

# Instructions for filing a Motion in the Minnesota Court of Appeals Sida Maxkamadda Racfaanka Minnesota looga buuxinayo codsi go'aan laga gaaro ama Mooshin

These instructions, the *Motion* form, and the *Affidavit in Support of Motion* form (available at <http://mncourts.gov/CourtOfAppeals.aspx#Tab08Resources>) are provided for the benefit of self-represented litigants.

Sida loo buuxinayo, foomka *Mooshinka*, iyo foom ah *Dhaar Qoran oo ah Markhaatikid*

(ka eego <http://mncourts.gov/CourtOfAppeals.aspx#Tab08Resources>) oo waxaa loo diyaariyey dacwoodeyaasha naftooda metalaya.

Requirements for motions in the Minnesota Court of Appeals and Minnesota Supreme Court are listed in [Minn. R. Civ. App. P. 127](#). If you are filing a motion to request an extension of the deadline for your brief, [Minn. R. Civ. App. P. 131.02](#) also applies. Shuruudaha mooshinka ee Maxkamadda Racfaanka Minnesota iyo Maxkamadda Sare ee Minnesota waxay ku qoran yihiin [Minn. R. Civ. App. P. 127](#). Haddii aad soo dirsaneyso mooshin aad ku codsaneyso in lagu dheereeyo wakhtiga waraaqahaaga, [Minn. R. Civ. App. P. 131.02](#) waxa kale oo khuseeya.

These instructions provide a basic guide to filing a motion. However, the exact wording of your motion is up to you. You may need to consult an attorney about how to word your motion and what additional documents might be helpful to include with it. Siyaabahaasi waa hagid aasaasi ah oo lagu buuxiyo mooshinka. Hase yeeshee, waxa aad ku qoreyso mooshinka adiga ayey ku jirtaa. Waxaad u baahan kartaa in aad talo ka hesho qareen hadalka aad ku qoraneyso moodhinka iyo caddeymaha dheeraadka ah ee aad raacineyso.

For additional assistance filing a motion, contact the State Law Library at (651) 297-7651. Please note that court employees can give general information about court rules, forms, and procedures, but they cannot give legal advice.

Wixii caawimaad dheeraad ah oo ah buuxinta mooshinka, kala xiriir Maktabadda Arrimaha Sharciga (State Law Library) (651) 297-7651. Fadlan ogow in ay shaqaalaha maxkamada bixin karaan warbixin guud oo ku saabsan sharciyada maxkamadda, foomamka, iyo habraacyada, laakiin ma bixin karaan talooyin ah sharci.

### **Step 1: Fill out the *Motion* form/Tallaabada 1-aad: Buuxi foomka Mooshinka**

If you need to make any request of the court while your appeal is pending, you must serve and file a signed, written request asking the court for the relief you need. This formal request is called a “motion.”

Haddii aad maxkamadda wax ka codsaneyso inta laga shaqeynayo racfaankaaga, waa in aad keento oo aad soo gudbiso codsi saxiixan oo qoraal ah oo aad maxkamadda ku weydiisneyso waxa aad rabto. Codsiga noocan ah waxaa la yiraahdaa "mooshin."

The forms in the attached packet are worded in both English and the translated language. But your answers on the form must be provided in English. If you are unable to fill out your forms in English yourself, you will need to arrange for someone to assist you to word your answers in English.

Foomamka wada socda oo ah lifaaqa waxa ay ku qoran yihiin laba luuqadood oo kala ah Ingiriis iyo Soomaali. Laakiin jawaabahaaga foomka waa in lagu qoraa Af-Ingiriis. Haddii aadan foomamka ku buuxin karin afka Ingiriiska, waa in aad adigu hesho qof kugu caawiya in aad jawaabaha ku qorto afka Ingiriiska.

The motion must state (1) what you are requesting and (2) the reason(s) for that request. The requirements for a motion are found in [Minn. R. Civ. App. P. 127](#). You may need to consult an attorney about what types of requests the court will consider during your appeal, how to word your motion, and whether to attach any other documents with your motion.

Mooshinka waa in aad ku sheegto (1) waxa aad codsanayso (2) sababta (sababaha) aad codsiga u sameyneyso. Shuruudaha soojeedinta waxaa laga helaa [Minn. R. Civ. App. P. 127](#). Waxaad u baahan kartaa in aad qareen kala soo hadasho noocyada codsiga ay maxkamaddu tixgelineyso inta uu kuu socdo racfaanka, sida aad u qoreyso mooshinka, iyo haddii aad mooshinka raacineyso waraaqo caddeyn ah.

