

FILING CODE: MOT

Your Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Self-Represented

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

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

DEPT: \_\_\_\_\_

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

**MOTION FOR TEMPORARY SPOUSAL SUPPORT AND/OR EXCLUSIVE POSSESSION**

**NOTICE OF MOTION**

*The judge can make a decision based only on the written filings, or the judge can talk to both parties and ask questions at a court hearing first. You can choose which you prefer below.*

**Would you like to have a hearing with the judge?** ( check yes/no, the court will enter details)

**Yes.** Hearing Date: \_\_\_\_\_ Hearing Time: \_\_\_\_\_ at:

**Family Courts & Services Center, 601 N. Pecos Rd. Las Vegas, NV 89101, courtroom \_\_\_\_\_**

**Regional Justice Center, 200 Lewis Ave. Las Vegas, NV 89101, courtroom \_\_\_\_\_**

The hearing may be available online; if it is the court will send login information separately.

**No.** The judge will write a decision after reviewing the request in chambers on: \_\_\_\_\_

TO: (write opposing party's name): \_\_\_\_\_

**NOTICE: You may file a written response to this motion with the Clerk of the Court and provide the undersigned with a copy of your response within 14 days of receiving this motion. Failure to file a written response with the Clerk of Court within 14 days of your receipt may result in the requested relief being granted by the Court without a hearing prior to the scheduled hearing date.**

Submitted By: (your name) \_\_\_\_\_

Plaintiff /  Defendant

## MOTION

(Your name) \_\_\_\_\_ moves this Court for an Order granting temporary spousal support and/or exclusive possession. ( *check one*)

- I tried to resolve this issue with the other party before filing this motion.
  - I did not try to resolve this issue with the other party before filing this motion. Any attempt to resolve the issue would have been useless or impractical because (*explain why you did not try to resolve this issue directly with the other party before filing this motion*)
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### Financial Disclosure Form (“FDF”) Certification

( *check one*)

- I filed a FDF in the last 6 months and have no material changes to report.
- I understand that I must file my FDF within 3 days of filing this motion to support my request for temporary spousal support and/or exclusive possession of the marital residence. Failure to file a timely, complete, and accurate FDF may result in the court ruling against me and/or imposing sanctions.

### POINTS AND AUTHORITIES LEGAL ARGUMENT

In a pending divorce case, the court may order one spouse to pay temporary spousal support to the other spouse. NRS 125.040. The court may also make orders affecting the property of the parties, including awarding one spouse temporary exclusive possession of the community residence. NRS 125.040.

**A. Request for Temporary Spousal Support**

Not Applicable ( check if not applicable and go to Section B)

**1. Spousal Support.**

I am requesting temporary spousal support of (*amount*) \$\_\_\_\_\_ per month.

My gross monthly income	\$
Spouse's gross monthly income	\$
My age	
Spouse's age	
Years married	

a. Describe your work history, level of education, and any additional training/education you believe is necessary to obtain your employment goals. (*explain*) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b. I should be granted temporary spousal support because (*explain why you need spousal support. Be specific.*) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. I believe my spouse is able to pay the requested support because (*explain*) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- d. ( *check all that apply*)
- I live with my spouse.
  - My spouse and I are both paying the community debts (car payments, mortgage/rent, insurance, etc.).
  - My spouse is paying the community debts.
  - I am paying the community debts.

**B. Request for Exclusive Possession of the Marital Residence**

- Not Applicable ( *check if not applicable and go to section C*)

**2. Exclusive Possession.**

I am requesting exclusive possession of the marital residence located at:

(address) \_\_\_\_\_.

The residence is	<input type="checkbox"/> owned / <input type="checkbox"/> rented / <input type="checkbox"/> leased / <input type="checkbox"/> in foreclosure.
My gross monthly income	\$
My spouse's gross monthly income	\$

- a. ( *check one*)
- We are both living in the residence.
  - I am living in the residence.
  - My spouse is living in the residence.
- b. ( *check one*)
- There are no domestic violence issues.
  - There are domestic violence issues between the parties. A TPO was issued on (date) \_\_\_\_\_ in case (TPO case number) T\_\_\_\_\_.

c. I believe it is easier for my spouse to find alternative housing because: *(explain)*

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d. Other issues that affect my request for exclusive possession *(list anything else the judge should consider in deciding who should stay in the residence)*: \_\_\_\_\_

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**C. Other Relief**

3. In addition to the relief requested above, I would like the Court to also order the following: *(Explain anything else that you would like the judge to order, or enter "N/A" if you do not want anything else. Be specific.)* \_\_\_\_\_

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I respectfully ask the Court to grant me the relief requested above, including an award of attorney's fees if I am able to retain an attorney for this matter, and any other relief the Court finds appropriate.

DATED \_\_\_\_\_, 20\_\_\_\_.

Submitted By: *(your signature)* \_\_\_\_\_

*(print your name)* \_\_\_\_\_

**DECLARATION IN SUPPORT OF MOTION FOR TEMPORARY SPOUSAL SUPPORT  
AND/OR EXCLUSIVE POSSESSION**

- a. I have read the foregoing motion, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated here as if set forth in full.
- b. Any Exhibit(s) in support of this Motion will be filed separately in an Exhibit Appendix.

**I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.**

DATED \_\_\_\_\_, 20\_\_\_\_.

Submitted By: *(your signature)* \_\_\_\_\_  
*(print your name)* \_\_\_\_\_