**THE COMMONWEALTH OF MASSACHUSETTS**

**The Trial Court**

**Probate and Family Court Division**

|  |  |
| --- | --- |
| **{{ court\_county }}, SS** | {%tr for docket\_number in docket\_number %} |
|  | Docket Number: {{ docket\_number }} |
|  | {%tr endfor %} |
| {{ plaintiff }}, |  |
| Plaintiff |  |
|  |  |
| v. |  |
|  |  |
| {{ defendant }}, |  |
| Defendant |  |
|  |  |

**{{ user\_role }}’s Motion for {{ opposing\_party\_role }} to Vacate {% if married\_to\_opposing\_party == True %} Marital {% endif %} Home**

{{ users[0].name.full() }}, {{ user\_role }} in this matter, requests an order that {{ opposing\_party.name.full() }} be ordered {% if who\_lives\_at\_vacate\_address == ‘opposing party’ %} to leave and {% endif %} stay away from the residence located at {{ vacate\_address.on\_one\_line() }}, in accordance with {% if married\_to\_opposing\_party == True %} G.L. c. 208, § 34B. {% else %} G.L. c. 209C, § 15. {% endif %}

In support of this motion, {{ user\_role }} states that {{ person\_in\_danger\_motion }} will be endangered or substantially impaired if {{ opposing\_party.name.full() }} does not leave and stay away from the home. See Attached Affidavit, which is incorporated into this motion.

{% if emergency == True %} {{ user\_role }} further asks this court to issue this order without advance notice to {{ opposing\_party\_role }} because there is a substantial likelihood of immediate danger to {{ fix\_punctuation(person\_in\_danger\_motion) }}{% endif %}

Respectfully submitted,

{{ date }}

{{ users[0].signature }}

{%p if address\_secret %}

Address Impounded

{%p else %}

{{ users[0].address\_block() }}

{%p endif %}

{%p if not address\_secret or (address\_secret and not phone\_number\_secret) %}

{{ users[0].phone\_number }}

{%p endif %}

{{ users[0].email }}

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| {{ plaintiff }}, |  |
| Plaintiff |  |
|  |  |
| v. |  |
|  |  |
| {{ defendant }}, |  |
| Defendant |  |
|  |  |
|  |

**{{ users[0].name.full() }}’s AFFIDAVIT IN SUPPORT OF**

**Motion for {{ opposing\_party\_role }} to Vacate {% if married\_to\_opposing\_party == True %} Marital {% endif %} Home**

1. {%p for paragraph in affidavit\_reviewed.split("\r") %}
2. {%p if paragraph %}
3. {{ paragraph }}
4. {%p endif %}
5. {%p endfor %}

Signed under the pains and penalties of perjury,

{%p if defined('users[0].signature') %}

{{ users[0].signature }}   
{%p endif %}

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

{{ users[0].name.full() }}

Date: {{ date }}

{% if emergency == False %}

**CERTIFICATE OF SERVICE**

I, {{ users[0].name.full() }}, certify that I served this motion on {{ opposing\_party.name.full() }} by first class mail to {% if opposing\_party.has\_counsel %} {{ opposing\_counsel.name.full() }} {{ opposing\_counsel.firm }} {{ opposing\_counsel.address.on\_one\_line() }}. {% else %} {{ opposing\_party.address.on\_one\_line() }}.

{%p if defined('users[0].signature') %}

{{ users[0].signature }}   
{%p endif %}

Date: {{ date }}

{% endif %}

{% endif %}