

4-702. Motion for default judgment.

[For use with Rules 2-702 and 3-702 NMRA]

STATE OF NEW MEXICO
IN THE _____ COURT
_____ COUNTY

_____, Plaintiff,

v. _____ No. _____

_____, Defendant.

MOTION FOR DEFAULT JUDGMENT

Plaintiff requests the court to enter a default judgment, and in support of this request, plaintiff states as follows:

The Complaint in the above described case was filed on the _____ day of _____, _____.

Service of a copy of the Summons, Complaint, and Answer form in this case were made on defendant(s) on the _____ day of _____, _____.

The defendant(s) _____, _____ and _____ (have) (has) failed to appear or to file an Answer or other responsive pleading to the Complaint.

The return of service was filed with this court on the _____ day of _____, _____.

Plaintiff previously has filed or has attached to this motion an affidavit or affirmation regarding the (defendant's) (defendants') military status.¹

The Plaintiff requests the court to enter judgment for the following damages, costs, and fees:

Damages	\$ _____
Attorneys' fees (if allowable)	\$ _____
Interest (if allowable)	\$ _____
Filing fee	\$ _____
Service fee	\$ _____
Witness fees	\$ _____
Total Judgment	\$ _____

Attorney for Plaintiff

If the Plaintiff is not represented by an attorney, the Plaintiff must complete the following affirmation.

I, _____, affirm under penalty of perjury under the laws of the State of New Mexico that the statements in this motion are true and correct.

Dated: _____

Signature of person making affirmation

Printed name of person making affirmation

USE NOTES

1. The plaintiff may fulfill this requirement by completing and filing Form 4-702A NMRA.

[As amended by Supreme Court Order No. 16-8300-019, effective for all cases pending or filed on or after December 31, 2016.]