**4-705. Order setting aside default judgment and giving notice of trial date.**

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

STATE OF NEW MEXICO

IN THE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COURT No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Plaintiff

against

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Defendant

**ORDER SETTING ASIDE DEFAULT JUDGMENT AND GIVING NOTICE**

**OF TRIAL DATE**

 A motion having been made to set aside the default judgment, and the court having held a hearing, finds that Defendant has a defense to present, that good cause has been shown, and that the motion should be granted.

IT IS ORDERED that the default judgment dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_, is set aside, and

Defendant shall file an Answer to the Complaint within \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ days.

 Plaintiff and Defendant are notified that THIS CASE WILL BE TRIED

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_, at \_\_\_\_\_\_\_\_\_\_ m. at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
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and the failure of any party to appear at the time and place set for trial will be ground for default judgment against such party.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge