

FORM SUMMARY

Name of Form: Order Dismissing/Denying Petition for Temporary Restraining Order/Injunction

Form Number CV-409

Statutory Reference: Chapters 48 and 813, Wisconsin Statutes

Benchbook Reference:

Purpose of Form: To deny a petition for injunction or to dismiss a temporary restraining order/injunction in domestic abuse, individual at risk, harassment, or child abuse actions.

Who Completes It: Court.

Who Signs It: **BY THE COURT:** Circuit Court Judge/Circuit Court Commissioner. **THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL IF SIGNED BY A CIRCUIT COURT JUDGE.**

Distribution of Form: Court, copy to petitioner, respondent, and law enforcement agency acting as repository for injunctions and Department of Justice (if an injunction has been previously granted and is now being vacated).

Accompanying Forms: If the petitioner is requesting a dismissal, or the parties are stipulating to a dismissal, some document evidencing the request will usually be provided to the court and may be attached to the order.

New Form/Modification: Modification; last update 03/26.

Modifications: Reworded final line under The Court Orders to “This is a final order for the purpose of appeal if the injunction is denied or dismissed by a circuit court judge.”

Comments: This form is to be used when a court official dismisses a temporary restraining order or an injunction. If a party wants a *de novo* review of a court commissioner’s decision, they must file form CV-503, Motion for De Novo Hearing on a Temporary Restraining Order of Injunction. Any order remains in effect until the circuit court judge in the *de novo* hearing issues a final order.

About this Form: This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court’s Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.