If you are filing a motion to request an extension of the deadline to file your brief, [Minn. R. Civ. App. P. 131.02](#) describes additional requirements for that type of motion. Haddii aad soo gudbineyso mooshin aad ku codsaneyso in lagu dheereeyo wakhtiga waraaqahaaga, [Minn. R. Civ. App. P. 131.02](#) ayaa kuu faahfaahinaya shuruudaha dheeraadka ah ee nooca mooshinkaas.

- Fill out the ***Motion*** form. Describe what you are asking the court do and why. List the court rules that apply to your requests.  
Soo buuxi foomka ***Mooshinka***. Faahfaahi waxaad ka rabto maxkamadda iyo sababta aad u rabto. Liis ahaan u qor sharciyada khuseeya codsiyadaada.
- Sign and date the ***Motion*** form.  
Saxiix oo ku qor taariikhda ***foomka*** Mooshinka.

**Step 2: Fill out the *Affidavit in Support of Motion* form**  
**Tallaabada 2-aad: Buuxi foomka *Markhaati-kaca Qoran ee Taageerada u ah Mooshinka***

An ***Affidavit*** is a sworn statement of facts. If you are filing a motion requesting an extension of the deadline for your brief, you are required to include an ***Affidavit in Support of Motion*** stating specific facts as to why you are unable to file the brief on time. [Minn. R. Civ. App. P. 131.02, subd. 2.](#)

***Markhaati-kaca Qoran*** waa hadallo xaqiiqo ah oo lagu soo dhaartay. Haddii aad soo gudbineyso mooshin ah codsi laguugu dheereeyo wakhtiga kama-dambeysta ee caddeymahaaga, waxaa lagaa rabaa in aad soo raaciso ***Markhaati-kac Qoraal ah oo Taageero u noqda Mooshinkaaga*** oo aad ku sheegeyso xaqiiqooyin gaar ah iyo sababta aadan u keensan karin caddeymaha lagaa rabo. [Minn. R. Civ. App. P. 131.02, subd. 2.](#)

For other types of motions, an ***Affidavit in Support of Motion*** is not strictly required by court rule, but is still helpful to provide the court more information to decide your motion. You may wish to consult an attorney about how to word your ***Affidavit in Support of Motion***.

Noocyada kale ee ah mooshinka, ***Markhaati-kaca Taageerada u ah Mooshinka*** shuruud ma aha in la keeno, laakiin waa macluumaad dheeraad ah oo maxkamadda ku caawin kara mooshinkaaga. Waxaad raadsan kartaa qareen aad talo ka hesho sida aad u qoraneyso ***Markhaati-kaca Taageerada Mooshinka***.

You may have someone other than yourself fill out an ***Affidavit in Support of Motion***, if that person knows about the facts supporting the reasons for the request in your motion. If

you decide to include more than one *Affidavit in Support of Motion*, you will need to make extra copies of the form (only one person can sign each *Affidavit*).

Waxaa **Markhaati-kaca Taageerada Mooshinka** ah kuu buuxin kara qof kale oo aan adiga ahayn, haddii uu aqoon u leeyahay xaqiiqada taageerada u ah sababaha codsiga mooshinka. Haddii aad go'aansato wax ka badan hal caddeyn oo ah **Markhaati-kaca Taageerada Mooshinka**, waa in aad koobbi ka sameysato foomka (**Markhaati-kac kasta** hal qof oo keliya ayaa sixiixi kara).

**Step 3: Serve your Motion and Affidavit on the opposing parties**  
**Tallaabada 3-aad: U gudbi Mooshinka iyo Markhaati-kaca**  
**qofka aad is haysaan**

Any time you submit a document to the Clerk of the Appellate Courts for filing, a copy must also be provided to all other parties at or before the time of filing. This is called “service.”

Markasta oo aad racfaan qaadato oo aad waraaqo u soo gudbiso Xoghaynta Maxkamadda Racfaanka, markaad soo gudbineyso ama ka hor koobbi waa in aad u dirto dhammaan dhinacyada dadka kale ee uu khuseeyo mooshinkaaga. Arrintaas waxaa la yiraahdaa "dacwad-garsiin."

**General Instructions for “Service”/Siyaabaha Guud ee “Dacwad-gaarsiinta”**

If a party has an attorney, you must serve the attorney rather than the party. If a party does not have an attorney, you may serve that party directly.

Haddii qofka kale haysto qareen, dacwada u dir qareenka qofka ee ha u dirin qofka. Haddii aan dhinac ku jira kiiska uusan lahayn qareen, waxaad dukumintiga si toos ah u siin kartaa dhinaca kale.

