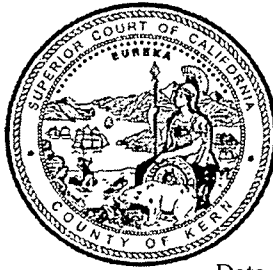


Tamarah Harber-Pickens
Clerk of the Superior Court



SUPERIOR COURT
Telephone 661-868-5393
1415 Truxtun Avenue
Bakersfield CA 93301

CURTIS E. FLOYD
RETURNED VIA AMS

Date :
Case No.:
Case Name:
Document:

6/14/2018
BCV-18-100861
ART ET AL VS ORTEGA ET AL
REQUEST FOR DISMISSAL

The attached papers are being returned for the following reason(s): ☐ Check # _____ Returned

- ☐ This pleading does not appear to be for Superior Court, Kern County.
- ☐ The attached document is an improper *ex-parte* communication and has not been considered by the Court.
- ☐ Fee of \$_____ required or a Request to Waive Court Fees must be submitted.
- ☐ **Application for Waiver of Fees missing attachment(s):**
 - ☐ Last three (3) paystubs, if employed.
 - ☐ Certified Copy of Statement of Account for previous six (6) months certified by Dept. of Corrections
 - ☐ Trust Account Withdrawal Order form (CDC form 193) completed by the Dept. of Corrections indicating \$3.00 fee to Dept. of Corrections has been paid or insufficient funds in the account to cover.
- ☐ Does not conform to Rule 2.100-2.119, California Rules of Court, as to form and format.
- ☐ Superior Court case number is wrong, incomplete, or missing.
- ☐ Consolidated matter: All consolidated case numbers must be listed in the heading with the lead case listed first.
- ☐ Consolidated matter:
 - ☐ Title is incorrect or missing parties.
 - ☐ Summons does not conform to complaint/cross-complaint/petition.
 - ☐ Not an original. Copies are not acceptable.
 - ☐ Copies must be provided if *endorsed* copies are requested. Submit one original plus _____ copy(ies).
 - ☐ Does not conform to Kern County Local Rule/Code:
 - ☐ Must use Mandatory Judicial Council form.
 - ☐ _____ is not eligible for filing. Reason:
 - ☐ Item(s) # _____ incomplete.
 - ☐ Missing required forms/attachment:
 - ☐ Original Will must be presented at the time of filing petition.
 - ☐ Signature missing:
 - ☐ Date and place of execution not completed.
 - ☐ Document(s) must be verified.
 - ☐ Show date, time, and location of hearing pursuant to California Rules of Court.
 - ☐ The date you have noticed this matter is a Court holiday/weekend.
 - ☐ Acknowledgement of Receipt/Citation must be attached to the completed proof of service.
 - ☐ Attach Proof of Service on opposing party.
 - ☐ Correct Proof of Service:
 - ☐ Not appraised by the Probate Referee.
 - ☐ Order/Judgment does not conform to the Court minutes.
 - ☐ Order page does not contain enough information regarding case; need at least three lines of text with identifying information for order and case (short title case and case number).
 - ☐ Dismissal cannot be entered for the following reasons:
- ☒ Other: **DUE TO CROSS-COMPLAINT FILED 5/29/18, THE "ENTIRE ACTION" CANNOT BE DISMISSED. PLEASE CORRECT YOUR REQUEST AND RE-SUBMIT.**

Tamarah Harber-Pickens
CLERK OF THE SUPERIOR COURT

By: Geena Taylor, Deputy Clerk

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

CURTIS E. FLOYD, ESQ., SBN#: 139243

LAW OFFICE OF CURTIS FLOYD

Mailing Address: P.O. Box 2107, Bakersfield, CA 9

Physical Address: 903 "H" Street, Suite 200

Bakersfield, CA 93304

TELEPHONE NO.: 661.633.2055 FAX NO. (Optional): 661.633.1391

E-MAIL ADDRESS (Optional): curtis@curtisfloydllaw.com

ATTORNEY FOR (Name): PLAINTIFFS, JENNIFER REBECCA ART, an

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN

STREET ADDRESS: 1415 Truxtun Avenue

MAILING ADDRESS: Same

CITY AND ZIP CODE: Bakersfield, CA 93301

BRANCH NAME: Metropolitan Division

PLAINTIFF/PETITIONER: JENNIFER REBECCA ART, an individual; JASON DANIEL ART

DEFENDANT/RESPONDENT: ADAN ORTEGA; an individual; ADAN ORTEGA dba ORTEGA TRUCKING; O

REQUEST FOR DISMISSAL

CASE NUMBER:

BCV-18-100861-DRL

A conformed copy will not be returned by the clerk unless a method of return is provided with the document.

This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)

1. TO THE CLERK: Please dismiss this action as follows:

- a. (1) ☒ With prejudice (2) ☐ Without prejudice
- b. (1) ☒ Complaint (2) ☐ Petition
- (3) ☐ Cross-complaint filed by (name):
- (4) ☐ Cross-complaint filed by (name):
- (5) ☒ Entire action of all parties and all causes of action
- (6) ☐ Other (specify):*

on (date):

on (date):

2. (Complete in all cases except family law cases.)

The court ☐ did ☒ did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed.)

Date: JUNE 12, 2018

CURTIS E. FLOYD, ESQ., SBN#: 13924

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

*If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

Attorney or party without attorney for:

☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Cross-Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.**

Date:

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

** If a cross-complaint – or Response (Family Law) seeking affirmative relief – is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581 (i) or (j).

Attorney or party without attorney for:

☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Cross-Complainant

(To be completed by clerk)

4. ☐ Dismissal entered as requested on (date):
5. ☐ Dismissal entered on (date): as to only (name):
6. ☐ Dismissal not entered as requested for the following reasons (specify):

7. a. ☐ Attorney or party without attorney notified on (date):
- b. ☐ Attorney or party without attorney not notified. Filing party failed to provide
- ☐ a copy to be conformed ☐ means to return conformed copy

Date: Clerk, by _____, Deputy