

IN THE DISTRICT COURT FOR THE STATE OF ALASKA AT _____

STATE OF ALASKA)

MUNICIPALITY OF ANCHORAGE)

CITY/BOROUGH OF _____)

Plaintiff,)

vs.)

Case No. _____

_____)

_____)

Defendant.)

**MOTION TO VACATE (CANCEL)
DEFAULT JUDGMENT**

Instructions

1. You can only file a motion to vacate a default judgment within two years of the judgment date.
2. Before filing this motion with the court, do one of the following:
 - Option 1: Take the motion to the prosecutor's office and ask the prosecutor to fill in the Reply section. The prosecutor will file the motion with the court.
 - Option 2: Complete the certificate of mailing beneath your signature. Mail a copy of the motion to the prosecutor. Then file the original motion with the court.

A judgment of conviction was entered against me on (date) _____ for failing to respond or appear for arraignment or trial. I request that the judgment be vacated (cancelled).

This is my: first second or more request to vacate judgment.

I request the judgment be vacated because:

1. I have a good reason for failing to respond or appear, **and** I have a good defense to the charges against me if my case is reopened. [You must answer both (a) and (b) below.]
 - (a) This is my reason for failing to respond or appear:

- (b) This is my defense to the charges against me if my case is reopened:

2. The proceedings were not fair because I did not receive notice:
 - of the charge.
 - of the procedure for responding to the charge.
 - that a default judgment would be entered if I did not respond to the charge.

Explain: _____

_____ Date

_____ Defendant's Signature

_____ Mailing Address

_____ City

_____ State

_____ ZIP

_____ Work Phone

_____ Home/Cell Phone

_____ E-mail Address*

* I authorize the court to email me court documents in this case to the email address above.

Certificate of Mailing: I certify that on _____ I mailed a copy of this motion to the:

District Atty's Office in _____, AK City Atty's Office in _____, AK

Signature: _____

REPLY

Prosecutor opposes this motion does not oppose this motion.

_____ Date

_____ Prosecuting Attorney's Signature

_____ Print Name

_____ BAR #