

Small Claims Court, Denver County, Colorado
1437 Bannock Street, Room 135
Denver, Colorado 80202, 720-865-7840

PLAINTIFF(S): _____

v.

DEFENDANT(S): _____

▲ COURT USE ONLY ▲

Case Number: _____

Division: **Small Claims** Courtroom: _____

MOTION AND ORDER TO SET ASIDE: DISMISSAL DEFAULT JUDGMENT

1. I/We _____, am/are the Plaintiff(s) Defendant(s) in above captioned case.
2. My claim against the Plaintiff(s) Defendant(s) was/were dismissed on _____ (date).
OR
The Plaintiff(s) Defendant(s) Judgment(s) was/were entered against me on _____ (date).
3. I/We did not appear in Court on the date of the trial or the date of the entry of judgment because:

4. I/We believe I/We can provide the following facts to prove my/our case or to establish my/our defense: _____

I swear/affirm that I have read the foregoing *MOTION AND ORDER TO SET ASIDE DISMISSAL/DEFAULT JUDGMENT* and that the statements set forth therein are true and correct to the best of my knowledge.

Date: _____

Signature

Date: _____

Signature

CERTIFICATE OF SERVICE

I certify that on _____ (date) a true and accurate copy of this *MOTION AND ORDER TO SET ASIDE DISMISSAL/DEFAULT JUDGMENT* was served on the other party by:

Hand Delivery E-filed Faxed to this number _____ or by placing it in the United States mail, postage pre-paid, and addressed to the following:

Signature

FOR COURT USE ONLY BELOW THIS LINE:

ORDER

The Court upon review of the *Motion and Order to Set Aside*: *Dismissal* *Default Judgment*, ORDERS the following:

1. The Motion is **DENIED**.
2. The Motion is **GRANTED**.
3. The Motion is to be heard by the Court on _____ (date). If after the request is heard and the Court finds that the dismissal or entry of default judgment should be set aside, the Court:
 - will proceed immediately to trial at the conclusion of the hearing; OR
 - will re-schedule the trial for another date.

The parties are advised to bring with them on the said date all evidence and witnesses necessary for the Court Trial.

Date: _____
 Judge Magistrate

CERTIFICATE OF SERVICE

I certify that on _____ (date), I delivered a copy of this Order to the following:

Plaintiff and/or **Plaintiff's Attorney:** Hand-Delivered, E-filed, or Mailed to:

Defendant and/or **Defendant's Attorney:** Hand-Delivered, E-filed, or Mailed to:

Other _____: Hand-Delivered, E-filed, or Mailed to:

Clerk Signature: _____