



PINAL COUNTY JUSTICE COURTS

**MOTION TO
SET ASIDE A
CIVIL TRAFFIC
DEFAULT
INSTRUCTIONS
&
FORMS**

PINAL COUNTY
Apache Junction Justice Court
Central Pinal Justice Court
Western Pinal Justice Court



JUSTICE COURTS
Casa Grande Justice Court
Copper Corridor Justice Court
Pioneer Justice Court

If the court has imposed a default judgment against you in a civil traffic case and if you believe you have a defense for your failure to appear or failure to comply, you may file a **MOTION TO SET ASIDE DEFAULT JUDGMENT**.

When filling out the Motion to Set Aside Default do not explain your allegations or defenses of your civil traffic violation. **You should only address why the default judgment should be vacated.**

If the judge grants your motion to set aside the default you will be given an opportunity to address the original civil traffic violation either by admitting responsibility with an explanation or denying responsibility and request a hearing.

If the judge denies your motion to set aside the default your driver license or driving privilege will remain suspended until the default judgment is paid in full. Once the default judgment has been paid in full the court will send notice to MVD that the default judgment has been satisfied.

INSTRUCTIONS:

- 1) Complete the Motion to Set Aside Default Judgment form.
- 2) File the original form with the court.

It is important that all parties keep the court apprised of any change in address. A notice of change of address form must be filed with the court when a party changes their address.

Pinal County Justice Courts, State of Arizona

MOTION TO SET ASIDE DEFAULT JUDGMENT

Case Number: _____

Plaintiff(s) Name / Address / Phone

Defendant(s) Name / Address / Phone

Defendant asks the court to set aside the default judgment entered herein. I did not appear in court because:

At this time I intend to:

- Plea RESPONSIBLE with an explanation:

- Plea NOT RESPONSIBLE and request a hearing.
- Show proof that INSURANCE / REGISTRATION / DRIVER LICENSE was valid on date of violation.

_____ Date

_____ Defendant

ORDER

The Court, having considered the above motion enters its ORDER as follows:

- The motion is denied. The judgment remains as entered.
- Good cause appearing, the motion is granted. The judgment is set aside and the civil penalty and any fee imposed is also set aside.
- A hearing on the motion is scheduled for _____ at _____ A.M. / P.M.
- IT IS FURTHER ORDERED _____

_____ Date

_____ Justice of the Peace

I CERTIFY that I mailed / delivered a copy of this ORDER to:

- Defendant at the above address or Defendant's Attorney

Date: _____

By: _____ (court clerk)