

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
METROPOLITAN COURT

_____,
Plaintiff,

v.

No. _____

_____,
Defendant.

MOTION TO SET ASIDE DEFAULT JUDGMENT

The undersigned asks that the court set aside default judgment dated _____, _____, and states:

1. This motion is filed within thirty (30) days from date of judgment; and
2. No appeal has been taken from the judgment; and
3. Undersigned has a defense to present; and
4. My excuse for being in default is: _____

_____.

Date: _____

Signed (*Plaintiff*) (*Defendant*)

Name (*print*)

Address (*print*)

City, state and zip code (*print*)

Telephone number

CERTIFICATE OF SERVICE¹

I hereby certify that on this ____ day of _____, _____ this Motion was:

[mailed by United States first class mail, postage prepaid, and addressed to:

Name: _____

Address: _____

City, State _____

and zip code: _____

[faxed by _____ (*name of person who faxed document*) to _____ (*name of recipient*) at _____ (*telephone number*). The transmission was reported as complete. The time and date of the transmission was _____ (a.m.) (p.m.) on _____ (*date*).]

[e-mailed to _____ (*name of party or attorney*) at _____ (*electronic mail address of recipient*) upon agreement of the party to accept electronic service. The transmission was reported as complete. The time and date of the transmission was _____ (p.m.) (a.m.) on _____ (*date*).]

[delivered to _____ (*Specify how service by delivery was made. See Use Note 1 for the methods service may be made using this alternative.*) _____:]

Signature of person sending paper

Date of signature

WHITE- Court Copy

YELLOW- Plaintiff's Copy

PINK- Defendant's Copy

USE NOTE

1. A copy of this motion must be served on the other party or attorney for the other party.