

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
IN THE METROPOLITAN COURT

\_\_\_\_\_

Plaintiff,

v.

Case No. \_\_\_\_\_

\_\_\_\_\_

Defendant,

\_\_\_\_\_

.Garnishee

**MOTION FOR DEFAULT JUDGMENT AGAINST GARNISHEE**

Judgment Creditor moves the Court to enter a Default Judgment against the Garnishee.

The Writ of Garnishment was served on the Garnishee on \_\_\_\_\_ (*date*) and the Return of Service of the Writ on the Garnishee has been filed with the Court.

The Garnishee has not filed an answer or other responsive pleading with the Court nor has the Judgment Creditor been served with a responsive pleading.

The Judgment Creditor requests the Court to set a hearing on this Motion on not less than three (3) days notice to the Garnishee.

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Plaintiff

*If the Plaintiff is not represented by an attorney, this Motion must be sworn to or affirmed by the Plaintiff.*

I, \_\_\_\_\_, upon my oath or affirmation do solemnly declare or affirm that this Motion contains a complete, accurate statement of the facts to the best of my knowledge. I understand that if I make a material misstatement of fact, I may be prosecuted and punished for perjury.

\_\_\_\_\_  
Signature of Plaintiff

Signed and sworn to (or affirmed) before me on \_\_\_\_\_ (*date*) by \_\_\_\_\_ (*name of person or persons making statement*).

(seal)

\_\_\_\_\_  
Signature of Notarial Officer

My commission expires: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ this motion was:

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

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

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

City, State and zip code: \_\_\_\_\_]

[faxed by \_\_\_\_\_ (name of person who faxed) to \_\_\_\_\_ (defendant or defendant's attorney). The transmission was reported as complete and without error. The time and date of the transmission was \_\_\_\_ (a.m) (p.m) on \_\_\_\_\_ (date).]

[e-mailed to \_\_\_\_\_ (name of person who transmitted) to \_\_\_\_\_ at \_\_\_\_\_ (electronic address of recipient) who agreed to service in this manner. The transmission was successful. The time and date of the transmission was \_\_\_\_\_ (p.m) (a.m) on \_\_\_\_\_ (date).]

\_\_\_\_\_  
Signature of attorney

*If this notice was served by a person other than an attorney, the following must also be completed and filed with the Court:*

**CERTIFICATE OF SERVICE**

I hereby certify that on this \_\_\_\_\_ (date) this document was:

Mailed OR  Hand-Delivered OR  Faxed OR  E-mailed  
TO: \_\_\_\_\_

Mailed OR  Hand-Delivered OR  Faxed OR  E-mailed  
TO: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, and Zip Code

\_\_\_\_\_  
City, State, and Zip Code

\_\_\_\_\_  
Fax # (if faxed)

\_\_\_\_\_  
Fax # (if faxed)

\_\_\_\_\_  
E-mail Address (if E-mailed)

\_\_\_\_\_  
E-mail Address (if E-mailed)

\_\_\_\_\_  
Signature of person sending document

Use Note

If document is hand-delivered directly to the person, only the name needs to be filled in above.

Signed and sworn to (or affirmed) before me on \_\_\_\_\_ (date) by \_\_\_\_\_ (name of person or persons making statement)

(seal)

\_\_\_\_\_  
Signature of Notarial Officer

My commission expires: \_\_\_\_\_