You can serve **by mail** by depositing the documents, correctly addressed, in the U.S. Mail, with adequate first-class postage. You can serve documents by mail yourself.

**For simplicity, these instructions assume that you are serving the other parties by mail.**

Waxaad ugu diri kartaa **boostada** adiga oo dukumiintiga u diraaya, si sax ahna ciwaanka ugu qoraaya, Boostada Maraykanka, adiga oo ku diraaya boostada degdeg ah. Waxaad waraaqaha ugu diri kartaa boostada.

**Sida la ogyahay, waxaa lagaa filayaa in aad qofka kale boostada ugu dirto waraaqaha dacwadaha.**

However, there are other methods of service:

Hase yeeshee, waxaa jira siyaabo kale oo aad ugu guddbin karto:

**(1) In person** (“personal service”): Have another person hand-deliver the document. The person who hand-delivers the document must be 18 years or older and not a party to the appeal. You cannot serve a party in person yourself.

**Si toos ah** (“adeegga tooska ah”): Inaad qof kale ugu dhiibto si uu toos ugu geeyo dukumiintiga. Qofka geynaya waraaqaha dacwada waa in uu yahay ama ka weyn yahay 18 sano oo waa in uusan qeyb ka ahayn arrinta racfaanka. Adigu si toos ah uguma geyn kartid qofka kale.

**(2) Electronically:** If you filed electronically using the appellate courts’ e-filing system, E-MACS, you can serve the respondents electronically as well, if the respondents are registered in E-MACS.

**Kambuyuutar ahaan:** Haddii aad isticmaashay habka internetka ee maxkamadda racfaanka, ama E-MACS, waxaad adiguna dadka ka soo jawaabaya ugu sii diri kartaa internet ahaan, haddii ay dadkaasi ka diiwaan gashan yihiin E-MACS.

**(3)** If the recipient consents to another method of delivery, such as email or fax, you could also use that method for service.

Haddii ay dadkaasi rabaan qaab kale, sida inaad ugu dirto boostada internetka (email) ama fakis, sidaas ayaad ugu guddbin kartaa.

For additional instructions on service, see [Minn. R. Civ. App. P. 125.02 and 125.03](#).

Faahfaahin dheeraad ah oo ah dirista waraaqaha, ka eego [Minn. R. Civ. App. P. 125.02 iyo 125.03](#).

Make a copy of the ***Motion*** and ***Affidavit*** for yourself and for each opposing party. If you are the appellant, make a copy for each respondent in your appeal. If you are the respondent in the appeal, make a copy for each appellant in your appeal.

Adigu koobbi ka reebo ***Mooshinka*** iyo ***Markhaati-kaca*** aad u guddiso qof kasta. Haddii aad tahay racfaanlaha, koobbi u diyaari qof kasta oo ka soo jawaabaya racfaankaaga. Haddii aad tahay qofka soo jawaabaya, koobbi u diyaari qof kasta oo ah racfaanle oo ku jira racfaankaaga.

Mail a copy of the ***Motion*** and ***Affidavit*** to each opposing party (or their attorney, if they have an attorney).

Boostada ugu dir koobbiga ***Mooshinka*** iyo ***Markhaati-kaca*** qof kasta oo aad iska hor jeeddaan (ama qareenka metalaya, haddii ay qareen qabsadeen).

## Step 4: Proof of Service/Tallaabada 4-aad: Caddeynta Gudbintii Dacwada

Every document submitted to the Clerk of the Appellate Courts for filing must be accompanied by a form stating that the document was served on the other parties to the appeal. This is called “proof of service.”

Waraaq kasta oo loo gudbinayo Xoghaynta Maxkamadda Racfaanka oo ah dacwad waa in la soo raaciyoo foom sheegaya in waraaqdaas loo gudbiyey dhinacyada kale ee racfaanka ku jira. Foomkaas waxaa la yiraahdaa "caddeynta gudbinta waraaqaha."

### General Instructions for “Proof of Service” Tilmaamaha guud ee "Cadaynta Adeegga"

If you serve papers by mail, in person, or by another delivery method (with the consent of the recipient), “proof of service” is required along with any document you file.

Haddii aad waraaqaha ugu gudbiso boostada, ama si shakhsi ah, ama hab kale oo lagu geyn karo (marka ay raalli ka yihiin dhinnaca kale), "caddeynta gudbinta waraaqaha" ayaa shuruud ah in aad soo raaciso wixii dacwad ah oo aad soo keensaneyso.

