

IN THE CIRCUIT COURT OF \_\_\_\_\_ COUNTY, WEST VIRGINIA

\_\_\_\_\_,  
Plaintiff,

v.

Civil Action No. 9\_\_-D-\_\_\_\_\_

\_\_\_\_\_,  
Defendant.

NOTICE OF HEARING AND MOTION FOR TEMPORARY RELIEF

You are hereby notified that \_\_\_\_\_, the  
plaintiff/defendant (*choose one*) in the above-styled civil action, will bring the following motion  
against you in the Circuit Court of \_\_\_\_\_ County, West Virginia, and will on the  
\_\_\_\_\_ day of \_\_\_\_\_, 199\_\_, at \_\_\_\_\_ a.m./p.m., or as soon after as the  
matter may be heard, move the Family Law Master of \_\_\_\_\_ County, West  
Virginia, in Room \_\_\_\_\_ of the \_\_\_\_\_ County Court House, \_\_\_\_\_, West  
Virginia, for the entry of an Order to the following effect pending a full hearing on this case:

(*place an X in the appropriate spaces*)

\_\_\_\_\_ 1. That the plaintiff/defendant (*choose one*) be awarded the temporary care, custody, and  
control of the parties' minor child/ren, namely:

\_\_\_\_\_ born \_\_\_\_\_, 19 \_\_\_\_\_;

\_\_\_\_\_ born \_\_\_\_\_, 19 \_\_\_\_\_;

\_\_\_\_\_ born \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_ 2. That the Court: \_\_\_\_\_ award reasonable visitation to the plaintiff/defendant (*choose  
one*).

\_\_\_\_\_ award supervised visitation to the plaintiff/defendant (*choose one*).

\_\_\_\_\_ refuse to award visitation to the plaintiff/defendant (*choose one*).

\_\_\_\_\_ 3. That the plaintiff/defendant (*choose one*) pay to the defendant/plaintiff (*choose one*) such sum or sums of money as the Court may deem proper for the support and maintenance of the minor child/ren.

\_\_\_\_\_ 4. That the Court recalculate the amount of plaintiff's/defendant's (*choose one*) child support obligation based upon the parties' current and accurate income figures.

\_\_\_\_\_ 5. That the plaintiff/defendant (*choose one*) continue to pay to the defendant/plaintiff (*choose one*) such sum of money as the Court may deem proper for the support and maintenance of the minor child/ren until the final hearing.

\_\_\_\_\_ 6. That the plaintiff/defendant (*choose one*) be required to maintain the current level of medical and hospitalization insurance on the minor child/ren, if any, as a form of support.

\_\_\_\_\_ 7. That the plaintiff/defendant (*choose one*) be required to pay all medical, dental, hospital, optical and pharmaceutical expenses on the minor child/ren of the parties as a form of support.

\_\_\_\_\_ 8. That the plaintiff/defendant (*choose one*) be restored to his/her separate property, including \_\_\_\_\_, and \_\_\_\_\_ or a reasonable amount of money for the replacement of said property.

\_\_\_\_\_ 9. That the plaintiff/defendant (*choose one*) be enjoined from molesting or interfering with the defendant/plaintiff (*choose one*), or otherwise imposing any restraint on the personal liberty of the defendant/plaintiff (*choose one*), or interfering with the custodial rights of the defendant/plaintiff (*choose one*), and that the defendant/plaintiff (*choose*

*one*) be further protected from abuse by an order granting the relief provided in Chapter 48, Article 2A, of the West Virginia Code, as amended.

10. That the Court order that the plaintiff/defendant (*choose one*) be permitted to take the child/ren as a tax exemption on his/her federal and state income tax returns.
11. That pursuant to Section 48-2-33 of the West Virginia Code, the plaintiff/defendant (*choose one*) be required to disclose and produce to the defendant within (30) days, documents evidencing all assets owned in full or in part by the defendant/plaintiff (*choose one*), including but not limited to the following: Real estate; savings accounts; stocks and bonds; mortgages and notes; life insurance; interests in partnerships or corporations; tangible personal property; income from employment; future interests, whether vested or nonvested; and any other financial interest or source.
12. That the plaintiff/defendant (*choose one*) not be permitted to take the child/ren out of the state of West Virginia during the pendency of this action.
13. That the plaintiff/defendant (*choose one*) be allowed to utilize the discovery rules (Rules 26 through 37) of the West Virginia Rules of Civil Procedure in order to develop and present evidence regarding the issues raised herein.
14. That the Court enter such an order as is reasonably necessary to preserve the parties' marital and separate property, including the imposition of a constructive trust, so that such property be forthcoming to meet any order which may be made in this action.
15. That the plaintiff/defendant (*choose one*) be restrained from disposing of or in any way diminishing the value of the parties' marital property or defendant's/plaintiff's (*choose one*) separate property.
16. That the plaintiff/defendant (*choose one*) pay to the defendant/plaintiff (*choose one*) such sum or sums of money as the Court may deem proper and necessary to enable the defendant/plaintiff (*choose one*) to prosecute and defend this action, including court

costs and fees.

  X   17. That plaintiff/defendant (*choose one*) may have such other and further relief as the Court deems just and proper.

\_\_\_\_\_  
Plaintiff/Defendant (*choose one*), Pro Se

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Plaintiff,

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\_\_\_\_\_,  
Defendant.

STATE OF WEST VIRGINIA  
COUNTY OF \_\_\_\_\_, TO-WIT:

\_\_\_\_\_, the plaintiff/defendant (*choose one*) in the attached Notice and Motion for Temporary Relief, being first duly sworn, says that the facts and allegations contained in said Notice and Motion for Temporary Relief are true, except so far as they are stated to be on information, and that, so far as they are stated to be on information, she believes them to be true.

\_\_\_\_\_

Taken, subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 199 \_\_\_\_.

My Commission Expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

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\_\_\_\_\_,  
Defendant.

CERTIFICATE OF SERVICE

I certify that on the \_\_\_\_ day of \_\_\_\_\_, 1999, I served the foregoing Notice and Motion for Temporary Relief upon the plaintiff/defendant (*choose one*) herein, by placing a true copy thereof enclosed in a sealed envelope with postage prepaid, in the United State Mail, addressed to him/her as follows:

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

\_\_\_\_\_  
Plaintiff/Defendant (*choose one*), Pro Se