

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
AT _____
(City or town where the court is located)

Plaintiff,
v. _____
Defendant.

)
)
)
)
) Case No. _____
)
)

**MOTION, AFFIDAVIT, & ORDER
TO SET ASIDE DEFAULT &
ACCEPT LATE FILED ANSWER**

I, _____, request that the court set aside for good cause the entry of default issued on the following date: _____.

Affidavit

I swear or affirm that the following facts are true to the best of my knowledge:

- Receipt of Complaint.**
 I never received the *Complaint* from the Plaintiff.
 I received the *Complaint* on the following date _____ by the following method: certified mail process server _____.
- Reason for Not Answering.** I did not file a timely *Answer* to the *Complaint* because:

 More pages are attached.
- Disagreement with Complaint.** I do not agree with the *Complaint* and want to participate in all proceedings in this case.
- Hearing.** I would like to have a hearing about this *Motion*. (*The court is not required to have a hearing, so your Motion must include all of your facts and argument.*)

5. **Attached Documents.** I have included the following documents with this *Motion*:
 Answer & Counterclaim to Complaint to Collect a Debt, CIV-481—REQUIRED (unless already filed)
 Other documents that support this *Motion*: _____

 Print Name

 Mailing Address City State ZIP

 Phone

 Email*

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

I swear or affirm that the facts listed above are true to the best of my knowledge.

 Your Signature

Subscribed & sworn to or affirmed before me at _____, Alaska on _____.

(SEAL)

 Clerk of Court, Notary Public, or other person
 authorized to administer oaths.

My commission expires: _____

Certificate of Service

To be filled out by person filing this *Motion*

I certify that on the following date _____ a copy of this *Motion* and the following attached documents: _____

were mailed hand delivered to:

Opposing Party _____ Opposing Lawyer _____

Other _____ Other _____

Your signature: _____

ORDER GRANTING MOTION TO SET ASIDE DEFAULT & ACCEPT LATE ANSWER

Having considered the *Motion*, the court finds good cause and no prejudice in setting aside the default and proceeding with all aspects of the case. The court accepts the Defendant's late filed *Answer*.

 Effective Date

 Judge

 Type or Print Name

Certificate of Service

To be filled out by court staff

I certify that on the following date _____ a copy of the above was sent to:

Plaintiff: _____ Plaintiff's Attorney: _____

Defendant: _____ Defendant's Attorney: _____

Clerk/JA: _____

Need help? See Alaska Court System's Self-Help Services Debt Collection Page at:
<http://courts.alaska.gov/shc/debt/defaults.htm#late>