The easiest method for proof of service is to fill out a *Certificate of Service*. A *Certificate of Service* does not need to be signed in front of a notary.

Sida ugu fudud ee caddeynta gudbinta waraaqaha waa adigoo boostada ka codsada in lagu soo diro *Xaqijinta Geynta Boostada*. *Xaqijinta Geynta Boostada* uma baahna in lagu soo saxiixo nootaayo ahaan.

You may file one *Certificate of Service* listing multiple documents, but only if you serve those documents on the same date and on the same parties.

Waxaad soo gudbin kartaa hal caddeyn oo ah *Xaqijinta Geynta Boostada* oo ah waraaqo badan, laakiin waa keliya haddii aad waraaqaha u wada dirto dhinacyada kale isku mar.

For additional instructions on proof of service, see [Minn. R. Civ. App. P. 125.04](#).

Faahfaahin dheeraad ah oo ah dirista waraaqaha, ka eego [Minn. R. Civ. App. P. 125.04](#).

**For simplicity, these instructions assume that you are serving the other parties by mail.**

You will need a *Certificate of Service by Mail*, which must include, from top to bottom:

**Sida la ogyahay, waxaa lagaa filayaa in aad qofka kale boostada ugu dirto waraaqaha dacwada.**

Waxaad u baahan tahay *Xaqijinta Geynta Boostada*, oo waa in ay ku jirto waraaqaha, kor ilaa hoos:

- The parties’ names and case file number/Magacyada iyo lambarka kiiska ee dadka kale;
- County where the form was signed/Degmada foomka lagu saxiixay;

- The name of the person who served the documents;  
Magaca qofka dadka kale u geeyay waraaqaha;
- The titles of the documents that were served;  
Magacyada waraaqaha loo diray oo dhan;
- The date the documents were served/Taariikhda waraaqaha la geeyay;
- The names of the parties who were served and the addresses to which the documents were mailed to those parties;  
Magacyada dadka kale ee loo geeyay waraaqaha iyo cinwaankii boostada ee loogu diray waraaqaha loogu diray;
- The signature of the person who served the documents, the date the form was signed, and the county and state where the form was signed.  
Saxiixa qofka waraaqaha geeyay, taariikhda foomka la saxiixay, degmada iyo gobolka foomka lagu saxiixay.

Print out a *Certificate of Service by Mail* form, which is available at

[http://mncourts.gov/mncourtsgov/media/Appellate/Court%20of%20Appeals/Certificate\\_of\\_Service\\_by\\_Mail.pdf](http://mncourts.gov/mncourtsgov/media/Appellate/Court%20of%20Appeals/Certificate_of_Service_by_Mail.pdf)

Adigu daabaco foomka *Xaqijinta Geynta Boostada*, oo waxaad ka heleysaa

[http://mncourts.gov/mncourtsgov/media/Appellate/Court%20of%20Appeals/Certificate\\_of\\_Service\\_by\\_Mail.pdf](http://mncourts.gov/mncourtsgov/media/Appellate/Court%20of%20Appeals/Certificate_of_Service_by_Mail.pdf)

The person who served the documents by putting them in the mail must complete and sign the form titled *Certificate of Service by Mail*.

Qofka diraya waraaqaha ee dhigaya boostada waa in uu buuxiyaa oo saxiixaa foomka ciwaankiisu yahay *Xaqijinta Geynta Boostada*

**Step 5: File the *Motion, Affidavit, and Certificate of Service by Mail***  
**Tallaabada 5-aad: Soo gudbi *Mooshinka, Markhaati-kaca, iyo Xaqijinta Geynta Boostada***

“Filing” means submitting or delivering documents to the Office of the Clerk of the Appellate Courts. Filing the *Motion* is how you let the Court of Appeals know you are making a request.

"Gudbintu" waxay ka dhigan tahay in waraaqaha loo diro ama loo geeyo Xafiiska Xoghaynta Maxkamadda Racfaanka. Gudbinta *Mooshinka* waa sida aad Maxkamadda Racfaanka ku ogeysiineyso in aad codsi sameysaneyso.

☐ If you have electronically filed other paperwork in your appeal, you must also electronically file your *Motion, Affidavit, and Certificate of Service by Mail*. If you did not electronically file the other paperwork in your appeal, choose your method of filing: Haddii aad waraaqaha ku soo dirto intarnetka markaad buuxiso racfaankaaga, waa in aad sidoo kale intarnetka ku soo gudbiso *Mooshinka, Markhaati-kaca, iyo Xaqiijinta Geynta Boostada*. Haddii aadan intarnetka ku soo buuxineyn waraaqaha iyo racfaanka, waa in aad doorato hab kale oo aad ku soo buuxiso:

### General Instructions for “Filing”/Tilmaamaha guud ee "buuxinta" racfaanka

Parties **without an attorney** may file documents by any of the following three methods: Dhinacyada **aan haysan qareen** waxay waraaqaha ku soo gudbin karaan mid ka mid ah saddexda hab ee soo socda:

- 1) **Mailing** the documents to the Clerk of the Appellate Courts, addressed to:  
**Boostada** waa in waraaqaha loogu soo dirto Xoghaynta Maxkamadda Racfaanka, oo cinwaanku waa:  
Xoghaynta Maxkamadda Racfaanka  
305 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155
- 2) **Hand-delivering** them to the Clerk of the Appellate Courts during business hours (8:00 a.m. to 4:30 p.m. weekdays), or  
**Inaad gacanta ugu keento** Xoghaynta Maxkamadda Racfaanka maalmaha shaqada (8-da ilaa 4:30 sabtida iyo axadda), ama
- 3) **Submitting them electronically** through the appellate courts’ e-filing system, E-MACS. Once you start to e-file in an appellate case, you must continue to e-file throughout the case – you cannot choose later to file in person or by mail. (**Note: All attorneys are required to use E-MACS and cannot file documents by mail or by hand-delivery to the Clerk of the Appellate Courts.**)  
**Inaad ku soo gudbiso intarnetka** adigoo isticmaalaya habka intarnetka maxkamadda ama e-filing, E-MACS. Markaad bilowdo in aad kiiska racfaanka ku soo gudbiso intarnetka, waa in aad sidaas keliya ku soo gudbiso – markaas ka dib gacanta ama boostada ma isticmaali kartid. (**Ogow: Qareen kasta waxaa laga rabaa in ay isticmaalaan E-MACS oo waraaqo uguma soo gudbin karaan Xoghaynta Maxkamadda Racfaanka hab ah boostada ama keenid.**)

For information about electronic filing and to submit documents electronically, go to the Clerk of the Appellate Courts’ webpage ([www.mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab05AppellateFiling](http://www.mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab05AppellateFiling)). For additional instructions on filing, see [Minn. R. Civ. App. P. 125.01](#).

Faahfaahinta dacwada lagu buuxinayo intarnetka iyo waraaqaha la soo gudbinayo, ka eego bogga Xoghaynta Maxkamadda Racfaanka ([www.mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab05AppellateFiling](http://www.mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab05AppellateFiling)). Wixii tilmaamo dheeri ah oo la xiriira gudbinta, kafiiri [Minn. R. Civ. App. P. 125.01](#).

**The Clerk's Office cannot accept filings by fax or email.**

**Xafiiska Xoghaynta ma aqbali karo waraaqo in loogu soo diro fakis ahaan ama boostada intarnetka.**

- If you are filing by mail or hand-delivery, make one copy of the *Certificate of Service by Mail*. Keep the copy for your records.  
Haddii aad waraaqo ku soo gudbineyso boostada ama gacanta, koobbi ka samee *Xaqiijinta Geynta Boostada*. Adigu naftaada koobbi ka reebo.
- File the *Motion, Affidavit, and Certificate of Service by Mail* with the Clerk of the Appellate Courts using the method you chose above.  
Waraaqaha *Mooshinka, Markhaati-kac, iyo Xaqiijinta Geynta Boostada* u soo gudbi Xoghaynta Maxkamadda Racfaanka adigoo ugu soo diraya habkii aad rabto.

### What Happens Next/Maxaa Xigi Doona?

Any party in your appeal may file a *response* to your motion within 5 days after you serve them with your motion. If you would like to reply to the response, you may file a *reply*, which must be served within 3 days of the response. [Minn. R. Civ. App. P. 127](#).  
Dhinaca kale qof ayaa soo diri kara *jawaabta* mooshinka 5 maalmood gudahood ka dib marka uu gaaro mooshinka aad u dirtay. Haddii aad u jawaabeysa, adigaa u *jawaabaya*, balse waa inaad ugu jawaabto 3 maalmood gudahood. [Minn. R. Civ. App. P. 127](#)

The court will consider your *Motion* and will grant or deny your *Motion* in writing. Maxkamaddu waxay tixgelinesaa *Mooshinka* oo markaas ayey kaa aqbaleysaa ama kaa diideysaa *Mooshinka* oo waraaq ayaa lagu soo dirayaa.