**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,

1. 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.]