my court date under Supreme Court Rule [231\(a\)](#) because I will be **missing material (important) evidence on my court date**.

## 2. ABOUT THE MISSING EVIDENCE

*In 2a, check the box if the evidence you are missing is a witness.*

- Write the name of the witness.
- Write the address of the witness if you know it. If you do not know it, check the box and explain what you have done to try to get it.

*In 2b, check the box if the evidence you are missing is a document. Write the name of the document.*

*In 2c, check the box if the evidence you are missing is something else (not a witness or document). Describe the evidence.*

The evidence I will be missing on my court date is:

- ☐ a. **A witness** who will testify in court (*check all that apply*):

Witness name: \_\_\_\_\_

☐ Witness address: \_\_\_\_\_

☐ I don't know the witness's address, and this is what I have done to try to find it:

\_\_\_\_\_  
\_\_\_\_\_

☐ The witness cannot come to court on the scheduled court date.

- ☐ b. **A document.**

Name or description of document: \_\_\_\_\_

\_\_\_\_\_

☐ c. **Something else** (not a witness or document).

Description of the evidence:

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### 3. FACTS RELATED TO THE MISSING EVIDENCE OR WITNESS

*Describe the facts that the missing evidence or witness will help you prove.*

The **facts** the evidence or witness will help prove are:

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### 4. HOW YOU HAVE TRIED TO GET MISSING EVIDENCE OR WITNESS

*Explain what you have done to try to get the missing evidence or witness, or why you have not had enough time to get it.*

This is what I have done to try to get the missing evidence or witness:

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This is why I have not had enough time to find the missing evidence or witness:

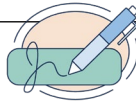
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### 5. I can get the missing evidence or witness if I have more time.

#### SIGN



Under [735 ILCS 5/1-109](#), my signature means that:

1) Everything in this document is true and correct, or I have been informed or I believe it to be true and correct, and

2) I understand that making a false statement on this form is perjury and has penalties provided by law.

If you are filling out this form online, sign your name by typing it. If you are filling out this form by hand, sign and print your name.

Signature /s/ \_\_\_\_\_ Print Name \_\_\_\_\_

☐ **I am completing this form for myself**

Phone Number \_\_\_\_\_ Email (if you have one) \_\_\_\_\_

Address \_\_\_\_\_

*Street, Apt. #*

*City*

*State*

*Zip Code*

Be sure to **check your email every day** so you do not miss important information, court dates, or documents from other parties.

☐ **I am a lawyer completing this form on behalf of a client** (Client name): \_\_\_\_\_

Lawyer Name \_\_\_\_\_ Attorney Number \_\_\_\_\_

Lawyer Phone Number \_\_\_\_\_ Law Firm \_\_\_\_\_

Lawyer Email \_\_\_\_\_

Address \_\_\_\_\_

*Street, Apt. #*

*City*

*State*

*Zip Code*