

FORM 7 (Rule 46(1))

IN THE COURT OF APPEAL FOR SASKATCHEWAN

Between

_____ Appellant (*status in court appealed from*)

- and -

_____ Respondent (*status in court appealed from*)

NOTICE OF MOTION TO
DISMISS APPEAL FOR WANT OF PROSECUTION

TAKE NOTICE:

1. THAT the Respondent intends to apply to the Court of Appeal, at the Court House, 2425 Victoria Avenue, Regina, Saskatchewan on the _____ day of _____, _____ at 10:00 a.m. for the following relief:

- (a) An order pursuant to Rule 46(1) of *The Court of Appeal Rules* dismissing the within appeal for want of prosecution.
- (b) An order pursuant to Rule 52 of *The Court of Appeal Rules* that the Respondent have the costs of this application.

2. THAT the following material will be filed in support of this application:

- (a) This notice of motion with proof of service.
- (b) The affidavit of _____.
- (c) The order of the Honourable Mr./Madam Justice _____ dated the _____ day of _____, _____, with proof of service, requiring the perfection of this appeal.

DATED at _____, Saskatchewan, this _____ day of _____, _____.

Name and Signature of the Lawyer for the Respondent

TO: _____
The Appellant(s)

Historical Note: 18 Apr 1997, Form 7.