

IN THE DISTRICT COURT FOR THE STATE OF ALASKA AT \_\_\_\_\_

STATE OF ALASKA )  
 MUNICIPALITY OF ANCHORAGE )  
 CITY/BOROUGH OF \_\_\_\_\_ )  
Plaintiff, )

vs.

\_\_\_\_\_  
Defendant. )

Case No. \_\_\_\_\_

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

***Instructions***

1. A motion to vacate (cancel) a default judgment can only be filed within two years after the date of judgment. Minor Offense Rule 10(g).
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) 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

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

District Attorney's Office in \_\_\_\_\_, AK

City/Borough Prosecutor's Office in \_\_\_\_\_, AK

Signature: \_\_\_\_\_

**REPLY**

Prosecutor  opposes this motion  does not oppose this motion.

\_\_\_\_\_  
Date Prosecuting Attorney's Signature Print Name BAR #