

IDAHO COURT RULES  
IDAHO RULES OF CIVIL PROCEDURE

**Rule 41(a)(1). Dismissal of actions – Voluntary Dismissal - By the Plaintiff - (A)** Without a Court Order. Subject to Rules 73, and 77(e) and any applicable statute, the plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared. (B) Effect. Unless the notice or stipulation states otherwise, the dismissal is without prejudice. But if the plaintiff previously dismissed any state or federal court action based on or including the same claim, a notice of dismissal operates as an adjudication on the merits. (Adopted March 1, 2016; effective July 1, 2016.)

REMOVE THIS PAGE BEFORE FILING

\_\_\_\_\_  
Full Name of Party Filing Document

\_\_\_\_\_  
Mailing Address (Street or Post Office Box)

\_\_\_\_\_  
City, State and Zip Code

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Email Address (if any)

IN THE DISTRICT COURT FOR THE \_\_\_\_\_ JUDICIAL DISTRICT  
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff,  
vs.  
\_\_\_\_\_,  
Defendant.

Case No. \_\_\_\_\_

NOTICE OF DISMISSAL

Plaintiff is voluntarily dismissing the Complaint in this case as permitted by Idaho Rule of Civil Procedure 41(a)(1).

Date: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

CERTIFICATE OF SERVICE

I certify that on (date) \_\_\_\_\_ I served a copy to: (name all parties in the case other than yourself)

\_\_\_\_\_  
(Name)

- By United States mail
- By personal delivery
- By fax (number) \_\_\_\_\_

\_\_\_\_\_  
(Street or Post Office Address)

\_\_\_\_\_  
(City, State, and Zip Code)

\_\_\_\_\_  
(Name)

- By United States mail
- By personal delivery
- By fax (number) \_\_\_\_\_

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(Street or Post Office Address)

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(City, State, and Zip Code)

\_\_\_\_\_  
Typed/printed name

\_\_\_\_\_  
Signature