

## **Instructions for Motion for Leave to File an Answer:**

This form may be used by someone seeking leave of court (that is, permission) to file a late answer. (A party may file an answer within 28 days of the date the party was served with summons without seeking leave of court to do so).

1. Fill in the blanks at the top of the Motion with information from your case. This information may be found by searching with the case number or the property address on the Court's docket located at <http://cpdocket.cp.cuyahogacounty.us>.
2. Check the appropriate box related to when you intend to file your answer.
3. Fill in your name in the relevant sections where "Movant" appears.
4. Provide your specific reasons for seeking leave to answer. Please note that to be entitled to leave you must demonstrate that your failure to timely file an answer was the result of "excusable neglect."
5. Sign the Motion and include your contact information.
6. Complete and sign a Certificate of Service for the Motion. See the form titled "Certificate of Service" for more information. The addresses of the parties and/or their attorneys may be found by searching with the case number on the Court's docket located at <http://cpdocket.cp.cuyahogacounty.us>. Attach the completed Certificate of Service to your Motion.
7. Mail a copy of your Motion to the parties listed in the Certificate of Service.
8. File your motion with the Cuyahoga County Clerk of Courts.
9. **If you fail to do any of the above, your Motion will likely be denied.**
10. The other parties in the case have ten days to respond to your Motion. Do not expect a ruling until after these ten days have passed. Check the Court's docket located at <http://cpdocket.cp.cuyahogacounty.us> for a ruling on your Motion.

**COURT OF COMMON PLEAS  
GENERAL DIVISION  
CUYAHOGA COUNTY, OHIO**

\_\_\_\_\_  
Plaintiff

vs.

\_\_\_\_\_  
Defendant

CASE NO. \_\_\_\_\_

JUDGE \_\_\_\_\_

**MOTION FOR LEAVE TO FILE  
AN ANSWER**

**Movant seeks extension of time to file an answer:**

Now comes \_\_\_\_\_ who moves this Court for a \_\_\_\_\_ day  
[Movant] [Length of extension sought]

extension of time to file an answer.

**Movant seeks to file answer “instanter” – that is, at the same time as the motion:**

Now comes \_\_\_\_\_ who moves this Court to file the attached answer  
[Movant]

instanter. [Attach your answer to this motion (see Answer form)]

This leave is necessary because [State specific reasons for seeking leave to answer and facts that constitute “excusable neglect” for failure to file timely answer] \_\_\_\_\_

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

Respectfully submitted,

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[Signature of Movant]

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[Printed name of Movant]

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[Address, phone number and email address  
of Movant]

Certificate of Service

A copy of the foregoing Motion to For Leave to File an Answer has been sent by regular U.S. Mail to the following parties or their counsel of record:

[Please list all parties in the case or their attorneys and their addresses]

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[Signature of Movant]

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[Printed name of Movant]

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[Date]