

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
IN THE 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 SERVICE<sup>1</sup>**

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 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.) \_\_\_\_\_.

\_\_\_\_\_  
Date of signature

\_\_\_\_\_  
Signature of person sending paper

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.