

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 #